
EDITED BY DANIEL ZIEGLER,
MARCO GERSTER AND STEFFEN KRÄMER
FRAMING EXCESSIVE VIOLENCE
DISCOURSE AND DYNAMICS

Framing Excessive Violence

This page intentionally left blank

Framing Excessive Violence

Discourse and Dynamics

Edited by

Daniel Ziegler
University of Giessen, Germany

Marco Gerster
University of Konstanz, Germany

Steffen Krämer
Brandenburg University of Technology, Germany

palgrave
macmillan

First published 2015 by
PALGRAVE MACMILLAN

Palgrave Macmillan in the UK is an imprint of Macmillan Publishers Limited, registered in England, company number 785998, of Houndmills, Basingstoke, Hampshire RG21 6XS.

Palgrave Macmillan in the US is a division of St Martin's Press LLC, 175 Fifth Avenue, New York, NY 10010.

Palgrave Macmillan is the global academic imprint of the above companies and has companies and representatives throughout the world.

Palgrave® and Macmillan® are registered trademarks in the United States, the United Kingdom, Europe and other countries.

ISBN 978-1-349-56121-6 ISBN 978-1-137-51443-1 (eBook)
DOI 10.1057/9781137514431

This book is printed on paper suitable for recycling and made from fully managed and sustained forest sources. Logging, pulping and manufacturing processes are expected to conform to the environmental regulations of the country of origin.

A catalogue record for this book is available from the British Library.

A catalog record for this book is available from the Library of Congress.

Contents

Figures and Tables

Figures

Tables

Contributors

Jörn Ahrens is Professor of Cultural Sociology at the University of Giessen. Among his recent publications are: *Kampf um Images: Visuelle Kommunikation in gesellschaftlichen Konfliktlagen* (with L. Hieber and Y. Kautt, eds, 2015); *Wie aus Wildnis Gesellschaft wird: Kulturelle Selbstverständigung und populäre Kultur am Beispiel von John Fords Film "The Man Who Shot Liberty Valance"* (2012); and *Comics and the City: Urban Space in Print, Picture and Sequence* (with A. Meteling, eds, 2010).

Werner Binder is Post-Doctoral Lecturer in Sociology at Masaryk University, Brno. Among his recent publications are: *Ungefähres: Gewalt, Mythos Moral* (with M. Gerster, B. Giesen and K. Meyer, 2014), and *Abu Ghraib und die Folgen: Ein Skandal als ikonische Wende im Krieg gegen den Terror* (2013).

Randall Collins is Dorothy Swaine Thomas Professor of Sociology at the University of Pennsylvania. Among his recent publications are: *Violence: A Micro-sociological Theory* (2008), *Interaction Ritual Chains* (2004), and *The Sociology of Philosophies: A Global Theory of Intellectual Change* (1998).

Marco Gerster is a doctoral student at the Department of History and Sociology, Konstanz University. Among his recent publications are *Ungefähres: Gewalt, Mythos, Moral* (2014, with B. Giesen, W. Binder and K. Meyer); and *Kippfiguren: Ambivalenz in Bewegung* (2013, edited with K. Junge, W. Binder and K. Meyer).

Bernhard Giesen is Professor Emeritus of Macrosociology at Konstanz University. Among his recent publications are: *Ungefähres: Gewalt, Mythos, Moral* (with W. Binder, M. Gerster and K. Meyer, 2014); *Iconic Power: Materiality and Meaning in Social Life* (with J. C. Alexander and D. Bartmanski, eds, Palgrave Macmillan, 2012); and *Triumph and Trauma* (2004).

Michael Günter is Professor of Child and Adolescent Psychiatry and Psychotherapy and Medical Director of the Department of Child and Adolescent Psychiatry and Psychotherapy, Klinikum Stuttgart. Among his recent publications are: *Gewalt entsteht im Kopf* (2011), and *Psychoanalytische Sozialarbeit* (2010).

Jack Katz is Professor of Sociology at the University of California Los Angeles. Among his publications are *How Emotions Work* (1999), and *Seductions of Crime* (1988).

Jan Klabbers is Professor of International Law at the University of Helsinki. Among his recent publications are: *Normative Pluralism and International Law: Exploring Global Governance* (with T. Piiparinen, eds, 2014); *International Law* (2013); and *An Introduction to International Institutional Law* (2nd edn, 2009).

Peter Klimczak is a post-doctoral researcher at the Department of Applied Media Studies at Brandenburg Technical University Cottbus-Senftenberg. Among his recent publications are: *Formale Subtextanalyse: Modallogische Grundlegung der Grenzüberschreitungstheorie Jurij M. Lotmans* (2015); *Klassiker des polnischen Films, Vol. 1* (with C. Kampkötter and C. Petersen, eds, 2015); and *Filmsemiotik* (with S. Großmann, D. Gräf, H. Krah and M. Wagner, 2011).

Steffen Krämer is a research assistant at the Department of Applied Media Studies, Brandenburg University of Technology, and a PhD Candidate at the University of Hamburg. He regularly contributes to video investigations with the research group Forensic Architecture at Goldsmiths, University of London, and to documentary film productions as editor and videographer.

Anne Nassauer is a post-doctoral researcher at the Department of Sociology at John F. Kennedy Institute at Freie Universität Berlin. Among her recent publications are: "The 'Swarm Intelligence' and Occupy: Recent Subterranean Politics in Germany" (2010, with Helmut Anheier), in Martin Albrow and Hakan Seckinelgin (eds), *Global Civil Society 2011*; and "Violence in Demonstrations: A Comparative Analysis of Situational Interaction Dynamics at Social Movement Protests", dissertation, Berlin, 2012.

Christer Petersen is Professor of Applied Media Studies at Brandenburg Technical University Cottbus-Senftenberg. Among his recent publications are: *Terror and Propaganda* (2015); *Störfälle: Zeitschrift für Kulturwissenschaften* (with L. Koch and J. Vogl, 2011); and *Terror: Signs of War in Literature, Film and Media* (with J. Riou, 2008).

Sveinung Sandberg is a professor at the Department of Criminology and Sociology of Law at University of Oslo. Among his recent publications are: *Narrative Criminology: Understanding Stories of Crime* (with Lois Presser, 2015), and *Street Capital: Black Cannabis Dealers in a White Welfare State* (with Willy Pedersen, 2009).

Ferdinand Sutterlüty is Professor of Sociology, with a focus on Family and Youth Sociology, at Goethe University Frankfurt am Main. Among his recent publications are: *In Sippenhaft: Negative Klassifikationen in ethnischen Konflikten* (2010); *Abenteuer Feldforschung: Soziologen erzählen* (with P. Imbusch, eds, 2008); and *Gewaltkarrieren: Jugendliche im Kreislauf von Gewalt und Missachtung* (2002).

Annette Vowinckel is a researcher and Head of the Department of Media History at the Centre for Contemporary History Potsdam. Among her recent publications are: "German (Jewish) Photojournalists in Exile: A Story of Networks and Success", *German History* (2013), 31(4), 473–496; *Cold War Cultures: Perspectives on Eastern and Western European Societies* (with M. M. Payk and T. Lindenberger, eds, 2012); and *Flugzeugentführungen: Eine Kulturgeschichte* (2011).

Daniel Ziegler is a research assistant at the University of Giessen. Among his recent publications are *Kino und Krise: Kultursoziologische Beiträge zur Krisenreflektion im Film* (forthcoming, edited with I. Lim); 'Der Fall "Breivik" in den Massenmedien. Gesellschaftliche Verarbeitungspraktiken von Phänomenen entgrenzter Gewalt', in R. Junkerjürgen and Isabella von Treskow (eds.), *Amok und Schulmassaker. Kultur- und medienwissenschaftliche Annäherungen* (2015); 'Kämpfende Images. Die mediale Inszenierung von Amokläufern', in J. Ahrens, L. Hieber and Y. Kautt (eds.), *Kampf um Images: Visuelle Kommunikation in gesellschaftlichen Konfliktlagen* (2015).

1
Introduction

Marco Gerster, Steffen Krämer and Daniel Ziegler

Social, cultural and historical contingencies aside, violence is an anthropological constant of mankind. Because of our corporeality we can harm people and we know we can be harmed by others.[1] Not only violence itself but also the potential for it and the collective struggle to keep it at bay are therefore major driving forces behind the emergence of social order.

Social order thus creates the framework for the social trust in the predictability and routinisation of social lifeworlds which is an important resource for processes of socialisation. In line with Thomas Hobbes's theory of the social contract, Wolfgang Sofsky even considers the experience of violence as the initial reason for the foundation of society.[2]

Émile Durkheim has shown that retribution for crime creates solidarity among those who condemn it.[3] In this perspective, violence and crime contribute to maintaining the moral order, although and because the criminal action questions it. "The transgression does not deny the taboo", Georges Bataille says, "but transcends it and completes it."[4] A moral and social order that cannot be violated is unimaginable. As a phenomenon of the extraordinary, violence can be both constructive and destructive. The distinction between construction and destruction is also reflected in concepts of power and sovereignty, especially when it comes to the question of the legitimate and illegitimate use of violence. While the legal use of violence is mostly thought of as the prerogative of the state, the illegal use of violence implies ideas of aggression and cruelty that are deemed to be unreasonable.[5]

Most founding myths and collective identities of societies or communities are based on the notion of either being a victim of violence or making use of it.[6] In this respect, we can regard violence as something both extraordinary and absolutely "normal". Although we do not

expect to be victims of violence in our daily routines – at least in pacified, Western societies – we are not in principle surprised by any acts of violence that happen to others.[7]

Therefore, violence remains an immanent part of modern society, usually integrated into the symbolical as well as the practical framing of social normality. Although the violent act is certainly not regarded as "normal" from the perspective of perpetrators, victims and bystanders, society and the media try to find strategies and social mechanisms of "normalisation". "Normalisation" in this sense does not mean that violence is morally accepted. Instead, "normalising" violence means (re-)constructing causes and motives and embedding the disturbing incident in a narrative. As a result, the act of violence becomes integrated in a comprehensible framework, in which it appears to be motivated by a rational cause (for example, being the victim of discrimination or having financial worries). In addition, the normalisation and rationalisation of the violent act could also be considered as ways of coping with contingent circumstances. If society is successful in normalising and rationalising the violent act, it manages to define the performance of violence as a social practice as unnecessary. As a consequence, social individuals perceive its absence as the very normality of their lifeworlds. However, there are violent acts that transcend the social and moral order in such a way that they cannot be classified as acts of "normal violence". Terrorist attacks, school shootings or acts of torture seem, to a certain extent, to resist strategies of normalisation. Transgressions of this kind eliminate any connection to the social realm, undermining the very possibility of societalisation.[8]

These forms of violence that we call "excessive" are the topic of this book. The use of "excessive" here refers not to the quantitative magnitude of violent events – for example, the number of victims – but to the transgression of interpretative frameworks, as well as to excess in the sense of a meaningful category for making and normalising judgements (as indicated, for example, by the phrase "excessive police force", where the idea of excess indicates the limits of legitimised violence). The meaning of excess unfolds within the discursive currents that attempt to normalise disturbance *ex post facto* as well as in the emotional dynamics at the level of the individual and smaller groups. These two layers are crucial to the understanding of excess as it is understood in this book: the emergence of violence is limited by the emotional, interactional and corporeal particularity of the situation, which is its micro-context, as well as by the preparative (which means scripted) and reconstructive narratives that frame violence in the macro-context of culture. The latter

narrative processes of sense-making might differ depending on their specific cultural context. However, in response to the rise of international news media and shared narratives in cinema, TV and video games, they interact across disciplines and countries.

