

Some Left to Tell the Tale: Finding Perpetrators and Understanding State-Sponsored Violence

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Abstract

Those interested in understanding political violence often face a problem concerning the potential sources of available data. Research on the perpetrators of violence is no exception. Perpetrator research has proven crucial to our understanding of violence because it directly explores the issues of why individuals engage in violent activity, how they go about doing it and what specifically is done when this engagement takes place. Over the past forty years we have made great strides in understanding who joins in violent action and why, unfortunately this literature has rarely probed the representative nature of the subjects queried or contemplated the implications of this sampling for what is concluded. It is generally assumed that those who were left or available to tell the tale about what transpired are representative of those who participated in the violence of interest. In this paper we argue that existing research has missed the “murderers in the middle” or the group of perpetrators who successfully evaded recognition and capture once the violence ended. We argue that missing this group of perpetrators has potential implications for our research on participation in mass violence as well as our understanding of why mass violence occurs. We explore these pitfalls in the context of the 1994 political violence in Rwanda.

Those of us interested in understanding political violence (e.g., genocide, civil war, massacres and the like) face tremendous hurdles concerning the access and availability of reliable data. This limitation is particularly notable in the study of participation in violence. Those interested in understanding the motivations of perpetrators of violence must rely on limited, biased, and often categorically unreliable data (when data is available at all). Information on violence participation often comes from survivors, human rights advocates or journalists or the perpetrators of the violence themselves. Each of these groups has unique limitations for data generation. For example, individuals who suffered from the violence or bore witness to the activity may be either dead or traumatized – respectively, unable or unwilling to speak. Information from those who report on relevant behavior (e.g., journalists and human rights activists) is often secondhand from those who were not present at the events themselves. Finally, information on participation can come from those who engaged in violence themselves– the group most informed about what took place, but this group may be unwilling to talk about what they have done because of trauma or fear and have significant incentives to lie about the extent of their participation in order to avoid prosecution or other forms of sanctioning.

To date, significant amounts of information about political violence have been drawn from the third category: those who participated in violence. Historically, by far the most useful and insightful information for understanding the causes of political violence emerges from this literature on perpetrators (i.e., those formally connected to political authorities like militaries, the police, those informally connected to political authorities like death squads and militias). The work here has proven to be crucial for it directly explores the issue of why individuals engage in violent activity, how they go about doing it and what specifically is done when they do so. This work is central for if there are no participants there can be no violent action. Research into state-sponsored violence has provided important insights into these questions.¹ In particular, two findings stand out. First, it is frequently argued that almost anyone could be a killer if placed in the right circumstances (Gross 2001). Second, it is common for this work to maintain that killers are less influenced to participate by ideology and politics than by their peers and social contacts (Fuji 2009). Here, perpetrators merely participate in the social culture of violence present at the time (Adler et al. 2008) following the orders to kill (Arendt 1963).

Unfortunately, regardless of the importance given to the testimonials compiled and analyzed in this research, the literature has rarely probed the representative nature of the subjects queried or contemplated the implications of sampling for what is concluded.² As introduced above, data on political violence has notoriously suffered from bias, missing data and the like. Despite these known limitations, it is generally assumed that those perpetrators who were left or available to tell the tale about what transpired are representative of those who participated in the violence of interest. In this context, Adolf Eichmann comes to represent all German perpetrators (Arendt 1963) and Straus's subjects become all Rwandan perpetrators (Straus 2006). But, is this the case? Are there others who are not queried (i.e., those that are systematically ignored by researchers) and if these

¹ While most of the political science research on perpetrators or participants in violence has focused exclusively on individuals who join insurgent movements (e.g. Humphries and Weinstein 2008), work within genocide and the study of state-sponsored violence focuses on those who commit violence in the name of the state, e.g. Hannah Arendt's (1963) *Eichmann in Jerusalem*, Christopher Browning's (1993) *Ordinary Men*, Jan Gross's (2001) *Neighbors*, Gitta Sereny's (1974) *Into That Darkness* and more recently Scott Straus' (2006) *An Order of Genocide* as well as Lee Ann Fujii's (2009) *Killing Neighbors* – to name but a few.

² A notable exception is Jan Gross's (2001) discussion of the missing stories and information from those who were killed during the violence.

neglected perpetrators were asked questions, would the tales they tell influence our conclusions about why violence is undertaken and how? This is the topic of our investigation.

We argue that existing studies of perpetrators have systematically overlooked the “murderers in the middle” or the group of perpetrators who successfully avoided recognition and capture once the violence ended. We contend that this group of perpetrators is unique from those captured and identified in that they actively and willingly engaged in violence for personal gain. This group is identified by the fact that they actively fled the country following the conflict and that they had the resources (and presumed guilt) to do so. The “murderers in the middle” represent the most crucial subset of the perpetrator population who both knew they would be implicated in the violence, had the knowledge as well as resources to escape the country before being arrested and had the wherewithal to continually avoid being caught.