Many theories of violence have little to say about the problem of "excessive" violence as outlined above, but they regard violence as a product of – social, economic, emotional – deficiency or as a simple means to an end, and fail to recognise the interplay of both their micro-contexts and corporeality, on the one hand, and their cultural scripts and narrative frameworks, on the other. Following Michel Wieviorka, political and social science comes up with three different approaches concerning the analysis of violence: the first approach considers violence as a response to a deficiency, a situation that the actor can no longer endure. The second one is a more instrumental explanation for violence, in which "the actor is defined by calculations, personal or collective strategies".[9] The third influential approach explores the reason for acting violently by focusing on the historical and cultural circumstances that serve as breeding grounds for violent or authoritarian predispositions. Claiming that most theories of violence ignore the connection between subjectivation and violence, Wieviorka pleads for processes of subjectivation and desubjectivation to be taken into account.[10] This is important insofar as it includes both the productive and the destructive aspects of violence, instead of overemphasising violence as something negative. An interesting approach stems from the literary scholar Jan Philipp Reemtsma, who distinguishes three phenomenological types of violence according to their different relation to the body, the last of which, "autotelic violence", is the one closest related to the notion of excess.[11] Autotelic violence is completely asymmetrical and leaves no option of avoidance. It merely seeks to destroy the body without any further goal. Reemtsma argues that "autotelic violence disturbs us most, for it's the one that most escapes understanding and explanation."[12] Autotelic violence cannot be interpreted as a "normal" example of transgression, for it questions the very order that restricts the excess. In addition to Reemtsma's concept of autotelic violence, Wolfgang Sofsky tries to embed violence systematically into the order of modernity by connecting Hannah Arendt's analyses of totalitarianism and Heinrich Popitz' sociology of power. While violence in Max Weber's definition of power and sovereignty is just one possibility among others, Sofsky argues against Weber's definition and points out that absolute power establishes violence as normality which does not necessarily need to be legitimised, but is purely and simply an end

in itself.[13] While Sofsky defines violence as the only opportunity to gain absolute power, Étienne Balibar argues that extreme violence could never legitimise power, but might be able to maintain it for a certain time. For Balibar, extreme violence questions the possibility of politics and is thus connected to "the idea of the intolerable".[14] Moreover Balibar emphasises that we need "to consider thresholds of the intolerable as manifestations of the element of inhumanity without which even the idea of humanity is meaningless".[15]

Even Bataille, who usually speaks of excess in the context of rituals, admits that there must exist a notion of "transgression without limits": "It can happen that violence over-reaches the bounds of the taboo in some way. It seems – it may seem – that once the law had become powerless there is nothing to keep violence firmly within bounds in the future."[16] In his reading of Bataille, Michel Foucault differentiates between "transgression" and "negation". While transgression "incessantly crosses and recrosses a line which closes up behind it in a wave of extremely short duration",[17] Bataille's "transgression without limits" destroys the line, being a "satanic denial".[18] The denying of the limit itself – and by implication of society – is often interwoven into a narrative of absolute "evil". Precisely because the perpetrators regarded as "evil" are excluded from moral society, the "myth of pure evil"[19] itself becomes "productive". To Roy Baumeister, "the myth of pure evil confers a kind of moral immunity on people who believe in it."[20]

The normalising of violent events is achieved by integrating them into narrative frameworks through their plot-like reconstruction, which includes motives, roles and causal structure. Such processes of sense-making can be observed, for example, in the mass media and courtrooms,[21] as a central part of memorising and witnessing, but also strategically communicating, the interpretation of the events in question. Those narratives in turn become operatively productive in legal judgements as well as mediating cultural identity: for example, in the context of truth and reconciliation commissions. However, the concept of narrative presupposes certain properties – for example, their sequential order as a base structure – and therefore runs the risk of imposing them upon the reality they are aiming to reconstruct.[22] From a pragmatic point of view that regards narrative as a necessary way to make sense of violent events, the concept competes with such terms as "script", "frame" and "schema" – all of them at the intersection of literary studies, social sciences, cognitive psychology and artificial intelligence research. Though all of those terms can signify cognitive frameworks, they also show varying syntactic properties and semantic

differences depending on the disciplines they have migrated to. In addition, though with the exception of "schema", which has a stronger footing in the history of philosophy, they also point beyond literature to theatre and the visual and performing arts, and thus to the inter-media or profoundly comparative dimension of narratives.

The methodological application of the terms "frame", "script" and "narrative" outside literary studies reached a first peak in the 1970s, with narrative being claimed as a central concept by William J. T. Mitchel in 1971, the republishing of Gregory Bateson's famous frame concept in 1972 and Erving Goffman's frame analysis in 1974,[23] as well as the appropriation of the idea of "frames", "cultural scripts" and "social scripts" as conceptual devices for research into artificial intelligence by Marvin Minsky in 1974 and Roger Schank and Robert Abelson in 1977.[24] However, the syntactic properties of narrative that were introduced for the literary realm by narratology[25] are rarely applied to the same extent in an analysis of non-fiction in the social sciences. Rather, it seems to be the pragmatic dimension that enables narrative to become a fruitful addition to the social sciences' toolbox, through its problematisation of the concept of truthfulness: in this sense narratives describe world-building exercises and are measured by coherence and verisimilitude rather than falsification.[26] They are accompanied by rhetorical strategies that might increase or diminish social trust in their probability or "narrative necessity".[27] Certainly, narrative strategies of reconstruction are not only applied for coping with (excessive) violent events, but it is here that their capacity for filling the gaps becomes most striking for claims of responsibility or for normalising what would otherwise remain indigestible.

Narrative's function of filling gaps is considered essential in narratology and was specifically attributed to schemata and scripts.[28] However, according to Schank and Abelson, both schemata and scripts are used for stereotypical situations[29]: they can only exert their guiding function in generic rather than extraordinary situations. An archetypical example is the "restaurant script", which makes subjectivities such as waiter and guest as well as practices such as paying and serving immediately recognisable even when only perceived in fragments. In contrast, the concept of narrative in literary studies also includes the creative application of a breach with conventional and generic modes of storytelling. But when narrative is applied to "real" violent events outside the realm of fiction, the term is more often used in the sense of script and schema, suggesting a rather stable template for the unfolding of events.

Furthermore, while "narrative" tends to be applied to the reconstruction of an event and thus refers to the past, the term "script" signifies behavioural patterns that might be used for future actions. In addition, "script" implies a goal-oriented temporal structure. In relation to violence, the term "script" has been applied in psychology to account for the learning of behavioural scripts through the repeated reception of violence in video games, TV and other media.[30] In addition, script theory places great importance on the accessibility of scripts. According to L. Rowell Huesmann, when scripts are routinely rehearsed or enacted, some become more available and accessed in future situations, while others decline or are overwritten, especially during children's development. In those accounts the media environment is viewed as analogous to, and as having similar effects to, the social environment made up of peers and family: "a person's social behavior is controlled to a great extent by the interplay of the current situation with the person's emotional state, their schemas about the world, their normative beliefs about what is appropriate, and the scripts for social behavior that they have learned."[31]

The above-mentioned difference between "schema" and "script" – with "schema" representing a construction of world/order – resonates with Deborah Tannen and Cynthia Wallat, who propose a difference between knowledge schemata as "participants' expectations about people, objects, events and settings in the world" and frames that are interactively negotiated and might be switched in every situation.[32] This interactive or bi-directional nature of frames has in turn been used for the strategic rendering of discourse positions: that is to say, for propaganda. If the discourse itself is framed as one of moral distinction, the naming of the outlawed or the immoral *as the other* is used to assure the speaker's own position on the "right" side of the distinction.[33]

Thus, despite the fact that frames, scripts and schemata are all cognitive constructs to experience, act and remember the world,[34] frames are to a certain degree situational, interactively, flexible or less stable, while schemata and scripts exist outside the particularity of the moment. The "framing" in the title of this book therefore indicates the temporal context of such cognitive constructs encoded in narratives of violence, which might be situational at times, sequential in their inner logic or pattern-like in their repetition across cases studies. At the same time the term "framing" leaves out the notion of stereotype that was still present in the concept of script, but it also signals its difference from the artistically or experimentally deviant notion of narrative in the literary tradition.

Lastly, "framing excess" must remain a paradox because the frame's tension is created by the very delimitation that is inherent in the semantics of excess. The question that the book poses at its outset, then, points to a set of methodological problems: what is excess being compared with, or in what context is it interpreted as excess? What is the archive of texts or discourses within which excess can be carved out as paradigmatic? In the paradigm approach excess and its framing are based on a cultural archive that provides the reference guidelines and parameters for excess to be spelled out. The recording and narration of one event (as text, film, still image and so on) can serve as a point of reference for the narration of another event, which seeks to transgress established frames. At the same time the new example may alter the existing frames and new categories will emerge. In that respect the technique of comparison becomes a constitutive element or discursive marker for identifying attempts to frame excessive violence.

The case-study-oriented contributions of the book focus on riots, school shootings, torture, extreme violence by right-wing adolescents and acts of terrorism by specific individuals. Excessive violence committed by states, military or large-scale terrorist groups such as Al-Qaeda or ISIS is not explicitly covered by this volume but is touched on in some of the contributions. State violence, however, is more specifically focused on when it comes to the discussion of the legal frameworks of excessive violence. The book combines different approaches from the field of sociology, criminology, psychiatry, media studies and legal studies, and is divided into two sections.

The first section of the book deals with different dynamics of excessive violence. It takes into account the fact that the use of excessive violence is usually not the outcome of rational decision-making. Instead, it depends on various contingencies that are examined in the chapters in this section. They do not focus on non-involved third parties – such as the media, judicial authorities or artists – that try to make sense of the disturbing phenomenon, but they argue from the perpetrators' perspective and describe interdependencies that lead to the violent act.

One important factor in the emergence of excessive violence is the specific *situation* in which it occurs, the bodily presence of and interaction between actors that become perpetrators and victims of violence. From this perspective, emotions are of fundamental importance. The contributions of Randall Collins, Anne Nassauer and Ferdinand Sutterlüty, in particular, address this aspect.

In his chapter "Emotional Dynamics of Violent Situations" **Randall Collins** argues that most threats of violent action fail to succeed

because situational conditions usually do not favour violence. This is due to a barrier of confrontational tension, and the unfolding of violence depends on whether mutual tension remains at an equilibrium or whether one side establishes emotional dominance over the other. Additionally, Collins deals with the problem of extreme violence and identifies two main types: massacres of category victims such as suicide bombings, genocidal massacres or school shootings, on the one hand, and forward panics such as high-speed police chases, riots or lynchings, on the other.

In her chapter "Forward Panic and Police Riots" **Anne Nassauer** uses Randall Collins' theory of forward panics and analyses the specific sequential and interaction patterns that turn protest marches into police riots. Nassauer identifies specific combinations of interactions – such as spatial incursions, police mismanagement, escalation signs, property damage and communication problems between protesters and police – that foster emotional dynamics that in turn trigger violence.

Ferdinand Sutterlüty critically points out that, although collective violence can be explained by looking at the situations in which it takes place, the situations themselves need explanation. Where this is not the case, violence can be reduced to a quasi-mechanical process with and between bodies. In his chapter, "What the Situation Explains: On Riotous Violence", Sutterlüty discusses the achievements and limitations of a situationally and interactionistically orientated theory of collective violence using the example of riots.

In his chapter on "Violence and Emotion: Perspectives of the Perpetrators" **Bernhard Giesen** develops a phenomenological typology of violence that unfolds mainly between two axes: rationality and emotionality on the one hand, and individual versus collective violence on the other. He distinguishes between seven scenarios of violence: the act of violence that issues from overpowering affect; strategic violence; the autistic act of violence of a solitary actor; the liminal act of violence in the group; the public act of violence that usurps power within its territory; the emotionless act of violence carried out by following orders; and the so-called sovereign violence that creates social order.

Another important factor concerning the dynamics of excessive violence is the biographical background of the perpetrators. Affinities, motives and psychological conditions do not emerge in a single moment but are the result of an ongoing development over a longer period of time.

Michael Günter examines in his chapter on "Neo-Fascist Heroes: Group Identity and Idealisation of the Aggressor in Violent Right-wing

Adolescents" 30 cases of violence committed by adolescent skinheads during forensic assessment in the last twenty years. From a psychiatric point of view, Günter highlights the developmental dynamics and patterns that underpin those cases, which are found in the youths' relation to their family, especially the father. According to Günter, the motivational grid that eventually leads to the outburst of unrestrained violence is not only very complex but also intimately connected to individual and social devaluation. Joining a violent group and adopting its ideology has to be seen as a social process which can be understood as an attempt to re-establish certain forms of self-esteem and social valuation via the exercise of violence.

In the last chapter in the first section, "Explaining Intimate Massacres: Suggestions for Honing in on an Elusive and Tragic Spirit", **Jack Katz** introduces the notion of "intimate massacres". This formulation acknowledges that phrases such as "school shootings" are neither legal categories nor definitions rooted in evidence about offenders' perspectives. In contrast, the notion of "intimate massacres" refers to the personal biographical meaning of the attack to the attacker. In the course of his chapter Katz identifies sequential actions that indicate a projected "point of no return". By using violence, the perpetrators try to destroy the way (they think) they have been personified and attempt to negate this specific side of their identity. Katz argues that the expectation of transforming chaos into control should be understood within the longer biographical trajectory from which the attacks emerge.

The second section of the book focuses on the discursive framing of acts of excessive violence. Those acts could be described as rare events that most people experience through the mass media, and only in retrospect and from a distance. Hence this section deals with the question of how different forms of excessive violence are retrospectively framed, narrated and therefore (re-)integrated into the symbolic order of society. While the chapters by Jörn Ahrens, Christer Petersen and Peter Klimczak and Sveinung Sandberg deal with individual acts of violence, from German school shootings to the 2011 terrorist attack in Norway, Werner Binder and Annette Vowinckel discuss the public discourse that revolves around images of torture, the scandalous nature of these images and their regular absence from the public imagination. Finally, Jan Klabbers examines the legal discourse about the regulation of violence in armed conflicts.

Jörn Ahrens explores in "German Rampage: Social Discourse and the Emergence of a Disturbing Phenomenon" two cases of German

school shootings, looking at their representation in two German weekly newspapers. He therefore first of all dwells on the historical development of the term "amok", which has significantly influenced the debate on school shootings. He then examines in detail media coverage of the Erfurt massacre of 2002 and the Winnenden massacre of 2009 by analysing the visual as well as the textual narration of the shootings. According to Ahrens, the discourses in the mass media integrate the disturbing phenomenon into social reality.

In "Amok – Framing Discourses on Political Violence by Means of Symbolic Logic" **Peter Klimczak** and **Christer Petersen** investigate the attempts by German newspapers to frame the perpetrator of the Norwegian terrorist attacks of 2011, Anders Behring Breivik, as a terrorist, "amok-runner" or madman, as opposed to his own self-description as liberator, freedom fighter or hero. They make use of formal logic to establish exact definitions of either of those subjectivities. Their modelling of definitions revolves around the distinction between "to terrify" and "to liberate". Klimczak and Petersen use these models to assess the consistency of definitions of violence in public discourse, thereby unmasking the varying strategies employed by perpetrator and the mass media.

Sveinung Sandberg also discusses the terrorist attacks in Norway 2011 but focuses on the perpetrator's strategy of creating a coherent life-story, identity and set of motives in his written manifesto before the attack. In "Terrorism as Cultural Bricolage – The Case of Anders Behring Breivik", Sandberg shows that the writing and narratives cannot be studied independently but are deeply embedded in intertextual linkages with other writings and self-depictions by terrorists or authors from the anti-Islamic movement in Europe. This approach also demonstrates contemporary tendencies in the emerging discipline of narrative or cultural criminology which integrate literary studies and cultural anthropology into their toolbox.

In "Tales of Abuse and Torture: The Narrative Framing of the Abu Ghraib Photographs" **Werner Binder** analyses the public discussion that followed the leaking of images from the infamous Iraqi prison of Abu Ghraib. Binder reconstructs and structures the different discursive threads that governed the framing of both the publication of images and the event they portrayed. He refers to Northrop Frye's theory of genres and also distinguishes between micro-narratives and macro-narratives in order to differentiate between individual and collective actors. With reference to Victor Turner's "social drama", Binder divides the Abu Ghraib scandals into four acts and argues for the need of a cultural sociological

approach to violence that focuses on the symbolisation of violence as well as on the processes of sense-making. In the second chapter on torture, **Annette Vowinckel** discusses "The (Relative) Absence of Torture in Documentary Photography". While the history of images showing violence has a long tradition – ranging from Christian iconography of saints and martyrs to war pictures of soldiers and victims – photographs of torture are almost non-existent. Vowinckel refers to two rare cases in which torture was exposed to public awareness in order to show the political and social function of photography. The first case deals with pictures that were taken during the Diem government in South Vietnam in 1963. The second case analyses the Abu Ghraib prison pictures from 2003. With photographs from a campaign by Amnesty International, Vowinckel argues that the relative absence of torture pictures can be explained not only by the fact that torture violates international law and is thus carried out in secrecy, but also by the lack of a visual reference and cultural framing.

Finally, **Jan Klabbers** expounds the problems of restraining violence in armed conflicts from a legal perspective. His chapter, "Off Limits? International Law and the Excessive Use of Force", outlines the negotiation between law on the one side and its practical realisation on the other. According to Klabbers, international law fails to restrict the excessive use of violence because it does not fully take into account the difference between the *jus in bello* and the *jus ad bellum*, as long as the violent act is considered "necessary" from a military point of view. International law only limits the proportionality of violence, which means that it prohibits the use of several types of weapon as well as the use of aggressive violence. Klabbers concludes that the problematic flexibility of this concept needs to be restrained by the individual morality rather than by legal principles.

This collection of texts is – with some changes – the fruitful outcome of the international conference "Unrestrained Violence" that took place at Giessen University (Germany), from 7 to 9 November 2013. It was organised by Professor Jörn Ahrens and Daniel Ziegler (Justus-Liebig-Universität Giessen), Professor Bernhard Giesen and Marco Gerster (Universität Konstanz) and Professor Christer Petersen and Peter Klimczak (Brandenburgische Technische Universität Cottbus). We would like to thank Jörn Ahrens, who initiated the project, for his continuing support. We would also like to thank Palgrave Macmillan – especially Julia Willan and Dominic Walker – for the chance to publish the book and their excellent support during the finalisation of the manuscript.

Notes

1. H. Popitz (1992) *Phänomene der Macht* (Tübingen: J.C.B. Mohr), p. 61.
2. W. Sofsky (1996) *Traktat über die Gewalt* (Frankfurt/M.: Fischer), p. 10.
3. E. Durkheim (2013) *The Division of Labour in Society* (Houndmills: Palgrave Macmillan).
4. G. Bataille (1986) *Death and Sensuality: A Study of Eroticism and the Taboo* (San Francisco: City Lights Books), p. 63.
5. M. Endress (2014) "Grundlagenprobleme einer Soziologie der Gewalt. Zur vermeintlichen Alternative zwischen körperlicher und struktureller Gewalt", in M. Staudigl (ed.) *Gesichter der Gewalt. Beiträge aus phänomenologischer Sicht* (Paderborn: Wilhelm Fink), pp. 87–113, here p. 88.
6. B. Giesen (2004) *Triumph and Trauma* (Boulder: Paradigm Publishers).
7. J. Ahrens (2011) "Anthropologie als Störfall. Gesellschaftliche Bearbeitungen von Gewalt", in L. Koch, C. Petersen and J. Vogl (eds.) *Störfälle. Zeitschrift für Kulturwissenschaft* (Bielefeld: Transcript), pp. 73–83, here p. 73.
8. J. Ahrens (2012) *Wie aus Wildnis Gesellschaft wird. Kulturelle Selbstverständigung und populäre Kultur am Beispiel von John Fords "The Man Who Shot Liberty Valance"* (Wiesbaden: VS Verlag für Sozialwissenschaften), p. 159.
9. M. Wieviorka (2003) "Violence and the Subject", *Thesis Eleven*, 73(1), 42–50, here pp. 42–43.
10. Wieviorka, 2003; M. Wieviorka (2009) *Violence. A New Approach* (London: Sage).
11. J. P. Reemtsma (2012) *Trust and Violence. An Essay on a Modern Relationship* (Princeton: Princeton University Press), pp. 62ff. Apart from the type of "autotelic violence", the other two types are "locative violence" and "raptive violence". Locative violence uses the body simply as a physical mass that should be somewhere else. Violence in this respect is mainly a means to an end and could be avoided by voluntary cooperation. Killing a security guard in order to get to the money or lawfully holding a person captive are examples of this kind of violence. Second, "raptive violence" uses the body as a sexual object. Here, the complementary opposite would be mutual desire.
12. Reemtsma, 2012, pp. 62ff.
13. W. Sofsky (1993) *Die Ordnung des Terrors. Das Konzentrationslager* (Frankfurt/M.: Fischer), p. 38.
14. É. Balibar (2009) "Violence and Civility: On the Limits of Political Anthropology", *Differences*, 20(2–3), 9–35, here p. 12.
15. Balibar, 2009, p. 12.
16. Bataille, 1986, p. 66.
17. M. Foucault (1977) *Language, Counter-Memory, Practice: Selected Essays and Interviews* (Oxford: Blackwell), p. 34.
18. Foucault, 1977, p. 37.
19. R. F. Baumeister (2001) *Evil. Inside Human Violence and Cruelty* (New York: Holt Paperback), pp. 60–96.
20. Baumeister, 2001, pp. 95–96.
21. M. Fludernik (2014) "A Narratology of the Law? Narratives in Legal Discourse", *Critical Analysis of Law and the New Interdisciplinarity*, 1(1), 88–109.
22. P. Ricoeur (1971) "Narrative Time", in W. J. T. Mitchell (ed.) *On Narrative* (Chicago, London: The University of Chicago Press), pp. 165–186.

23. W. J. T. Mitchell (1971) "Foreword", in W. J. T. Mitchell (ed.) *On Narrative* (Chicago, London: The University of Chicago Press); G. Bateson (1972/1955) "A Theory of Play and Fantasy", in G. Bateson (ed.) *Steps to an Ecology of Mind: Collected Essays in Anthropology, Psychiatry, Evolution, and Epistemology* (Northvale, NJ, and London: Jason Aronson Inc.), pp. 183–198, especially p. 190 ff.; E. Goffman (1974) *Frame Analysis: An Essay on the Organization of Experience* (New York: Harper & Row).
24. M. Minsky (1974) "A Framework for Representing Knowledge", *MIT-AI Laboratory Memo 306*, June 1974, https://web.media.mit.edu/~minsky/papers/Frames/frames.html, date accessed 25 March 2015; R. Schank and R. P. Abelson (1977) *Scripts, Plans, Goals, and Understanding: An Inquiry into Human Knowledge Structures* (Hillsdale, NJ: Erlbaum).
25. See, for example, G. Genette (1980/1972) *Narrative Discourse. An Essay in Method* (Ithaca, NY: Cornell University Press).
26. J. Bruner (1991) "The Narrative Construction of Reality", *Critical Inquiry*, 18(1), 1–21, pp. 4–5.
27. Bruner, 1991, p. 4.
28. C. Emmott and M. Alexander (2011) "Schemata", *The Living Handbook of Narratology* (Hamburg: The Interdisciplinary Center for Narratology), http://www.lhn.uni-hamburg.de/article/schemata, date accessed 20 March 2015.
29. See Emmott and Alexander, 2011, discussing the notion of stereotype in the script concept by Schank and Abelson, 1977.
30. L. R. Huesmann (2007) "The Impact of Electronic Media Violence: Scientific Theory and Research", *Journal of Adolescent Health*, 41(6), Supplement, 6–13; earlier version of this article available online under, http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2704015/, date accessed 20 March 2015.
31. Huesman, 2007.
32. D. Tannen and C. Wallat (1987) "Interactive Frames and Knowledge Schemas in Interaction: Examples from a Medical Examination/ Interview", *Social Psychology Quarterly*, 50(2), 205–216, here p. 207.
33. See, for example, C. Petersen and J. Riou (2008) "Preface", in C. Petersen and J. Riou (eds.) *Terror: Signs of War in Literature, Film, and Media* (Kiel: Ludwig), pp. 5–9.
34. Emmott and Alexander, 2011.

Part I
Dynamics of Excess

2

Emotional Dynamics of Violent Situations

Randall Collins

Emotional dominance precedes physical harm, and this explains what will happen or not happen when violence threatens. The emotional relationship between the people involved determines the trajectory of violent situations.

This emotional pattern is found if we look closely at the evidence for many different kinds of violence, ranging from quarrels and fights among individuals or small groups to violent crime such as hold-ups and rapes, to crowd violence in demonstrations and riots and to military combat or other organised violence. Out of this array, I will concentrate on extreme violence: that is, the most shocking and morally offensive episodes, which generally take the form of one-sided massacres and what I call forward panic. I will draw on data summarised in *Violence*,[1] and on recent research, some of it currently in progress.

First, let us consider violence in general. Most theories about violence are misleading. If we look closely at situations where violence is threatened, the striking fact is that most of the time violence does not actually happen: it is aborted, or turns into a stand-off. When violence does manage to break through, it is typically incompetent, and fighters do relatively little damage to each other. This is not our predominant image of violence. We think that violence is raging rampage, where angry, embittered or honour-prone people give way to pent-up urges and commit atrocious acts of beating, shooting, exploding or torturing. Not that such things don't happen; but our biggest problem with understanding violent causality is that for a long time almost everything we knew about it came from sampling on the dependent variable. Violence is trumpeted in the news media when it is most blatant and atrocious. The fact that a fight does not come off, or that it is no more than a scuffle, is never newsworthy. The same problem exists with crime statistics,

since they report the crimes that happen, not those that almost happened but didn't. The problem was worse when statistics consisted only of crimes known to the police – that is, crimes that had made their way through the bureaucratic reporting system. Victim surveys give better data, but they are hazy about what actually happened and miss most violence that is aborted. Probably the best data in this respect are on sexual harassment and rape, since research is usually designed to get the largest number of victims' reports; but the data have not yet been analysed for clues as to when sexual advances do or do not escalate to more serious sexual violence.

Our best analyses come when we can to avoid sampling on the dependent variable, and view threatening situations before violence happens. One method is close ethnography of everyday life. Researchers such as Elijah Anderson[2] and, more recently, Alice Goffman[3] and Joe Krupnick[4] have spent years living with gang members and street people, and have provided much information about when violence is threatened but does not happen, under what micro-contingencies it breaks out, when it is milder or more serious and how it stops. And we have new sources of data: CCTV cameras show quarrels in pubs, as well as hold-ups in the street and the gestures of bank robbers; mobile phone videos are posted on-line, from which Anne Nassauer has been able to reconstruct the multiple perspectives of participants in protests, showing when a demonstration turns into a riot and what contingencies keep it peaceful[5]; Curtis Jackson-Jacobs (UCLA) shows how fights escalate and wind down, move by move[6]; Don Weenink (University of Amsterdam) uses multiple interviews on all sides to show when ordinary scuffles escalate into vicious beatings.[7]

The theoretical starting-point, I have argued, is that most threatened violence does not actually happen. Why not? Most commonly, people who threaten each other get into an emotional equilibrium or stand-off; their postures and angry talk eventually become repetitive and boring. In conversational recordings, the most characteristic feature of conflict talk is that speakers repeat the same phrases over and over, both talking at the same time and each trying to talk over the other. After a number of repetitions they start to tire, the tone gradually declines and the quarrel winds down with a ritualised gesture of contempt for the whole situation, slamming a door or stamping away in disgust.

Stalemates can also happen at a low level of actual violence. In protest demonstrations often a few individuals at the front make insulting gestures and throw stones; the police line typically stands their ground with their shields. As long as this goes on, no real damage is done. The

configuration of the crowd and police changes drastically just before serious violence happens: solid lines break up on both sides, and little clusters attack isolated victims.

Most of what happens in violence-threatening situations is bluster: people make hostile gestures, adopt postures and hurl their voices in anger and insult. Such behaviour typically stops short of violence. But bluster is not entirely pretence: it is an effort to establish emotional dominance and will facilitate real violence if it succeeds. But much of the time bluster doesn't work, and the result is stalemate.