To test this argument we use data on the 1994 political violence in Rwanda. Rwanda is an important case for our theory for three reasons. First, Rwanda is a case of contemporary, mass, state-sponsored violence allowing for our most sophisticated methodological techniques to be brought to bear on these questions. Second, there has been detailed work on perpetrator’s and participation in this violence allowing us to critically evaluate extant research. Third and more specific to the conflict itself, the Rwanda genocide was terminated by the victory of the RPF and the full weight of the country as well as the international community (through the International Criminal Tribunal for Rwanda) was directed towards finding genocide perpetrators increasing the likelihood that all perpetrator groups were identified and brought to account.

Within the Rwandan case, we argue that far from representing a survey of the average Rwandan, current research on perpetrators (i.e., those who engaged in mass violence against ethnic Tutsi and politically moderate Hutu) fails to capture the experience of those who knowingly and intentionally participated in the majority of violent activity. At present, researchers have either conducted interviews (and in some cases surveys) with low-level functionaries, currently in prison as well as those recently released, or they consult the legal testimony of high-level bureaucrats, currently in court at the International Criminal Tribunal for Rwanda (hereafter the ICTR). As a result of this sampling, current research has missed those in the middle – those who deliberately carried out the bulk of the violence, but were able to effectively evade capture.

Below, we explore the existing studies of participation in political violence with a focus on how this research has been conducted. We then move to a discussion of our theory of murderers in the middle and the potential implications of this missing perpetrator population for our findings. To further elaborate this argument, we turn to the conflict in Rwanda and the effects that the Genocide in conjunction with the Civil War had on population movements in general and perpetrator movements in particular throughout the 1990s. Using what we know about the Rwandan diaspora and political opposition abroad, we then draw conclusions about the current literature’s failure to account for diverse perpetrators (specifically those who got away and were not available to tell their tales). This case is used to reflect upon the impact that this sampling issue has on research findings concerning why political violence takes place.

Participation in Political Violence

The field of conflict studies has long had a desire to understand why people participate in mass political violence (e.g., Tolnay and Beck 1995). Conceived of as “how ordinary men become killers”,

what makes people “evil” and how do some become “willing executioners”, the concept of mass participation in extremely violent activity is seen by many as the lynchpin for the future prevention of these atrocities. Indeed, if there is a mass killing planned and no one joins, then there can be no mass killing. Participation thus sits at the core of any study regarding large-scale political violence. The sixty years since the Holocaust have seen a decent but not necessarily significant amount of effort being extended to answer the questions posed.³ Below we present a brief overview of the main findings regarding perpetrator motivations as well as an overview of how this research has historically been conducted.

Participants in Mass Violence

While political science research on participation in civil conflict has focused mainly on grievances, selective individual and group incentives and social sanctions as motivations for participation⁴, existing theories on participation in state-sponsored, mass violence can generally be divided into two categories: theories relating to structural factors (e.g. Harff 1994, Valentino 2004, Straus 2006) and those relating to characteristics of the individual (e.g. Staub 1989, Adler et al. 2008).

Structural theories involve institutional, cultural and situational explanations for individual participation in mass violence that are unique to a given society at a give point in time. These explanations include the characteristics of the governing regime (Harff 2003, Valentino 2004), culture (Charney 1982, Kuper 1983, Golhagen 1997) or the particular historical situation (Adler et al. 2008) that leads people to engage in relevant behavior. Individual explanations focus on why a particular person would choose to participate in violent action independent of the context. Here explanations include psychological deviance (Staub 1989) or latent aggressive tendencies (Urdal 2006), fear (Adler et al. 2007; 2008) and social pressures (Fujii 2009), urges of vengeance or retribution (Andre and Platteau 1998) as well as selective incentives (Gurr 1970, Weinstein 2006) and personal greed (Lichbach 1995).

Both structural and individual theories generate predictions regarding the type of person who would participate in political violence. Important for this project, existing theories tend to focus on two main findings: first that almost anyone could be a participant in mass violence when placed in the right conditions and second that fear and social sanctions were often more pervasive motivations for participation than political ideology or greed. From these findings emerges a characterization of perpetrators of mass violence as generally weak followers, able to be pressured into violence by a strong state. Indeed if “every man” can be a killer than the likely perpetrator is one of average age, income and education with minimal levels of historical political involvement. These predictions, of course, do not hold for the Hitlers and Bagostras who served as the main planners and organizers of mass violence, but rather the rank and file participants who make up the bulk of the fighting force.

Researching Participation

³ For example, compare this against the amount of effort extended to understand the structural determinants of civil war (e.g., Fearon and Laitin 2003; Sambanis 2004).

⁴ See Humphries and Weinstein (2008) for a review of the civil war participation literature.