A striking variant on dramatic bluster is the gesturing with guns that happens in the world of street gangs in Philadelphia. Elijah Anderson describes two well-known killers confronting each other in a night club, trading insults over possession of a beautiful woman accompanying one of them.[8] As the room holds its breath, the insulted tough guy pushes open his jacket to reveal the butt of a gun and says, after a dramatic pause, "I'm letting you live – for now." He then grabs his woman: "C'mon bitch, we're getting out of here." The onlookers collectively exhale and burst into excited conversation. Both tough guys handled themselves well – that is, dramatically, making move and counter-move in equilibrium, with an appropriately dramatic exit. The gossip network buzzes with the story for months, then settles on something else; the two killers have not shot each other yet.

This incident happened in the 1990s; ten years later, gesturing with guns seems to have evolved into an accepted mode of communication. In a southern California school playground, members of a Chicano gang call out rival gang members from inside the school; both sides confine themselves to flashing gang signs with their fingers, and pulling up their shirts to reveal the butts of guns stuck in their waistbands. Back in Philadelphia, street tough guys flash their guns, sometimes even pull them. Yet even these incidents for the most part do not lead to shooting at each other. Alice Goffman describes a whole array of gun-gesturing: showing a bulge in one's pocket to imply you have your hand on a gun; actually displaying part of the gun; pulling out the gun, but keeping it pointed at the ground; waving it in the air.[9] Some of these moves demand refined timing and understanding just what kind of gun-gesturing is bluster and what is serious threat; this is a collective game, an understanding between experienced people on both sides. The micro-details of how this works remain to be investigated. Joe Krupnick, in his Chicago ethnography, notes that sometimes experienced fighters will actually fire a shot into the air, not so much because they want to fight, or even to scare off their opponents, as because they know the Chicago

police will arrive soon after a gunshot, giving them all a good excuse to escape from a threatening scene.[10]

Such understandings about gun-gesturing should not be taken to mean that no one ever tries to shoot anyone, but that happens in a different kind of situation. Shooting is more likely in a drive-by, where one side rapidly fires into an enemy group, without very close aim; this minimises the amount of confrontation because it happens so rapidly, and no one stares in anyone's face. Mutual bluster can escalate to fighting when one group makes an incursion into another's turf; but participants' descriptions of such events typically show a confused scene, with hasty firing and then the invaders beating a retreat back to their own terrain. As we know from the tactics of burglars and street robbers, most such criminals prefer to do their robbing close to their own neighbourhood, even if more lucrative targets are farther away; places carry emotional tones and are relatively secure and confident for their *habitués*, but more tension-raising for outsiders. Violent crime is so much a matter of place because of these kinds of emotional processes.

I have been describing a variety of ways in which violence is aborted, or deliberately self-regulated, through dramatic gestures. Bluster remains important even when real violence is attempted, when weapons and missiles are hurled and shots are fired. Violence itself can be a form of bluster, as Dave Grossman argued in reviewing the history of weapons systems.[11] On the whole, soldiers within sight of the enemy did not fire their weapons very accurately, so there was relatively little danger in standing one's ground when both sides were doing little damage. Here the firing of weapons is itself a form of bluster, an attempt to make the other side lose their nerve and their coherence. The very sound of gunfire can be unnerving, and big guns – long-range artillery – typically have their effect not so much by the casualties they inflict – since artillery too, until quite recently, has been rather inaccurate – as by their psychological effect. This is especially true in urban warfare, where hammering buildings apart by artillery has been the main tactic that in the past brought urban uprisings to an end; most turning-points came when artillery destroyed the buildings around one side so that they gave up, rather than as a result of a high level of casualties.[12]

Historically, armies dramatised themselves by battle-cries, the ominous sound of drums, the eerie wail of bagpipes; this was not mere pageantry, since in successful battles the winning side managed to make the losers break and run before they actually came into contact. It is only when one side loses its nerve, or becomes tangled up in trying to move to another position, that the capability of an organised military

force to resist breaks down. This is the danger point, since most damage is done when one side is no longer resisting, while the still coherent force goes into frenzied attack that Ardant du Picq called "flight to the front",[13] and which I have called a "forward panic".[14]

What is going on at the micro-level in such situations? Violent confrontation – where people are locked together in a common focus of attention but at cross-purposes – generates a high level of tension on both sides. We can see this from visual data (especially from today's telephoto lenses): in the early phases of a quarrel, faces often look angry, but at the moment when people do something violent, their faces turn from anger to fear. I interpret this to mean that the baseline of human interaction is to become entrained in each other's gestures and mood; conflict locks people together but in antagonistic directions, and the result is palpable tension in face and body. This is why fighters – if they get that far – are generally incompetent. When they fire their guns, they usually miss; even though they may be good shots at the firing range, in real situations, confronting another human, their aim deteriorates. This was true of the era of swords, spears and edged weapons; and it is true of the fist-fighters that we see in Jackson-Jacobs' videos. Confrontational tension undermines the ability to fight.

Grossman gives a physiological explanation: conflict elevates heart rate; at successively higher levels one loses, first, fine motor coordination – such as one's trigger finger – then gross motor coordination; finally, at very high levels, comes complete paralysis.[15] The technique of fighting is a contest to elevate the other side's confrontational tension so that they become helpless, while keeping one's own down to a level where violent attack can still be carried out. We see this from the inside, in the subjective phenomenology reported by police officers who have been in shoot-outs; they describe perceptual distortions like a blur of activity, tunnel vision focusing on the opponent's gun, temporary deafness to all sounds, even those of gunshots, and time slowing down so that what takes only a few seconds seems a dream-like eternity.[16]

To summarise: the most important techniques of violent conflict are moves to establish emotional dominance; and most physical damage follows when and if one side establishes emotional dominance over the other. The lead-up to violence, and the carry-through to actual physical injury, each have a number of contingencies along the way. Sequences from the near past into the near future are crucial for whether violent threat will build up, and what will happen. Most kinds of violence are short-term and emergent, having an emotional history of minutes – within ten or 20 minutes is probably most common – and rarely more

than three hours. These time periods are the causal zone, determining whether someone threatens violence, whether it will actually break out and what kind of result it will have.

One implication of my argument is that motives further back in time – grudges, jealousy, sense of injustice, plans for robbery or revenge and so on – are not the crucial determinant of what will actually happen. I am not denying that people have motives; but motives are a remote and causally weak explanation of what occurs in a violence-threatening confrontation. This applies also to people who are ideologically motivated, whether freedom fighters for some ideal or prejudiced defenders of an old order; whatever one's motives, they still have to go through the eye of the needle, and that is the situation in which two sides confront each other. People who are racists, or homophobes, are no better at violence than anyone else; they too experience confrontational tension when they come to the situational sticking-point, and they too are successfully violent only if situational micro-conditions are present. Recall what I said earlier about sampling on the dependent variable; what is missing in news reports of outrageous racist, homophobic or mass rampage attacks is how many such outrages are thought up by people who never carry them out. The same applies to more commonly imputed motives for violence: childhood abuse, post-traumatic stress, being disrespected, being a victim of bullying, lacking moral norms and so on. I will state this in extreme form: it doesn't matter what your motives are for violence; if you cannot find a technique and an opportunity to get through a confrontational situation and establish emotional dominance, you will not commit the violence. At the end I will argue that this is a good thing; motives for violence are ubiquitous and hard to eradicate, but situational opportunities are a narrow eye of the needle that could well be made even narrower and harder to get through.

The same is true for violence that is planned in advance. It still must pass through the eye of the emotional needle; and the crucial contingency is whether, by happenstance or by micro-interactional technique, it is able to do so.

From general theory of emotions in violence, let us turn now to extreme violence in particular. Extreme violence is what we find emotionally shocking and morally offensive. What fits this description has varied historically, and modern sensibilities as to what is morally offensive violence date only from the 19th century or later. We should avoid mixing our emotions, as audiences for news reports of violence, with the emotions that operate among participants in violence. The former – the

audience reaction to violence – has undergone great historical shifts, whereas the latter – the emotional dynamics among violent antagonists themselves – appear to be universal across history. The sociological tools we have for understanding the micro-sequences that generate successful violence are of wide use, even as we pick out the kinds of violence that are most disturbing to us today.

What we find shockingly extreme include, first, genocidal massacres and terrorist attacks, including suicide bombings.[17] Both involve killing large numbers of non-combatants, civilians, women and children. These are what we call innocent victims, although from the perpetrator's point of view they are members of a category, the enemy as a whole, whether named in terms of religion, ethnicity or politics. A related form of shocking massacre we have come to call a rampage killing, such as school shootings or workplace massacres. Here again the victims are not combatants but innocents: again, from the killer's point of view, they are targeted as members of a category, but here the category is idiosyncratic to the killer, whether the grudge is against a school, a local identity in the youth culture or an employer. Genocidal massacres and terrorism are attacks on an ideological category, whereas rampage killings are attacks on a private or locally constructed category; but both are violence against category victims, victims as members of a category.

I do not intend this as an exercise in taxonomy but want to point out some common denominators that show how such pathways to violence build up emotionally and carry onwards to successful violence – or not, in the all-important variant where the intended violence aborts. Attacking a category of victims rather than targeting particular people has practical and emotional advantages to the attacker: they get to choose the most easily accessible victims, those who are weak and emotionally off-guard. Insofar as such attacks are planned in advance, the crucial technique is to establish shock and panic from the outset and unleash violence in a situation of complete emotional domination.

This is what makes attacks on category victims so morally offensive to us as audience: they are very far from being a two-sided fight, or what we would regard as a fair fight; they are unfair in the extreme. But this is not the way it looks in the mind of the perpetrators, who are prone to see previous offences against themselves as intolerable unfairness by the enemy category; genocidal, terrorist or rampage killers believe they are only turning the tables. From the perpetrator's point of view, this is part of the emotional dynamic building up tension towards the attack.

One-sided attacks on category victims make up one major type of extreme violence to explain. Another type consists of forward panic.

The former are generally planned in advance; the latter are much more short-term and emergent – a police chase at high speeds ends in a prolonged beating of the arrested suspect; a crowd confrontation breaks apart into a series of little mêlées in which an isolated victim is beaten, sometimes to death, by a surrounding group of attackers. Military massacres are of this sort: a period of stalemate is suddenly broken, and one side retreats or falls apart into organisational confusion, leaving a vacuum in which the advancing force finds itself confronting a helpless enemy. Unresisting soldiers are killed; civilians who happen to be near by become caught up as targets for the attackers' emotional surge.

Forward panics are characterised by hot rush, piling on and overkill. Hot rush is the group riding on a wave of violent emotion that fills mind and body; afterwards they often describe it as being in a dream. Piling on is the pattern, seen so ubiquitously in photos of riots and police violence, where a small circle of about half a dozen attackers beat a single isolated victim. Overkill is the prolonged violence that so often turns news audiences to puzzled outrage: why did they have to fire so many bullets, or keep on beating the fallen victim for so long? This is puzzling only from a rationalistic point of view that assumes violence is instrumental and coolly controlled; in reality, the emotional dynamics of hot rush, sustained and multiplied by the collective piling on, drive the prolonged overkill.

Some kinds of forward panic are more visible and shocking than others. The most ordinary, low-level types of violence, scuffles and brawls, sometimes escalate into forward panics; most incidents wind down in stalemate or mutual incompetence disguised by bluster, but some turn into the configuration that generates a forward panic. This happens especially when the attackers form a group (three or more) against an isolated opponent, and when the physically weaker target shows signs of being emotionally dominated, giving up the fight and forming the vacuum into which rolls the drumbeat of hot rush, piling on and overkill. Don Weenink has examined such cases in micro-detail to isolate their turning-points. Usually such cases do not make the news, but when they do, they are seen as extreme violence, disgustingly and morally offensive: above all, because they are so patently unlike the ideal of a fair fight. Even more offensive are the details of domestic violence, which generally takes the form of a forward panic by the bigger and stronger individual (usually the adult male) against an emotionally dominated and unresisting partner or child. Such violence, although common, is not often widely publicised, and thus does not generally reach our concern with extreme violence.

What does generate a moral sensation are lynchings or vigilante justice such as is common in crime-ridden cities of Africa or Brazil, where shanty-towns are without effective police protection. When a crowd can be mobilised to catch a market thief or burglar, there is often an atmosphere of forward panic as an individual is chased down; rather than being handed over to the untrusted judicial system, the criminal – already convicted in the eyes of the crowd – may be stamped to death or executed in a form of torture-killing such as being burned with a petrol-filled tyre around his neck. Such violence counts in the larger world as extreme, because it is more than instrumentally necessary to apprehend the suspect, because it is extra-judicial and usurps the state monopoly of force, and because it is the fearsome face of the emotionally aroused crowd overbearing an isolated victim. Against the counter-image of the fair fight, the huge disparity of power of the crowd against the individual makes the latter an object of sympathy; but in the experience of the local community, the long-standing daily tension of guarding against criminals puts all the sympathy on the other side, and lynching is a rare instance of getting one's own back.

To summarise, there are two main types of extreme violence that I am dealing with here: massacres of category victims and forward panics. The former probably seem the most atrocious to us, since their victims are innocent civilians, not engaged in fighting at all, whereas the latter type, forward panics, generally start out as two-sided conflicts but turn into one-sided overkill after a turning-point.