Empirical research on perpetrators of political violence has historically taken two main forms.⁵ This research has been conducted through either: 1) personal interviews with individual perpetrators as case studies or 2) larger-n projects with perpetrator or the general population(s) analyzed quantitatively as well as through qualitative discourse analysis and historiography. As mentioned above, it is believed that directly interviewing and studying those held responsible for the violent behavior will shed light on why individuals choose to participate in mass violence as well as how the violent action was undertaken.

Not all perpetrators, however, are equally likely to be selected for this research. Interview case studies have focused mainly on prominent perpetrators, often after they have been captured and brought to trial for their crimes. In an analysis of Nazi elite participation, for example, Hannah Arendt (1963) uses evidence produced by the court and personal testimony from Adolf Eichmann's trial in Jerusalem. Similarly, Gitta Sereny (1974) interviewed the imprisoned Commandant of Treblinka, Franz Stangl, and later published the study in which she described his personal experience and motivation for participation. In these cases the perpetrators of interest have been captured and tried for their crimes. This method of empirical research contributes to our broader understanding of individual (often elite) motivation and evolving decision processes over time.

Larger-n work has been done in the context of more recent conflicts. Straus (2006), Adler et al. (2008), Fujii (2009) and McDoom (2009) have all published research on the Rwandan genocide based on perpetrator interviews in Rwanda. This research has generally been conducted through surveys of the Rwandan prison population or through snowball samples of ex-combatant organizations. Similar work on the Holocaust includes the studies of Christopher Browning (1993) and Jan Gross (2001) which uses archival material to profile participants in state-violence. This work is designed to be representative of the average participant in violence, but again has focused almost exclusively on those who have been captured and confessed to their alleged crimes. Hypotheses about the participation of "ordinary men" in mass violence generally follow from this methodology.

The Murderers in the Middle

Despite recent attention to sampling issues within perpetrator studies, empirical investigations remain focused on a very specific subset of the perpetrator population. Even if we assume that the perpetrators in question are telling the truth about their participation (a gross assumption to be sure), a problem of sampling bias arises from existing case study and large-n approaches. First we are unable to study people who were killed during the conflict and second, we do not include people who are hiding or openly denying their participation in violence either inside or outside of the country of interest. This has major implications for our research on perpetrators. It may be that people who were killed during the conflict are systematically different from those that survived the conflict. For example, it may be that these individuals were more engaged or energetic fighters, likely to be on the front lines of violence therefore increasing the chances that they were killed. It may also be that those killed were more likely to be targeted for retribution violence once the state-sponsored killing had ended. In this case, we may be systematically missing particularly willing or visible killers who were known and subsequently targeted for their participation.

⁵ In addition to empirical research there has been psychological and theoretical studies on the nature of participation e.g. Staub 1992.

People in hiding following violence introduce additional bias into our findings. These perpetrators have three distinct characteristics. First, they were able to get away. This suggests a certain level of resources both economic and intellectual. In the case where perpetrators fled to other countries they possessed the survival skills and worldly knowledge to successfully make that transition. Second, perpetrators in hiding are those that knew that they needed to get away and did so in a timely manner. These perpetrators were not captured following the violence, or at least were captured and then subsequently released. And finally, perpetrators in hiding are those whom the international community (and other interested actors) have not made a significant attempt to find (e.g. this group was never a high priority for international investigations or arrests).

It is this second category of missing perpetrators (those in hiding) that we find most problematic for our existing understanding of participation. These were murderers in the middle- a group of individuals who were guilty enough to flee or publicly deny their participation, but low-level enough to avoid direct targeting by the state or other international accountability bodies (e.g. the International Criminal Court). By basing existing theories of participation on who we can identify and who we have caught we over-represent those perpetrators who were not able to get away in the first place, favoring the motivations of less resourced, less targeted and potentially less guilty perpetrators.

To systematically theorize the characteristics of those who got away we first turn to an overview of those who were not so lucky. People who were captured fall into three categories. First, there are individuals who were “big fish” or were of such a high profile during the violence that the international community did not permit them to “get away”. The Nuremberg Trials, the International Criminal Tribunal for Rwanda, the International Criminal Tribunal for the Former Yugoslavia, the Extraordinary Chambers in the Courts of Cambodia and now the International Criminal Court had/have investigative branches capable of tracking down persons of interest once indictments have been made. This work is facilitated by the will of the international community as well as existing extradition treaties. Furthermore, organizations such as the Simon Wiesenthal Center and Impunity Watch specialize in documenting and recording human rights atrocities and locating those individuals responsible for these crimes.

In addition to the “big fish”, people who did not get away include those who tried to escape the country, but didn’t get far. This could be individuals who were captured by the state or international community in POW camps, refugee camps or neighboring countries, cities or villages. This group also includes individuals who voluntarily returned home after a certain period of time. These perpetrators would then later be identified or admit their crimes. While these individuals may not have been high priority for the international community or their own government, this group lacked the resources, knowledge and motivation to go into hiding and stay hidden.