Now, let us bring together the general theory of violence as driven by the dynamics of emotions, that is to say the sequential nature of the pathways to violence, as they apply to massacres and other extreme violence. Emotionally, there is a two-phase sequence: first a period in which confrontational tension builds up, and then a period when the tension is released into violence. How far each phase proceeds depends on micro-contingencies; first, during a series of everyday interactions, communications and events that build the tension or keep tension down; in the second phase, if it reaches this far, the big turning-point contingency, whether mutual tension remains at an equilibrium, a stalemate, or whether one side establishes emotional dominance, allowing serious violence to unfold.

How do these contingencies apply to extreme violence? Let us take forward panics first.

A police chase at high speed generates many sources of tension: the danger and excitement of the race itself, plus police officers feeling affronted by someone challenging their authority. When the fleeing

suspect is finally caught, to these tensions is added confrontational tension/fear that exists in all contentious face-to-face encounters. In a famous incident such as the Rodney King beating, the tension-building phase was further exacerbated by the suspect's resistance. Emotional domination was restored, in this case, by the presence of 21 officers who joined the chase. Most of them stood in a circle to watch and cheer as four officers beat the suspect into submission. (We might add that the first arresting officer was a woman of the highway patrol, whose orders King not only disregarded but met with a sexualised gesture of turning his butt towards her and slapping it; it was at this point that the Los Angeles police unit declared they were taking over. Thus there was an element of men showing off in front of women in this assertion of dominance.) The piling on and overkill (hitting King on the ground over 100 times over a period of 80 seconds) are what caused the media outrage over this incident; hot rush is evident, too, in the excited and bragging calls made over police radio while the officers were calming down.

High-speed police chases in general produce more violence than other kinds of arrest. These are the instances where the build-up of tension is easiest to see; chases on foot also tend to produce forward-panic violence at the end; and so do more slow-paced encounters between police and civilians where there is a phase of resistance and struggle over emotional dominance. If these were encounters between civilians on both sides, generally confrontational tension would stay in equilibrium and the encounter would end in stalemate. But police are committed to dominating every encounter; if they meet resistance, they call for back-up until enough dominance is established to make the arrest. It is not so much the dangerousness of the criminal or the seriousness of the crime that generates the escalated will to dominate as the amount of affront to police authority: that is, the struggle over emotional dominance in the situation. Most police stops and arrests do not lead to violence, because most civilians are compliant. Since we are generally confined to sampling on the dependent variable, we do not know how many cases of defiance do not lead to police violence; but we do see the pattern that, the more police are present on the scene, the more likely violence is to happen.

In military massacres, the first phase of tension build-up is the battle scene itself. Often this is tedious and boring, in long-drawn-out static fronts punctuated by long-distance firing, or in counter-guerrilla warfare such as the asymmetrical wars in Iraq and Afghanistan. Thus periods of intense action – especially at guerrillas' initiatives, such as

exploding improvised explosive devices (IEDs) or sudden ambushes of isolated patrols or logistics vehicles – happen in an emotional mood of uncertainty and exasperation that is suddenly heightened into the fear and anger of combat. On the whole, in warfare of all kinds, violence is not very effective, and casualties come from attrition rather than decisive encounters signalling victory or defeat. Most of the time there is no sense of emotional domination, or even the sense of being defeated emotionally by the enemy, but only a persistent ambiguous tension. For this reason, moments in combat when the outcome becomes clear-cut – at least, locally – tend to generate the forward-panic emotional sequence. Historically, troops overrunning an enemy position have been likely to kill whoever pops into close view, whether they are trying to surrender or not.[18] Surrenders are safest when they are arranged collectively by large groups, and in advance, initiating communications at long distance, meetings under white flags, negotiating the procedures of laying down arms – methods by which confrontational tension is kept down. In guerrilla warfare, where combatants without uniforms hide in the civilian population, soldiers of the uniformed forces have generally fired into civilian shields. This is found ubiquitously in the Vietnam War,[19] and documented in the battle in Mogadishu, Somalia, in 1992 after the downing of US Blackhawk helicopters.[20]

Rules of engagement (ROE) are recent attempts to confine fighting narrowly to an idealised battlefield consisting only of fully fledged combatants on both sides, and insisting that one side follow these rules even if the other does not. There are strong policy reasons for such ROE – above all, the political struggle for "hearts and minds" – as well as modern ethnical sensibilities. But the rules are implemented without paying attention to the emotional dynamics of the battlefield, especially the emotional sequences that lead to forward panics.

Consider a particular case: Haditha, Iraq, in November 2005.[21] An IED exploded under a patrol vehicle, killing one of a squad of US marines. In response, the marines targeted nearby houses where they presumed whoever had detonated the bomb was hiding. Then came the tense moments of storming through doors into interiors where they expected to be easy targets as they entered; then firing wildly into walls, and killing a total of 24 civilians. In similar incidents, soldiers in a house-to-house search killed wounded enemies rather than giving them medical aid. All the ingredients for forward panic are present; and the very existence of cowering, unresisting civilians in these rooms presents precisely the kind of weak target that gets hit by forward-panic hot rush and overkill.

Forward panic is not new: military massacres of this type have been documented throughout the history of warfare. What is new are techniques of surveillance and media publicity. The Rodney King beating caused a huge political sensation, because it came at the time when portable video camcorders had just appeared, and it was the first time that most people had actually seen what real violence looks like – so shockingly different from the idealised duels and fair fights that make up entertainment on film and TV. Military atrocities in the Iraq War came to light in an era, not only with new ROE but also with much stronger means of documenting what happens on the battlefield. The killing of civilians after the IED bombing in Haditha was investigated by higher military command since the battlefield was filmed by a drone carrying a video camera, and the report made by the officer on the ground did not tally with the data in the video.

Does this show that the ROE are working, or at least starting to work? It is clear that front-line soldiers are aware of ROE, since they often complain about them. The emotional demands made not just by ROE but also by campaign strategies aimed at demonstrating one's altruism to a population full of enemy guerrillas are surely a strong source of emotional tension; the surprising thing is not the fact of military massacres by Western troops but their relative rarity. Are ROE capable of restraining forward panics, given the occurrence of situations where all the ingredients are present for the building up of tension and sudden transition to emotional domination that produce a forward panic? From a researcher's point of view, we do not know enough about the distribution of situations on battlefields. Reported violations of ROE are relatively rare, so to what extent is this due to under-reporting and to the probable fact that high levels of tension plus opportunities for sudden release do not happen very often? Or is it because there are additional factors, as yet unknown, that make some soldiers capable of following ROE even when conditions for a forward panic are pushing them down the emotional tunnel?

ROE themselves may be an additional source of tension; for instance the case of Sgt Robert Bales, who went on a night-time rampage in Afghan villages near his outpost, killing 16 members of sleeping families.[22] This was a soldier who had served four tours of duty in combat zones in Iraq and Afghanistan over a period of ten years. He had been committed to the "hearts and minds" programme of winning over civilians by economic aid and friendly contacts but snapped emotionally during a period when many US casualties were sustained in so-called "green-on-blue" insider attacks, by supposed friendly Afghan forces

upon their American colleagues. As he was the officer in charge of base security, the pressure of knowing about such attacks without being able to do anything about them was probably a major part of his emotional dynamics when he decided to take the offensive in a clandestine attack of his own.

Turn next to vigilante lynchings in such places as the shanty-towns of South Africa.[23] These combine short-sequence and long-sequence build-up of tension. Small numbers of police are assigned to cover large populations; poor or non-existent roads and lack of street signs and lighting make a quick response impossible. Police are regarded as corrupt and are believed to release criminals soon after they are apprehended (which may well be true, but for a variety of organisational reasons). Gangs and other violence are highly visible and largely unchecked, creating an atmosphere of pervasive fear of crime as well as frustration with authorities. Amid this long-term tension, local residents form both semi-formal crime control organisations and informal mutual aid systems, such as the practice of blowing whistles from house to house when a break-in or nearby incident happens. The short-term sequence is a forward panic, in which residents chase down a suspect and punish him on the spot. Although good comparative detail is lacking, it appears that vigilante forward panics occur only when a single suspect can be isolated rather than a gang; this configuration gives overwhelming emotional domination, if only for that moment, by the crowd over an individual who is not resisting and who has shown emotional weakness by running away.

Although in my analyses of forward panic I have generally emphasised the short-term sequence of building tension, as in the police chase or the sudden change of fortune in military combat, cases such as vigilante lynchings show that the short-term sequence can be exacerbated by long-term tension – months or even longer of fear and anger against an enemy who is elusive or even arrogantly flaunting his impunity. Long-term tension is quasi-institutionalised in collective practices such as blowing whistles – a practice that itself is a kind of emotional contagion, and a way of generating group solidarity, so that the long-term tension spills over into the short-term tension of the chase, leading up to the moment of full domination when the enemy is caught. It may be that the more extreme forms of punishment, the torture-executions by burning "necklaces" of rubber tyres, are due to the combination of the short-term and long-term tensions.

A methodological caveat: we are still in the early years of studying the dynamics of forward panic. Our big problem remains sampling on the dependent variable, even where we get good enough descriptions

to capture the time sequence of emotions in a forward-panic lynching. What we would like to know is how often lynchings happen – for instance, in crime-prone South African shanty-towns – compared with the amount of daily crime. Clearly lynchings happen in a small minority of cases: is this because most criminals get away? Are additional factors needed to arouse the crowd and send it in pursuit? I raise these questions to push us forward; once we become clear on where the data fail us, we will know where we should try to generate fuller data.

Consider now the types of extreme violence that are organised and prepared in advance, such as genocides and other category-victim massacres. The most famous of these have considerable top-down administrative structures: above all, the Nazi holocaust and the 1975–1979 Cambodian massacre of non-peasant classes.[24] But even these were carried out in an atmosphere characterised by some type of emotion. The Nazi gas chambers are regarded with special horror for their bureaucratic callousness. But the technique of execution can also be seen as a special form of emotional manipulation: the victims were tricked (or at least made to pretend) they were merely being disinfected; this had the effect that the prisoners did not stage last-ditch resistance or even express anguished emotions that might have led the guards to perceive them as human beings. The pretence of disguising the gas chambers thus solved the problem of confrontational tension, making it easier for the guards too to treat it with emotional distance and a semblance of normality. We know this by comparison with the executions that took place in round-ups in Polish towns, where guards facing either resistance or just loud grieving tended to lose control of themselves, some lapsing into exasperated brutality to hurry the prisoners along and others unwilling to actually pull the trigger and frequently missing, even at close range.[25] I am not addressing here the debate about the ideological beliefs of German troops, but a micro-level of problem of how executioners overcome their own confrontational tension; there are instances where even strongly committed Nazi officers nevertheless found open killing too emotionally difficult to carry it out personally. On the micro-level, the gas chambers are similar to the clandestine approach taken by suicide bombers, acting calmly as if nothing abnormal is happening while carrying a hidden bomb up to the point where it will be detonated among its victims. Both types of violence make it psychologically easy for the killer, because they never have to feel the barrier of confrontational tension.

My point here is that, even though such killings are prepared in advance, and with the impetus of an organisation behind them, they

still have to come to the sticking-point through a field of emotions; and they are successful in their violence to the degree that they have means of managing emotions in that final situation. And this is true of instrumental violence generally.

What about massacres in which the killing is done face-to-face, with no clandestine or misleading approach? I will single out two examples, both from research by Stefan Klusemann. Klusemann used video data from a film crew accompanying the Serbian army that overran the Bosnian enclave at Srebrenica in 1995.[26] He shows that the Serbs, up to their moment of victory, were nervous about Bosnian militia resistance (which had been successful up to this point) and about the possibility of air strikes called in by NATO (in this case, Dutch) peacekeepers, near whose lines the Bosnian militia took shelter. The turning-point that made the massacre possible, as Klusemann shows in a close video analysis, was the meeting between the Serbian commander, the NATO peacekeeping commander and a young man chosen to represent the Bosnian population. The Serb commander emotionally dominated the Dutch officer, forcing him to recognise tacitly that his demoralised troops were captives and explicitly to agree not to call for air strikes. With this emotional victory, Serbian troops became arrogant, jubilantly seizing arms and helmets from the peacekeepers and rounding up Bosnian militia, and any military-age Bosnian men, for execution. Even here the executions did not generally take place face-to-face; the Serbian soldiers locked their captives in buildings and threw in grenades; outdoors, the executioners blindfolded their victims and shot them from behind.

Klusemann also re-analyses the details of killings in the Rwanda massacre in 1994.[27] There was more of a centrally directed organisation of the killings here than in Srebrenica, since the regime exhorted over the radio the killing of Tutsis and of Hutu traitors who sheltered them, and sent forces to supervise local killing. Nevertheless, it was a multi-causal process, and the organised killing was overlaid with both long-term and short-term emotional dynamics. Relatively long-term were the political and military situation of ethnic regime shifts, the sudden death of the moderate Hutu president and the invasion of troops from nearby Uganda – aiming to stop the massacres but also adding to the emotional tension among the Hutu militia as they carried out the genocide. And mass-killings, no matter how motivated or organised from afar and in advance, need to get through the problem of confrontational tension in each local situation where someone is to be killed. Klusemann notes that the killers were most successful when they had isolated, submissive,

emotionally cowed victims. Crowds of hundreds or sometimes thousands set the scene for killing with a din of hostile cries; of these more than 70 per cent killed no one, but they did provide emotional support for the minority of the actively violent. In contrast, where Tutsis offered a show of resistance, especially holding their solidarity as a group, even armed Hutus tended to bypass these groups and seek easier targets. This is not a question of having the force to do the killing but of finding the emotionally easier situation. Some of the other techniques of killing that strike us as horrific – such as setting fire to churches where Tutsis were sheltering – fit the pattern of avoiding face-to-face confrontation, especially with a large group of targeted victims. A practical note emerges here: on the whole, groups threatened by massacre stand a somewhat better chance if they keep up the face-to-face confrontation with their attackers rather than hiding themselves away or losing their solidarity by scattering, in either case making it emotionally easier for the attackers.

Finally, the private-victim category rampage, where a solo attacker or, at most, duo of attackers takes revenge on a hated institutional target in a school or workplace. Since assembled groups generally have emotional dominance over an isolated individual, the problem of the latter is to find a technique to build their own confidence and launch a momentum that will carry them into the attack. In most of the private rampage killings that we know about, the attacker spends a good deal of time preparing for the attack. Thus it may have little of the emergent quality of a forward panic. Nevertheless, I suggest that the period of clandestine preparation itself is largely a matter of building and channelling emotional tension.

I will draw from the best-analysed school massacres, in the work of Katherine Newman and her research team[28]; these patterns appear to emerge in other cases as well. There is a long-term tension: a career of being bullied, or otherwise highly alienated from the popularity hierarchy of the school. This need not be purely the tension of being a victim of bullying but may include unsuccessful efforts to harass others oneself. The period of clandestine preparation – where the would-be killer assembles weapons, perhaps disguises and logistics, works out plans, even rehearsals – is a time not just when a grievance is being countered but also when a grudge is being nurtured. These solitary rituals become a private cult centring on weapons: a veritable arsenal, usually far more than is actually needed or used in the attack. The rampage-planner has acquired a purpose, giving emotional energy and direction to his life. The grievance is not a constant from time T-minus-zero in the past, or a

reflection of how much humiliation or bullying the person has undergone. The grudge is intensified by the very process of brooding on it, in which fantasies are elaborated about the scenario of revenge that the killer will carry out.

This ritualised playing with weapons and these fantasies of vengeance constitute a deep back-stage – not just the ordinary Goffmanian region of privacy where everyday front-stage self-presentation is manufactured but a back-stage that is doubly secret, in the sense that the very existence of a conspiratorial back-stage is hidden. The ability successfully to carry out a deep back-stage is a source of confidence and a thrill of excitement, if we can extrapolate from one of Newman's cases. After one incident a 14-year-old school killer told a psychiatrist: "I was feeling proud, strong, good, and more respected. I had accomplished something. I'm not the kind of kid who accomplishes anything. This was the only adventure I've had." Thus the first step in preparing the rampage killing is to pump oneself up with private rituals, generating a sense of emotional dominance, at least in one's mind.

The penultimate stage of a rampage attack, just before the attack itself, is typically a clandestine approach. The would-be killer goes to school like an ordinary student until he pulls the guns out of his backpack in the school hall; the workplace rampager (in the case of the US Navy Yard shooting in Washington, DC, in September 2013) uses his normal worker's identity to gain entrance and his knowledge of regular routines to sneak his weapon past the guards (news reports following 16 September 2013). Some confidence is probably generated by a successful clandestine approach, similar to what the psychologist Paul Ekman discerns in the minute facial expressions of successful liars, which he calls "duping delight".[29]

The emotional sequence of a rampage attack, then, is a long-term grudge, but nurtured through personal rituals on a deep back-stage, so that it is both magnified and turned into confidence, creating at least a fantasy sense of emotional domination over imagined victims. The clandestine approach to the site of killing avoids confrontational tension that might bring the killer down, and may give a last boost of the sense of superiority over those he is about to kill. In the final phase, the killer is launched into a tunnel of self-entraining violence, similar to the last phase of a forward panic when piling on and overkill occur. In a rampage killing, emotional dominance is given not merely by the fact that the attacker is heavily armed and his victims are not, but also by the usual pattern that persons confronting an armed attacker run away, hide themselves or turn their backs and take subservient positions. In this

respect, victims cooperate in their emotional domination and avoid the one thing that could possibly serve to deter the attacker: a face-to-face encounter, where the attacker has to see the humanity of the persons who he is trying to kill.

In conclusion: unlike most social science studying violence, the findings of micro-sociology are optimistic. If the underlying problem is poverty, or discrimination, or early family experience, or a culture of rebellion and excitement, then the prospects for curbing violence are low. On the other hand, if long-term motives are weak determinants because they still have to go through the eye of the situational needle, the prospects are better. Situational conditions usually do not favour violence, because of the barrier of confrontational tension: that is to say, equilibrium in the emotional field of confrontation. The practical task of preventing violence, then, is to provide techniques for keeping confrontations from tipping into emotional domination.

Here is a list of suggestions, starting from what we learn from research on the micro-sociology of riots.

Don't turn your back. In a situation of violent threat, don't hide your face. Don't run away in panic. Above all, don't fall down. Your eyes and your face are your strongest weapons of defence. Keep up a clear confrontation with a potential attacker. But don't raise the level of tension, don't scream; and don't make further threats; just keep it as steady as you can.

In her study of protest demonstrations, Nassauer found that calling out in a clear, strong voice "We are peaceful; how about you?" or words to that effect is often successful in bringing the immediate situation back into emotional equilibrium. The exact wording would depend on what the local discourse happens to be; but there is evidence, as in Joe Krupnick's ethnography of gangland killers on the streets of Chicago, that every social milieu has a language, verbal and non-verbal, in which a threatening situation can be kept in equilibrium. The desk clerk in the Atlanta school in August 2013, who calmed down an armed man threatening a rampage shooting, shows that even the most dangerous situations may be defused.[30] In the Westgate shopping mall attack in Nairobi, Kenya, on 21 September 2013, one of the attackers was confronted by a four-year-old boy who told him "You are a bad man" – whereupon he did not shoot.[31] Research colleagues have told me they were able to walk through a violent riot in Tehran by keeping in mind what emotional tone they were projecting in their body language, playing neither attacker nor victim. Klusemann's research, on the tipping-points for genocidal ethnic cleansing in Bosnia and in Rwanda, shows that even in the midst of a murderous campaign

there are micro-situational stumbling-blocks, and threatened victims sometimes escape by a timely show of emotional resoluteness.

We do not know how often rampage attacks are deterred by this kind of human face-to-face communication; and as yet we know little about what other micro-contingencies make calming face-to-face confrontations succeed or fail in aborting the attempt. It is an important next thing on the agenda for the micro-sociology of violence to find out. Since we are getting an increasing amount of data from CCTV, mobile phone cameras and other devices likely to appear in the future, it is something we will be able to learn. The abundance of this kind of micro-data, assembled by researchers who are alerted to what kinds of micro-details to attend to, is a research frontier that we have already begun to cross, as in Nassauer's work on the micro-turning-points to violence in protest demonstrations.

In the end, these are solvable problems. With greater awareness of micro-sociology, we have good theoretical grounds to hope that much violence might be stopped.

Notes

1. R. Collins (2008) *Violence: A Micro-Sociological Theory* (Princeton, NJ: Princeton University Press).
2. E. Anderson (1999) *Code of the Street: Decency, Violence, and Moral Life of the Inner City* (New York: W. W. Norton & Co.).
3. A. Goffman (2014) *On the Run: Fugitive Life in an American City* (Chicago, IL: University of Chicago Press).
4. J. Krupnick and C. Winship (2015) "Keeping Up the Front: How Young Black Men Avoid Street Violence in the Inner City", in O. Patterson and E. Fosse (eds.) *The Cultural Matrix: Understanding Black Youth* (Cambridge, MA: Harvard University Press), pp. 311–350.
5. A. Nassauer (2012) "Violence in Demonstrations: A Comparative Analysis of Situational Interaction Dynamics at Social Movement Protests", PhD dissertation, Berlin Graduate School of Social Sciences.
6. C. Jackson-Jacobs, *Research in Progress* University of California, Los Angeles.
7. D. Weenink, *Work in Progress*, University of Amsterdam.
8. Personal communication between E. Anderson and the author.
9. Personal communication between A. Goffman and the author.
10. Krupnick and Winship, 2015.
11. D. Grossman (2004) *On Combat: The Psychology and Physiology of Deadly Combat in War and Peace* (Belleville, IL: PPTC Research Publications).
12. M. McNally (2007) *Easter Rising 1916: Birth of the Irish Republic* (Oxford: Osprey Publishing); S. Klusemann (2010a) "After State Breakdown: Dynamics of Multi-party Conflict, Violence, and Paramilitary Mobilization in Russia 1904–1920, Germany 1918–1934, and Japan 1853–1877", PhD dissertation, University of Pennsylvania.
13. C. Ardant du Picq (1903/1999) *Études sur le combat* (Paris: Éditions Ivréa).

14. Collins (2008).
15. D. Grossman (1995) *On Killing: The Psychological Cost of Learning to Kill in War and Society* (Boston, MA: Little, Brown); Grossman, 2004.
16. D. Klinger (2004) *Into the Kill Zone: A Cop's Eye View of Deadly Force* (San Francisco, CA: Jossey-Bass); A. Artwohl and L. W. Christensen (1997) *Deadly Force Encounters: What Cops Need to Know to Mentally and Physically Prepare for and Survive a Gunfight* (Boulder, CO: Paladin Press).
17. M. Mann (2005) *The Dark Side of Democracy: Explaining Ethnic Cleansing* (Cambridge: Cambridge University Press); D. Gambetta (ed.) (2005) *Making Sense of Suicide Missions* (New York: Oxford University Press).
18. R. Holmes (1985) *Acts of War: The Behavior of Men in Battle* (New York: Free Press).
19. J. W. Gibson (1986) *The Perfect War: Technowar in Vietnam* (Boston, MA: Atlantic Monthly Press).
20. M. Bowden (1999) *Blackhawk Down: A Story of Modern War* (New York: Grove Press).
21. Information taken from news reports and from Wikipedia.
22. Information taken from news reports between 11 March 2012 and 23 August 2013 and from Wikipedia.
23. L. Buur and S. Jensen (2004) "Vigilantism and the Policing of Everyday Life in South Africa", *African Studies*, 63(2), 139–152; P. Gastrow and M. Shaw (2001) "In Search of Safety: Police Transformations and Public Responses in South Africa", *Daedalus*, 130(1), 259–275; D. Singh (2005) "Resorting to Community Justice When State Policing Fails: South Africa", *Acta Criminologica*, 18(3), 43–50.
24. Robert Melson (1992) *Revolution and Genocide: On the Origins of the Armenian Genocide and the Holocaust* (Chicago, IL: University of Chicago Press); Mann, 2005.
25. C. R. Browning (1992) *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (New York: HarperCollins).
26. S. Klusemann (2010b) "Micro-Situational Antecedents of Violent Atrocity", *Sociological Forum*, 25(2), 272–295.
27. S. Klusemann (2012) "Massacres as Process: A Micro-Sociological Theory of Internal Patterns of Mass Atrocities", *European Journal of Criminology*, 9(5), 438–480.
28. K. S. Newman, C. Fox, D. Harding, J. Mehta and W. Roth (2004) *Rampage: The Social Roots of School Shootings* (New York: Basic Books).
29. P. Ekman (1985) *Telling Lies: Clues to Deceit in the Marketplace, Politics, and Marriage* (New York: W. W. Norton & Co.).
30. Information taken from news reports, 20–23 August 2013.
31. Information taken from news report.

3
Forward Panic and Police Riots

Anne Nassauer

1. Introduction

How do police riots emerge from generally peaceful social movement demonstrations? What brings groups of officers in some demonstrations to beat helpless protesters, who duck on the ground? How can joyously starting protests in Western democracies end in these outbreaks of violence, which appear uncontrolled, rampant, indiscriminate and excessive?

Recent research offers tentative answers to these questions. An increasing number of studies focus on the role of interactions and micro-situations for the emergence of violence.[1] Further, based on Randall Collins' concept of forward panic,[2] studies show that a special kind of dynamic emotional sequence can lead to the use of excessive violence.[3] A forward panic resembles a flight to the front: actors use excessive violence in a sudden release of tension and fear that built up in a prior sequence of interactions.[4]

The following chapter applies this concept to discuss police riots as a form of excessive violence. In addition, it explores what causes the emotional dynamics that trigger violence. My analysis of police riots in generally peaceful protests points to specific interactions between officers and protesters during the demonstration. Moreover, it suggests how and why acts of excessive violence occur in protests and reflects on the influence of hateful intentions versus fearful emotions.

I would like to thank Nicolas Legewie for his valuable feedback on this paper. Further, I am very grateful to Randall Collins, Klaus Eder and Debra Minkoff for their invaluable advice on the study this analysis is based on, and to Anette Fasang for her input on sequence analysis.

Methodologically, this chapter aims at providing tangible measures to study forward panics. It systematically analyses measurable interactions and subsequent emotional responses (visible in facial and bodily muscles) of actors and their connection to police riots. The exploratory analysis relies on a study of over 1,000 visual and document data. The study comparatively analyses a total of 30 demonstrations (18 violent and 12 peaceful) in Germany and the United States from 1960 to 2010.[5] Three methodological approaches were employed to analyse the 30 demonstrations: in-depth qualitative case studies, qualitative comparative analysis (QCA) and sequence analysis as an analytic heuristic.

My analysis suggests that violence emerged owing to specific combinations of interactions. These combinations foster specific emotional dynamics, which in turn trigger violence. A distinct temporal sequence of one of these combinations can lead to unrestrained violence in the form of police riots. Three out of the 30 cases in my sample show police riots: the Vietnam Peace March in Washington, DC, in 1967; the Tompkins Square Park protest in New York in 1988; and the protest against the World Trade Organization (WTO) in Seattle in 1999. The emergence of police riots in these three cases will be discussed in this chapter.