And finally, there are the individual perpetrators who never left in the first place. This group is particularly interesting because it is theoretically composed of individuals who thought that participating in mass violence was not wrong or at least was morally justified in some way, those who thought their actions were not wrong when compared with the actions of others, or those individuals who potentially misjudged the political climate in the post-violence period particularly in regards to accountability. In this category perpetrators were identified and/or captured in proximate locations to where their crimes were originally committed.

The murderers in the middle fall into none of these categories. This group consists of those individuals who “got away”. Simply this category consists of any individual or groups of perpetrators who fled the country and were not subsequently available to be interviewed (i.e. they were never arrested or identified in any meaningful or systematic way). These individuals have two important characteristics which may be potentially different from existing individuals in perpetrator studies: (1) these individuals knowingly fled, suggesting knowledge of personal guilt and (2) these individuals had the material resources and knowledge to make an effective escape. Theoretically these are perpetrators who rank somewhere above low-level, “ordinary men”, but yet below high profile, “big fish” who were targeted for prosecution by the international community. This is the group that Straus (2006) refers to as “hardcore killers” or those who would have been more likely to have fled the country, been killed in revenge killings or chosen not to confess. This group is extremely important for existing perpetrator research which may over-represent “ordinary” perpetrators who were fearful, morally confused and easily manipulated by their leaders.

Missing the Murderers in the Middle

While many scholars will agree and have identified themselves that we are missing a particular category of perpetrators (e.g. Gross 2001 and Straus 2006), we have failed to theorize the affects of this omission on existing theories of perpetrator mobilization and participation as well as the impact of this bias on future research. Arguably there are two possible effects of the omission of these perpetrators.

First, it is possible that omitting this group has no effect on the conclusions of existing perpetrator theories. It may be that excluding both the people who were killed during the conflict and immediately after as well as people with the guilt and resources to effectively disappear after the violence has not significantly affected the findings of existing research. This option suggests that there are no measurably different characteristics between those who died or successfully fled and those who lived and were subsequently identified and/or captured. If the omitted group had similar characteristics and motivations for participation to the existing group of surveyed perpetrators then adding the missing “murderers” into our existing samples would have no effect.

On the other extreme, by focusing on people who were not targeted by retribution violence or who did not (successfully) flee the area after violence ended, we could be over-representing individuals who were morally confused or overwhelmed by the situation once violence began. In essence we could be giving too much weight to a group of individuals who were less complicit and deliberate in their actions in the first place. By missing individuals who deliberately chose to evade capture and had the resources to do so, current research is failing to address the motivations of individuals who deliberately and systematically made the choice to participate in mass violence in the first place and realized the potential consequences. Those murderers in the middle may have a different strategic calculus to those of the “big fish” and “ordinary men” and therefore different motivations for and patterns of participation.

To expand on this point, much of the recent work on participation has found little support for hypotheses regarding deep-rooted ethnic hatred or extreme violent tendencies within perpetrator populations. As presented above, conclusions in the literature have favored motivations for participation based on fear of authority, the mobilizing effects of concurrent conflicts as well as moral confusion. In line with our argument it may be that we are finding support for “ordinary men” hypotheses because that is precisely who we have been able to locate for our research.

Individuals who were targeted for assassination in the post-violence period (those who were killed) may have been the bad-seeds for which communities and military forces had little empathy or hope. Violent or ethnic extremists may be disproportionately less likely to repent and therefore more likely to be killed in retribution killings or other forms of violence- over representing the “ordinary men” hypothesis. Furthermore, there has been a strong focus on the impact of ongoing conflict and fear as motivations for participation. Morally confused or fearful individuals may also be less likely to run or hide in the post-violence period making this category easier to locate for prosecution or research. This would suggest that less resourced individuals (those who could not or did not escape) may be motivated by fear and confusion, while those who deliberately and strategically chose to take part in the violence were more skilled at avoiding capture.

Above we have presented two conjectures regarding our current sample of perpetrator research; there are certainly more. We are indeed overlooking the murderers in the middle, but the degree to which this gap is affecting our current research is difficult to determine. There may be no real way of knowing who we are missing and the potential impact of this missing group on existing perpetrator samples across different periods of violence, however, it is essential to theorize the existence of these groups and their potential effect. Missing the murderers in the middle could indeed be missing a significant sample of the murder that we wish to explain. Next, we examine this process further in the context of participation in the Rwandan Genocide. We begin with a look at the War and Genocide in Rwanda and then further explore the current empirical and theoretical work on participation in this case. From there, we explore who was caught which leads us to a better understand who got away.

Political Conflict in Rwanda

In the first weeks of April in 1994, the Parish of Nayange, in Kibuye, Rwanda filled with frightened refugees. In those days of terror, close to 2,000 people fled to and occupied the main church building. A week later the church was surrounded by the Rwandan Army. The church was bulldozed to the ground using two Caterpillar tractors owned by a foreign building firm. Refugees who were not killed in the wreckage, were shot trying to flee. No army official has ever been tried for this massacre. The Caterpillar operator was arrested in February 1995 and remains in prison today (African Rights 1995).

Across the country in Butare prefecture, the local government organized a bureaucratic plan for “self-defense”. This plan organized mandatory patrols or killing squads for every man in the community. Failure to participate resulted in harassment and often death. These groups moved throughout Butare hunting people in hiding, raiding houses that were sheltering Tutsi, forcing neighbor to confront and often kill neighbor. There are over 2,000 perpetrators on trial and in prison for these crimes (Human Rights Watch 1999).

Like other genocides of the twentieth century, the Rwandan Genocide took place in a time of existing armed conflict (Harff 2003). From 1990 to 1993, a war raged between the Rwanda government (the Armed Forces of Rwanda; hereafter, FAR), largely associated with the Hutu ethnic group, and the Rwandan Patriotic Front (hereafter the RPF), mostly Tutsi expatriates and refugees previously exiled in Uganda. The RPF represented an invading force who took up arms against Rwanda after a series of unsuccessful negotiations regarding the right to return for a large group of Tutsi refugees in Uganda who had fled previous ethnic pogroms. The Civil War ended in a UN-negotiated ceasefire, and the resulting power-sharing agreement between the RPF and FAR

contributed to the rise of extremist factions within the Hutu political elite and army (Prunier 1995). These extremist factions used dehumanizing propaganda and fear of the security threat posed by the RPF to incite violence against Tutsi and Hutu political moderates and to consolidate political support throughout the country. The RPF invasion facilitated the portrayal of Rwandan Tutsi as enemies of the Rwandan state. It therefore became a “true” Rwandan’s duty to eliminate this threat. The response to this call was significant.

Genocide violence began in April 1994 with the death of the President, Juvenal Habyarimana. His plane crash on April 6th signaled the start of the killings, which lasted for approximately 100 days. The sheer scope and pace of the killing was startling and the patterns of violence varied across the country (Davenport and Stam 2008). Over 800,000 people both Tutsi and Hutu political moderates (upper bound estimates are closer to 1.2 million) were killed in this three-month period (Commission pour le Memorial du Genocide 1996). An estimated 175,000-210,000 people participated in the violence (Straus 2004) with current projections exceeding one million (Amnesty International 2011).

Early political killings were undertaken by the National Police and Rwandan Army. These forces were responsible for the majority of large-scale massacres as well as the targeted political killings of elites and eminent persons (African Rights 1995). Later, local killings squads, both roving and community-based, were responsible for a new wave of deaths. These squads, made up of trained local militia (Interahamwe) and community recruits, manned roadblocks, performed door-to-door searches, and traveled through the country-side seeking out victims and inciting violence in neighboring communities (Fujii 2009).

Theories of Participation in the Rwandan Genocide

Drawing upon the existing perpetrator literature, within the Rwandan case there have been both structural and individual explanations for participation. On the presumption that the majority of the violence was undertaken by individuals in civil society, current work on political violence in Rwanda, focuses almost exclusively on the “ordinary Rwandan” hypothesis. This hypothesis focuses on the neighbor-to-neighbor, family member-to-family member killings.

Most contemporary research on Rwanda argues that perpetrators were, in part, motivated by fear of the relevant authorities (e.g., Adler et al. 2008, Straus 2006). In addition to being afraid of what the government would do, there was also fear of being associated with the invading forces. This is the fear that the failure to participate in mass killing of government enemies would be punished or sanctioned either by the authorities or by Hutu political extremists in the area. Because of the strong “enemy from within” vocabulary in Rwanda at the time, participants used their actions to distinguish themselves as active supporters of the current government and willing to “work” in support as well as protection of the nation (Adler et al. 2008b). This motivation for participation demonstrates a complicated relationship between Rwandans and state authority.

The fear of personal punishment and the desire to protect the state demonstrates both a reverence for authority and a legacy of a “punishing” autocratic state. Here the situational context of the concurrent war created a need to defend self, family and nation that was brought on by a fear of the RPF invasion and its potential military victory. This fear was rooted in the apprehension that the Tutsi “invaders” meant to enslave and punish Hutu in Rwanda (Mamdani 2002). Propaganda from the extremist government insisted that the advancing RPF army intended to kill the Hutu population

(Melvern 2006). This fear was strengthened by both previous ethnic tensions in Rwanda (pogroms in the 1960s and 1970s) as well as ongoing ethnic violence between Tutsi and Hutu in neighboring Burundi.⁶

Additional research maintains that participants in the Rwandan genocide were motivated less by abstract fears than by national leaders and community officials. For example, some local government officials actively supported the genocide while others tried to pacify their communities and resist local violence as long as possible (HRW 1999). As structural theories suggest, leadership can be essential to determining an individual's or community's participation in violence. Rwanda was and is a highly authority-focused society. In addition to the authoritarian/totalitarian government at the time of the genocide, Rwanda has a history of adherence to authority and a tradition of participating in elite-sponsored projects as well as community activities (e.g., Prunier 1995, Straus 2006). In other words, Rwandans were accustomed to following the direction of elites.