The first sections describe the theoretical background, sampling, data and methods. Next, five crucial interactions and their combinations for leading to police riots will be discussed: spatial incursions, police mismanagement, escalation signs, property damage and communication problems between protesters and police. Based on three cases of police riots, the paper will then discuss the specific temporal sequence in which these interactions can lead to a forward panic that triggers police riots.

2. Theoretical background: Micro-approaches to violence

Recent studies suggest that political opportunities, resources or grievances in a society, just as motivations, expectations and norms of actors prior to a violent situation, are weak predictors to determine whether and when violence will occur.[6] They are too frequently present, regardless of whether violence emerges or not. Instead, an increasing number of studies suggest that micro-situations can be a fruitful starting-point to explain the emergence of protest violence.[7]

In a similar vein, studies in criminology point out that police use of force results from a series of specific interactions in officers' encounters. These studies call for a focus on the distinct micro-processes of such

encounters.[8] They indicate that officers respond with violence in particular to actions that threaten their authority – be it a potential, perceived or real threat.[9] Recent research on crowd psychology and public order policing supports these findings on threats and underlines the importance of communication during police–protester encounters for keeping events peaceful.[10] Current literature on protest policing (i.e., the police handling of protest events) highlights the relevance of single interactions during a protest, such as threats or spatial interventions, for the police use of force.[11]

Lastly, situational emotions receive increasing attention in social science research on protest outcomes[12] and on the emergence of violence.[13] Most prominently, Collins' micro-sociology of violent confrontations focuses on emotional dynamics that unfold in micro-situations and lead to the emergence of individual and collective violence.[14] Collins shows that violence is difficult, not easy: violence is empirically rare since even experienced violent actors have an inhibition threshold to violence.[15] Violence emerges only if actors are pushed over this inhibition threshold as a result of emotional dynamics. This push involves two steps: first, tension and fear rise to a high level; second, one actor perceives emotional dominance over the other actor, which enables her or him to carry out violence.[16] This emotional change from tension and fear to dominance can be traced in visual data of violent altercations, showing, for example, how actors are tense and scared but later gain a confident body posture, high rate of activity and strong physical presence. If these two steps occur in a particular temporal sequence, the emerging violence will be excessive and unrestrained – what Collins calls a "forward panic".[17]

3. What characterises a forward panic?

A forward panic has a distinctive pattern and unique two-stage sequence. The first stage is a period of prolonged tension and fear. Often frustration arises, because actors are in a disadvantaged position and do not see or are unable to catch their "opponent". In a second stage, the disadvantage suddenly shifts to the opponent, because she or he becomes visible or gets caught. A triggering moment sets in, and the power balance between the opposing sides turns. Suddenly, actors switch from being passive to being entirely active. This atmosphere of total domination leads to a frenzied rush of destruction[18]: when built-up emotions and tension are abruptly released, the suddenly superior side enters a tunnel of violence.[19]

How does one group gain dominance in a protest? As long as the organised lines of police forces and protesters stay intact, serious fighting rarely takes place and only mild violence tends to occur.[20] Clear police–protester lines sustain an inhibition to use violence in face-to-face confrontations. Forward panics in demonstrations happen when these lines break up: after a prolonged increase of tensions smaller groups suddenly face each other.[21] The crowd breaks, and police units rush forward into the situation. Dominance is more easily established in these situations, especially towards actors that turn their backs, are isolated or fall down.[22] In most instances three to seven actors use violence against a single person of the opposing group. After one person starts, surrounding actors tend to join in. Thus, forward panics have an "out-of-proportion" character; even assuming that violent means are called for, the level of violence seems unfair, senseless and excessive.[23]

Once a forward panic is under way, it is unstoppable for the time being.[24] It is a rhythmic and strongly entraining emotional dynamic,[25] leading people within a group to synchronise their actions (which may also lead to similar testosterone levels among combatants fighting close to one another).[26] When the forward panic is over, perpetrators report classic symptoms of having felt panic: for example, feeling detached, or as if under water. These symptoms are connected to the very high heart rate that humans experience when in panic.[27]

4. Open questions

According to Collins, a forward panic is responsible for many cases of police violence.[28] Yet research is lacking a systematic application of Collins' concept of forward panic to explain the use of excessive force by officers towards generally peaceful protesters. Adding to Collins' approach of emotional sequences, this chapter asks which specific interactions between actors during a protest can trigger such emotional dynamics and subsequent forward panics. The study thereby aims to shed light on what causes the emotional dynamics that Collins describes, by pointing to specific interactions between officers and protesters during the demonstration.

Further, Collins' approach has been criticised for not providing testable measures for his theory.[29] While he presents a large variety of empirical evidence to support his claims, this chapter aims to provide such measures by systematically analysing interactions and ensuing emotional responses (determinable in facial and bodily muscles) of actors and their connection to police riots. Such interactions

can provide a measurable basis for explaining how and why specific emotional dynamics are produced that lead to violence.

5. Sampling and data

I comparatively analysed 30 marches by moderate protest groups in Germany and the United States[30] between 1960 and 2010 (15 per country).[31] One third of these protests in my sample are randomly selected peaceful cases, in order to compare the factors in peaceful marches to those that became violent (for a list of all cases see Appendix).

I considered several data sources for my analysis. I analysed a total of over 1,000 visual and document data. Visual data (still photographs and videos) allow mapping and studying interactions and emotions in time and space. To avoid potential bias introduced by observing a situation through the lens of a single observer, I used different visual data sources recorded by journalists, police, protesters and bystanders to observe the same situation from various angles. In addition, I complemented visual data by different types of document data for each point in time in a protest course: court data, police reports on the protest and police radio recordings, reconstructions from the protesters' side (such as official statements by protest organisers) and media content. By putting together visual and other data like a puzzle, I could establish a multi-view perspective of the micro-situations that make up each protest – allowing me to conduct what can be called a "retrospective participant observation".

6. Methods

I coded a protest as violent if I found visual footage or accounts of: (1) actors throwing an object at another person; (2) actors using harmful devices such as tear gas or a Taser against another person; or (3) actors hitting or kicking another person. The emphasis is not on isolated incidents but on the cascade of violent events that means the situation is turning violent.

To analyse the 30 cases for distinct temporal sequences that lead to different intensities of violence, I used three methodological approaches. First, I used in-depth qualitative analysis. This analysis relied on the heuristic of causal process tracing[32] by reconstructing every minute of an event. By putting together pieces of visual and other data, I first analysed which interaction took place at what physical location, at what time, with which actors and with what emotional response.

An emotional response could be, for example, happiness, fear, anger or surprise. For example, when coding happiness in actors' faces, indicators include: wrinkles around the eyes; raised cheeks; a deep fold from the tip of the nose to the corners of the lips.[33] Indicators for fear include: brows raised and drawn together; wrinkles in the centre of the forehead; open mouth; and shoulders drawn up.[34]

This first analysis aimed at identifying whether and when a change in the emotional dynamic took place. I then worked backwards to see what interactions and which temporal dynamics prompted this change. Through this analysis I developed concepts leading to the outbreak of violence. These concepts were examined in two further steps of analysis.

In a second step, I employed qualitative comparative analysis (QCA). QCA is a method to conduct systematic cross-case analysis on the basis of detailed within-case studies.[35] QCA relies on set theory and Boolean algebra to reduce complex patterns of association in data. It helps to identify groups of cases that share a combination of conditions and agree on an outcome. QCA's formalised analysis sets a particular focus on a possible conjoint influence of single factors to identify combinations of factors that are sufficient to lead to an outcome.[36]

In a third step, I drew on notions of sequence analysis to study whether specific temporal sequences of interactions can systematically produce violence[37]: I created empirical sequence types and assigned a sequence to every violently ending case.[38] I isolated sequence types in which the general order of conditions was kept (i.e., conditions could drop out, but the order had to remain the same). By forming sequence types, I was able to look for similarities and differences within and across the resulting groups of sequences. This analysis allowed me to study whether the temporal order of identified combinations of conditions influences a violent outcome. Finally, I went back to the cases for an in-depth qualitative analysis of the QCA and sequence analysis results.

7. Findings

Employing the four steps of analysis, I found one specific temporal sequence of interactions leading a prolonged increase of tension and fear. When police subsequently gained sudden emotional dominance, police riots followed: protesters and uninvolved bystanders suffered from excessive violence by officers. This sequence occurred in three cases of my sample.

Five interactions that unfold during demonstrations are relevant for the emergence of violence in protests, as they increase tension and fear:

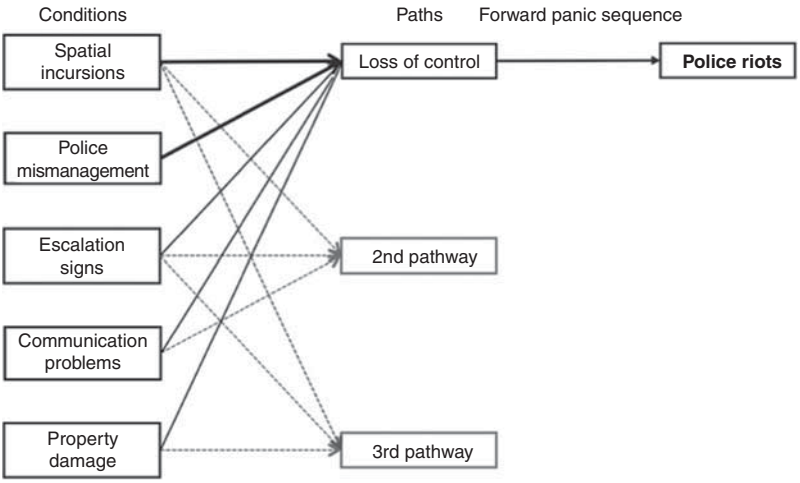

Figure 3.1 Conditions, pathways and forward-panic sequence

spatial incursions, police mismanagement, escalation signs, property damage and communication problems between protesters and police. These interactions can combine into three pathways that are sufficient to lead to violence by protesters or police officers.[39] Police riots occur in one of these three pathways, called the "loss of control" pathway, in which the spatial incursions condition combines with police mismanagement. Police riots emerge only if the conditions in this pathway occur in a very specific temporal sequence (Figure 3.1). A discussion of the three cases of police riots will illustrate how and why riots break out.

7.1 Conditions for protest violence

Five interactions between protesters and police are vital to increase tensions and fear and form pathways to protest violence. First, spatial incursions refer to one side entering another's territory: for example, when protesters enter no-protest zones or police run into the protesters' meeting place. Second, police mismanagement refers to operational command lacking overview and/or a strategy within an operation, or communication problems among police units. Third, escalation signs refer to actions perceived as indicating imminent escalation, such as protesters collecting stones or police putting on gas masks. Fourth, property damage refers to destruction of property, such as protesters smashing a shop window. Last, communication problems between protesters

and police refer to interruptions or breakdowns of police–protester communication owing to content or technical reasons.

7.2 The "loss of control" pathway to police violence

In the second step of my analysis I identified three combinations of these conditions that are each sufficient to lead to protest violence. These combinations of the five interactions visibly change emotional dynamics in the demonstrations of my sample. Visual data show how they raise tension and fear drastically on both sides. Violence emerges shortly afterwards, when actors perceive a slight advantage over the other group. If such combinations are absent, the emotional dynamic stays calm and relaxed, and protests remain peaceful.[40]

In this chapter I will focus on one of the three pathways, as it is the only one that results in police riots: the "loss of control" pathway. Unrestrained violence emerges only if the conditions of this pathway occur in a particular temporal sequence, as case studies will illustrate below.

The "loss of control" pathway includes the conditions police mismanagement and spatial incursions. Flaws or breakdowns in organisation of police forces result in uncertainty and disorientation of officers. If, in addition, protesters invade an off-limits territory, officers perceive a loss of control over the area they are policing. This perception raises tensions and fear, and leads officers to use violence when they sense a slight advantage over protesters.

Why can this perception of a loss of control lead to police violence? Previous studies show that police, as part of their professional routine, are deeply concerned with presenting themselves as being in charge and in control of a situation.[41] Thus, when policed space is violated during a demonstration, officers commonly assume that protesters do not respect agreements, cannot be trusted or plan physical attacks against officers.[42] Hence, spatial incursions undermine the officers' objective to stay in charge.[43] When police mismanagement occurs simultaneously, the means to handle spatial incursions and being in charge are limited further. The breakdown of command prevents officers from reacting to the spatial incursion, which exacerbates the feeling of losing control. Actors' interpretations play a crucial part in this perception. As will be discussed in detail below, visual and document data show that the officers' emotional response to the perceived danger is fear.[44] This makes the slightest opportunity to regain control of the immediate situation appear worth seizing. In such situations, officers are likely to release tensions in their remaining domain of superiority: the use of force.[45]

7.3 The forward-panic sequence to police riots

Employing the heuristic of sequence analysis on my data set, my exploratory analysis shows that all cases in one specific sequence type result in police riots. Cases explained by this sequence are the Tompkins Square Park protest in New York, in 1988, the Vietnam Peace March in Washington, DC, in 1967 and the WTO protest in Seattle, in 1999 (see also Appendix 1).[46] These three cases of police riots do not represent the norm of police behaviour. First, like any form of physical violence among people,[47] they emerge rarely in social movement protests. Second, protesters and police officers used less severe violence in the other violently ending cases in my study. However, the three cases provide insightful behavioural exceptions to understand how and why such forms of excessive violence emerge.