Personal edification and greed was a commonly cited motivation as well. Once the violence began, the general state of lawlessness was easy to exploit and some Rwandans participated in order to materially benefit from the violence. Economic depravity and individual frustrations were voiced through large-scale looting of homes and community spaces. This looting was not limited to private homes. In Butare, health centers and public offices were also looted (HRW 1999). Beyond the personal benefits of looting, some individuals were also directly rewarded for their participation in killings. For example, in the Gikongoro area, Lt. Colonel Simba is purported to have made personal payments to individuals who assaulted Tutsi (HRW 1999, 309). In addition to monetary gains, some perpetrators used the situational context of social breakdown for personal retribution. For example, revenge killings unrelated to the Genocide were commonplace in some communities. Sexual assault and forced co-habitation was often the result of prior rejections (particularly of Hutu men by Tutsi women).

Group associations also played a key role in determining which individuals participated in the genocide. Related to this point, Lee Ann Fujii (2009) finds that participation in Rwanda was often the result of social network structures that were able to mobilize individual participants. This finding suggests that social sanctions as well as group pressure and legitimation were useful tools in mass mobilization. Group associations provide a pseudo-social tipping point for participation. Once a large group is activated for participation, ranks quickly swell.

Finally, some perpetrators admit feeling overpowered and confused by the situation. For example, Adler et al. (2008) refers to this as the 'tsunami effect', but this emotion is similar to the exclusion of individuals from the 'universe of obligation' as described by Helen Fein (1984). In this context, individuals were no longer certain of right and wrong. Morality was reversed and participating in the killing became "good" (Staub 1989). Rwandans were unsure who to trust or believe and often acted along with the momentum of the collective. This motivation suggests that different from being willing to participate, some perpetrators of the Rwandan genocide did not stop to critically or morally evaluate their action, but rather were caught up in the momentum of the time.

⁶ The context in Burundi was particularly relevant for southern prefectures in Rwanda which were influenced by an influx of Burundian refugees who both spread stories of the conflict and participated in the killing of Rwandan Tutsi (HRW 1999).

As presented, these explanations for the violence draw a picture of authority-bidding Rwandans both afraid and overwhelmed by the violence, manipulated by their peers. In this work, a group of “ordinary” people participated in horrific crimes, but do they represent perpetrators in their entirety? We argue that this is not the case and maintain that evidence for and even the development of distinct theories on perpetrator participation are essentially based on who got caught and who remained. Why were researchers moved in this direction? We maintain that this emerged from the trace evidence that was available to them.

Those Left to Tell the Tale

As presented in the narratives introducing this section, there was variation across participants in the Genocide, but also across those who were identified and held accountable for their participation. Specifically very few members of the former Rwandan army were ever identified and officially tried for their participation in the Genocide. These variations in identification introduce potential sampling bias into our existing research on Rwandan perpetrators by limiting the representativeness of our samples.

Before turning to a discussion of the implications of this potential sampling bias for our existing understanding of Rwandan genocide perpetrators, we attempt to identify the universe of potential cases from which our research *could* be drawn. This is not an easy task. The Civil War and Genocide in 1994 caused one of the largest population movements in history in UNHCR history. At one stage in the conflict, UNHCR estimated that there were over 4-5 million internally displaced persons and refugees in the Great Lakes region as a result of the conflict. This was a movement of over 50% of the entire Rwanda population. Refugee camps sprung up on Rwanda’s borders with Zaire (now the Democratic Republic of Congo), Tanzania, Burundi and Uganda. Millions of people fled to those camps and remained there for years. In addition to refugees in neighboring countries, there was a massive migration of people outside of East Africa. Seeking asylum in Belgium and France as well as French-speaking parts of Canada, this group of refugees tended to represent an affluent and educated class of Rwandans who had both the skills and the resources to flee the conflict. Reyntjens (2004) estimates that there are still over 2 million refugees abroad. Those that left included not only those fleeing the violence but also perpetrators of the violence itself. These levels of intense population displacement should immediately make us skeptical of our ability to achieve a representative sample of participants in the violence.

Following the end of the War and Genocide, the newly formed Rwandan transitional government as well as the international legal community began to make mass arrests of perpetrators and those suspected of violent behavior. In Rwanda, the transition government began with domestic arrests as well as prosecutions and later expanded their legal options to include a transitional justice mechanism, Gacaca. Gacaca was designed and implemented to address the backlog in the Rwanda legal system by prosecuting alleged perpetrators of lesser crimes on the community level. Little is known about the patterns of arrests in Rwanda following the creation of the transition government in July 1994. Human rights organizations have suggested that a number of perpetrators were subject to extrajudicial trials, many which resulted in execution (Amnesty 2011). Wagner (2003) states that over 800 genocide suspects were detained by mid-August 1994. The arrest rate by the end of 1994 was as high as 1,500 people per week (Rose 2007). As late as 2001, tens of thousands of people remained in jail awaiting trial (Human Rights Watch 2003, 18) however the majority of those detained were captured within the country. The wave of arrests was swift, but these arrests were not efficient enough to capture all the accused. Ten years later, the Gacaca trials have been turning up

new genocide perpetrators in communities throughout Rwanda. Between 800,000 and one million people have been accused and tried through the Gacaca Courts (Human Rights Watch 2011)

For the international community, the legal response took the form of the ICTR which made arrests in many of the countries where perpetrators fled. The ICTR was created in November 1994 and the first arrest warrants from the Office of the Prosecutor were issued in early 1995. Arrests of alleged perpetrators began immediately after the warrants were issued and peaked with 12 arrests in 2001. At the writing of this paper, the ICTR had arrested 83 suspects of genocide and political violence.

The majority of ICTR arrests took place in French-speaking Cameroon, followed by arrests in regionally-proximate Kenya and Tanzania.⁷ The movement of high-level perpetrators suggests that these individuals both knew they would be punished and had the resources to leave Rwanda. In addition to those arrests that took place in East and Central West Africa, 23% of ICTR arrests took place in Europe and the United States. Francophone Belgium and France were popular asylum countries for high-level perpetrators fleeing Rwanda.

Following from these efforts by the Rwandan government and the international community, three main sites of detention and research for “caught” perpetrators of the Rwandan genocide came into existence: (1) the ICTR in Arusha, Tanzania, (2) local prisons in Rwanda, and (3) local Rwandan communities.⁸ The ICTR holds alleged perpetrators in prison facilities in Arusha, the prosecuted being sent to a prison in Mali. The Rwandan government maintains numerous prison facilities throughout the country. For Gacaca trials, those accused of low-level crimes of genocide are often permitted to remain at home before a sentence is passed. It is important to identify who was arrested and where they were taken because along with other cases, perpetrator research in Rwanda has focused exclusively on those who have been identified (HRW 1999; African Rights 1995; Adler et al. 2008a; Adler et al. 2008b; Fuji 2009; McDoom 2005; Straus 2004; 2006). Once identified researchers have been able to gain access to these perpetrators through prisons, perpetrator support organizations and reintegration facilities in order to conduct their research.

While the unprecedented access facilitates an interaction with some of those involved in mass killing, it does not resolve the question of who is and who is not being studied. How representative is the perpetrator population that was caught and is available for questioning? Who exactly is being talked to? Below, we explore these questions by looking at the perpetrators who got away and then theorizing what this means for our understanding of Rwandan political violence.

The Ones Who Got Away

Perpetrators still at large tend to fall into two distinct categories: 1) those perpetrators actively participating in resistance to the current Rwandan government in the Democratic Republic of Congo, and 2) those perpetrators in exile or hiding abroad.⁹

While numbers have varied over time, the Rwandan government currently estimates that there are over 30,000 perpetrators still at large on the Congolese border (International Crisis Group 2003).

⁷ Some of the arrests in Tanzania can be attributed to perpetrators surrendering to the court in Arusha.

⁸ Both the ICTR and the Rwandan government maintain lists of genocide criminals still at large.

⁹ Due to an extensive transitional justice process in Rwanda, Gacaca, we presume there are few perpetrators left hiding in Rwanda.

These rebels are said to be remnants of Interahamwe units and the former Rwandan army. The actual make-up of the new rebel group (post-1994) has been difficult to ascertain based largely on their disorganized roots. Originally organized as the Rwandan Liberation Army (ALiR), the group was approximately 20,000 members strong and consisted mostly of military personnel from the former Rwandan Army (ex-FAR). This group fought from approximately 1994 through 1998, when it was militarily defeated by the Rwandan Army (International Crisis Group 2003).

To the best of our knowledge, this group has never been systematically interviewed regarding their participation in the Rwandan genocide. Ostensibly, this group would have similar characteristics to former-Rwandan army members (who have also not been studied). These are well-trained individuals who have ideological and political motivations for participating in the fighting. Far from ordinary Rwandans, this is a group who originally chose and continues to fight against the Tutsi minority in Rwanda. Unlike current theories suggest, these individuals do not appear to be men and women motivated by fear and uncertainty, but rather ideologues and fighters who 15 years on were still fighting the war.

Directly important for us, these are the individuals that seem to approximate the community that was involved with the bulk of the killing. From existing survivor testimony and human rights reports it seems that the largest killings involved massacres by the army and organized interahamwe, such as the massacre at Nyanzele described above. In contrast, the individuals who have been interviewed are associated with the smallest number and the least severe activities. For example, consider the group of perpetrators examined by Straus (2006). His research has focused on those who admit to killing a single person, or being involved in a beating that resulted in a person's death. Researchers have not been led to the modal killer who participated in the elimination of the majority of Rwandan victims- a perpetrator who committed more extreme forms of violence. Instead, they have been led to Rwandans who killed while the larger and deadlier campaign was underway. In short, researchers have mistaken an interesting spinoff of the major story (neighbor killing neighbor) for *the* story and warped our understanding of the relevant events along the way. To his credit, Straus acknowledges the potential limitations of his sample. He concludes that his sample well represents the confessor (prison) population, however it is unclear whether this sample is representative of the entire prison population or the entire perpetrator population. Straus concludes that his sampling technique probably under-represents "hardcore killers" who would have been more likely to have fled the country for good, been killed in revenge killings or to have chosen not to confess because of the scale of their crimes. While Straus acknowledges this underrepresentation in his research he does not theorize the potential affect that the missing "killers" may have on his findings.

Potential perpetrators in hiding pose another theoretic concern. No longer actively resisting the government, this group got out of the country early and has continued to hide. Why did these particular people get away? We do not have a definitive answer to this question, but we can speculate that perpetrators who escaped capture and later prosecution had both the resources to leave the country and the knowledge of their own guilt as well as complicity (i.e., they had a reason and the ability to leave). This community is important because these are also not "ordinary" Rwandans but rather they are members of a middle, possibly educated, class who were able to relocate and resettle in Western democracies.

How would these groups of perpetrators inform the greater discussion regarding political violence? We theorize that this group – the murderers in the middle– were not subject to the same fear and

overwhelming emotions that caught up “ordinary” Rwandan perpetrators. This group of individuals supplied the genocidal government with the intermediary functionaries needed to carry out their plans. What is particularly interesting about this group is that they left. The majority of Rwandans in prison today, however, were caught in Rwanda in the immediate aftermath of the conflict. They did not leave. They were caught at home or in refugee camps on the border. The murderers in the middle though fled the country, demonstrating guilt by omission as well as resource acquisition either actively taking up arms or passively relocating. This is a potentially educated group, aware of international human rights law, who have personally acknowledged both their participation in the violence and their personal accountability. Failing to account for the motivations of this group skews our theories on political violence to account only for those who either believed they would not be punished or did not “know” how to get away.

Conclusion

There is no doubt that the “ordinary men” hypothesis is one of the most disturbing narratives to come out of the literature on political violence. Scenes from the Holocaust, Cambodia and the Rwandan Genocide demonstrate the powerful emotional pull of learning to understand man’s inhumanity to man. The fact that one’s friend or neighbor could be pushed to participate in some of the most widespread and horrific violence in modern history is an ethical crisis that has been and is being wrestled with across the globe. But in many ways, this hypothesis is an over simplification of political violence itself. Political violence is not merely administered by farmers and the unemployed. It is often carefully managed and actively participated in for political gain, social status and personal conviction.

The restriction of the contemporary perpetrator narrative informs the conclusions that we draw about the Rwanda Genocide in particular and other genocides generally. Counter narratives regarding intentional and ideological participation have been systematically excluded. While both the masterminds and the flunkies have been accounted for, it is the intermediaries who willingly killed and acknowledged their culpability that are falling through the cracks. In order to flee people need, not only, the knowledge and the resources, they needed a basic presumption of guilt and accountability. Those perpetrators who fled knew they had done wrong even before they were brought to trial.

So in light of these limitations, how should we proceed? In order to effectively collect information on and study participants in political violence, we must first have an understanding of the sample size of a given perpetrator population. Understanding the scope of participation and involvement in political violence requires a broader understanding of the conflict itself. By first focusing on the variation in patterns of violence across a given conflict, we will be better able to see what took place and take a step back to better understand who was involved in those activities as well as who should be the subject of research. It is not a matter of simply asking who *could* participate, but rather who *did* participate. Ostensibly, the answer to the first question is *everyone*, while the answer to the second and third is a *significant and meaningful population*. As perpetrators are notoriously difficult to track down, however, the viability of the sample left available to researchers after the fact may only be determined through an understanding of the events of a given conflict and the patterns of violence that resulted.

If research as well as advocacy are to progress, then these communities of perpetrators – the murderers in the middle – must be addressed. Indeed, without them there can be no understanding

and no effective implementation of any policy to stop or reduce the severity of large-scale political violence. To do this, however, scholars will have to modify how they conduct their research and consumers of the information that they produce will have to modify how readily they accept the often compelling as well as heart-wrenching stories that such work delivers.

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