In all cases the two conditions spatial incursions and police mismanagement are crucial to produce the perception of a loss of control. Yet other conditions can occur in addition. Their temporal sequence is decisive for triggering a forward panic that leads to police riots. This sequence consists of the temporal order of the interactions spatial incursion, followed by escalation signs, police mismanagement, property damage and, lastly, communication problems between protesters and police (Figure 3.2).

Why is the concept of forward panics useful to understand this sequence and police riots? What do such forward panics look like, and why can they lead to police riots? In the following, I will comparatively discuss the three cases in my sample that are part of this sequence to show how police riots emerge, what role interactions between protesters and the police play and why the concept of forward panics can help explain these instances of excessive violence.

7.4 Tompkins Square Park: Losing control

In the Tompkins Square Park protest in New York City on 6 August 1988 protesters marched against a curfew that was to take effect in the park at 1 a.m. This curfew was associated with the gentrification of the neighbourhood, as many homeless lived in the park. In this case the sequence of interactions includes every condition except property damage. First, spatial incursions occurred when protesters marching to the park did

Figure 3.2 Forward-panic sequence to police riots

not disperse but decided to enter the park. Hence, police territory was "invaded". Second, escalation signs occurred as helicopters flew over the protest site and fire engines with sirens frequently entered and left the scene. Mounted police units rushed about in full gallop. Most actors at the scene perceived these interactions as indicating an escalation. Third, severe police mismanagement took place. The police were understaffed, inexperienced and frequently without any commander in charge. The operational command was located in the middle of the protesters' assembly in the park, so newly arriving units had to pass through the group of protesters before being given any information on the situation, their operation or assignments. The chief of operations was absent in the middle of the confrontations. Fourth, communication between protesters and the police thereby became impossible and broke down.[48]

Findings suggest that a forward panic emerged in this protest, since two conditions that drastically increase tension – spatial incursions and escalation signs – occurred at the beginning of the sequence. Yet violence did not immediately break out, time went by and tensions rose and rose. The two interactions alone are not sufficient to cause a violent outcome in my sample, as they do not lead to a particular interpretation by actors – such as a "loss of control".[49] Next to police mismanagement, communication problems between protesters and police further added to the tension, as none of the two groups was certain about the other group's intentions or planned actions any more. When officers suddenly perceived that they were in a dominant situation to react (for example, when smaller clusters formed, or protesters struggled or fell down), officers released this tension in a violent rush. Once the violent rush of officers had started at Tompkins Square, they also attacked cameramen and residents, without any visible intention to arrest them. Officers attacked people without regard to whether they posed any danger or whether they had broken the law. Their acts of violence seem excessive and unrestricted.

As in other instances of forward panic, violence looked out of control, particularly brutal and unwarranted. The extent of these actions was caught on video by, among others, the Lower East Side filmmaker Clayton Patterson.[50] Recordings show open head wounds and baffled bystanders covered in their own blood.[51] In one scene a person – probably a protester, maybe a resident caught up in the riot – is clubbed by an officer.[52] He is pushed against a truck, with no chance to escape, protecting himself with his arms over his head and repeatedly screaming: "I'm getting down! I'm getting down!" The officer shows no reaction and continues clubbing him. Many victims suffered wounds to the back

of their heads, indicating that they were turning their back, ducking or had fallen down when being hit. The officers seem to have entered a "tunnel of violence" – an indicator of a forward panic.[53]

"Loss of control" has a double meaning in these instances: in the first phase, officers perceive themselves to be losing control over the operation and the immediate situation. Tension and fear thereby increase. In the second phase, officers lose control over their emotions, perceive a sudden dominance and start a frenzied attack.

7.5 Vietnam Peace March: Sudden shift of power balance

The second empirical case can highlight the importance of the sudden shift from being disadvantaged and tense to being in a dominant position. In this example, only spatial incursions and police mismanagement occurred. Their combination is sufficient to cause violence in my sample. Again the particular temporal dynamic was decisive in leading to a police riot.

At the protest in Washington, DC, on 21 October 1967, protesters marched from the National Mall to the Pentagon to protest against the war in Vietnam. Police units were relaxed throughout the day, waiting for the march to arrive at the Pentagon. Owing to the low-profile police strategy, initially only 3,000 officers were on duty for the march by 30,000 protesters. Army troops were on stand-by, hidden inside the Pentagon. Judging from visual footage, the rally had a peaceful, picnic atmosphere. The marshals guarding the Pentagon relaxed throughout the day and waited for the march to arrive. In pictures, police and soldiers show a calm mood (US Marshals Service, 2011) – they lie on the grass and appear to be chatting with each other.

Tensions rose late and quite suddenly. When protesters arrived at the Pentagon, some tried to break through the police lines: spatial incursions occurred in the form of territorial boundary crossing. This unsettled officers greatly. Some reports additionally state that food was thrown at officers.[54] Spatial incursions led to first minor scuffles, but owing to mismanagement police forces were not able to react immediately: police had to wait 20 minutes until the Justice Department gave its approval for 5,000 soldiers inside the Pentagon to be deployed outside to support their colleagues.[55] Consequently, thousands of soldiers knew what was happening outside, but had to wait inside to be deployed.

The *Washington Post* later resumed:

> Ironically, Pentagon officials were so preoccupied with presenting a tolerant image that they kept thousands of soldiers hidden inside the

> building. During the critical early stages of the confrontation, a thin line of MPs [military police] outside the building was overrun, and the commander couldn't get reinforcements in place quickly.[56]

When approval was finally given and troops were sent outside, they arrived in a moment of surprise to a situation of chaos. They were highly emotionally charged and reacted very violently towards protesters in this sudden advantageous situation. In their perception, they arrived at the last moment to support their colleagues in danger. As a protester recalls in another *Washington Post* article, "people became frightened. [...] They began running every which way. At that moment, it turned into something else. A sense of chaos takes over." [57]

Officers perceived an imminent loss of control owing to the combination of spatial incursions and police mismanagement. The particular temporal sequence of these interactions led to a drastic and prolonged increase of tension and fear on the part of the officers. Owing to mismanagement, the hidden soldiers were unable to see their "opponent" or to react to the territorial incursion. When they were suddenly ordered into action, they gained dominance over surprised protesters and reacted very violently.

7.6 The WTO in Seattle: Experiencing strong dominance

On 30 November 1999, protests against the conference of the World Trade Organization (WTO) took place in Seattle. When the primary march, starting at 12:45 p.m., arrived downtown at Union and 4th Street by 3 p.m., protesters suffered police violence even though they were participating in a peaceful march.

In Seattle, all of the five interactions emerged in a forward-panic sequence. Spatial incursions took place when protesters from the Direct Action Network (DAN) peacefully blocked intersections on the morning of the protest day. Their aim was to prevent delegates from attending the WTO conference. Police units were surprised and unprepared for these actions. They had negotiated with protest groups in the weeks leading up to the event, but the DAN had not participated in the negotiations. When an initial number of 400–600 police officers faced about 50,000 protesters (partly engaging in civil disobedience), officers felt unprepared, betrayed and became nervous.

Subsequently, escalation signs took place when officers heard news about possible bombings, about aggressive protesters with Molotov cocktails or about units having to withdraw. Officers received such news from colleagues over police radio in quick succession. Announcements

gave information about protesters preparing for civil disobedience, and on units being threatened and outnumbered, or announcing their retreat. For example, "About 200 protesters shut down intersection. Taking fencing down. No police presence. Delegates in area. Unknown status." Or "Large number of protesters on bus, do not have personnel to hold line."[58] Escalation signs had a drastic influence on the visible change of emotional dynamics in Seattle and further amplified tensions. Officers had no precise knowledge of the situation, but one of the few things they believed they knew was that they were in danger.[59] Police mismanagement further aggravated the tense situation. Logistical problems led to shortages in food and water supply as well as insufficient rest for police officers. Police leadership did not take actions when the situation got out of hand, and the operational control had no real-time knowledge of what was happening in the streets. In addition, a very small number of protesters committed property damage. The use of property damage generally increases tension on the side of officers as well as on the side of protesters. Police assume that protesters who destroy property are potentially violent against people, and tend to perceive all protesters as possibly dangerous.[60] At the same time, protesters who refrain from damaging property – which is the overwhelming majority in moderate protest groups in Western democracies – get upset by it as well. In Seattle several protesters tried to stop others from destroying property, fearing a bad image for the protest and harsh police reactions towards the entire group.[61] Lastly, communication problems between protesters and police manifested in these increasingly chaotic situations, making each side less aware of and increasingly sceptical about the other group's intentions – in particular in the light of the previous interactions.

Spatial incursions and police mismanagement would have sufficed for officers to perceive a loss of control. Yet in Seattle the other three interactions further added to the emotional dynamic. Police felt outnumbered and severely threatened. Evaluation committees state that most of the threats that the police feared during the operation did not materialise. However, at the time and on the spot – given the limited overview they had when facing the situation – officers had "legitimate reason to be seriously concerned for their personal safety" and to fear that they were in "serious danger".[62]

While the first of five interactions started taking place in the early morning, police used violence against protesters of the march around 3 p.m. More than seven hours had passed in which the emotional dynamic unfolded and tensions increased. At 3.30 p.m. – 30 minutes

after officers used violence against the march – Seattle Mayor Paul Schell declared the state of emergency and brought in the National Guard. This further illustrates the extent to which a loss of control over the operation was perceived. After-action reports by the Seattle City Council directly use the word "panic" to describe Seattle police officers' state of mind.[63]

Although the shift of dominance was not as abrupt as in the Vietnam Peace March, panic and subsequent display of dominance are apparent in Seattle. Seattle officers appear to have felt total dominance after using violence against largely peaceful protesters for some time. Several officers walk around calmly and spray and hit everyone in sight.[64] While unarmed peaceful protesters crawl on the floor, officers shoot rubber bullets at them from close range or empty their pepper-spray bottles over them in a body posture that shows self-assurance and calm.

Once officers had used violence against the peaceful march, they also attacked shop owners, bystanders and elderly residents – their violence seems indiscriminate and purposeless. The fact that many officers exhausted their pepper spray, although the containers contain spray for many hours,[65] further indicates a forward panic: violence was used excessively after officers entered a violent rush.[66] What looks like the result of hateful feelings and cruel intentions can in fact be explained by strong dominance over a weak victim.

8. Discussion and conclusion

My exploratory analysis suggests that a specific temporal dynamic of previously unplanned interactions between protesters and officers can lead to a forward panic and thereby to a specific form of unrestrained violence: police riots. In these instances a prolonged increase of tension and fear is followed by a release of tensions when one side achieves sudden dominance over the "opponent". Actors enter a violent rush, in which their acts of violence appear uncontrolled and excessive. Findings suggests that: (1) situational interactions between protesters and officers are crucial for producing emotional dynamics that trigger violence; (2) the temporal order of these interactions and emotional dynamics matters for the intensity of violence; and (3) a police riot can emerge owing to the specific temporal sequences of a forward panic.

The findings imply that such instances are not necessarily an indicator of previous motivations, or potentially cruel intentions of officers towards protesters. There is no evidence that officers take part in such

riots because of hateful intentions towards protesters. They do not riot in other protests by the same protest groups in my sample, but only in very few cases.[67] Rather, the brutality of their actions seems to be a product of the emotional dynamic that officers experience. The reason for their emotional state appears to be the prior temporal sequence of interactions with protesters. While these instances of excessive violence appear cruel and driven by hatred, their emergence follows specific patterns that do not seem to be linked to potentially hateful motivations.[68]

Further, the adjective "unrestrained" can also refer to the absence of restriction: in other words, an absence of police organisational supervision of officers' actions. While such a lack of command certainly plays a role for the officers' perception of a loss of control, my findings suggest that the absence of organisational supervision alone cannot lead to police riots. In most cases when difficulties in command structure and police organisation arise during operations, no excessive violence by officers occurs. Police mismanagement always needs to combine with other interactions in a specific temporal sequence to trigger police riots.

Although the discussed cases were part of a random case selection procedure, the presented findings of the temporal dynamics for police riots are only exploratory. Further systematic research should comparatively analyse a larger sample of police riots and further investigate the exact duration of interactions during a protest (covering, for example, temporal overlaps or intermissions between interactions). Comparing countries beyond the United States and Germany can be useful to study the extent to which forward panics differ depending on protest groups, political opportunities and police structure. Such a comparative perspective would shed more light on the link (or disjuncture) of structural conditions and micro-situations in explanations of violence.

Further, findings of this exploratory study indicate that Collins' theory is measurable by systematically studying interactions and emotional dynamics. In addition, they suggest that sequence analysis can be vital in looking at situational dynamics and the intensity of physical violence. Future research could focus on why some actors – in my study officers, in Collins' study soldiers, among others[69] – undergo a forward panic while some seem immune to it and do not participate in acts of excessive violence.[70] Are some actors better at establishing dominance, and do they enter a forward panic more easily? Such studies

might also focus on the hormonal levels of actors[71] to explain these differences in officers' reactions to a perceived loss of control. Together with innovative methods (such as sequence analysis or QCA), such a disciplinary combination of bio-sociology with crowd psychology and social sciences can further contribute to our understanding of excessive violence.

9. Appendix: Sample

Table 3.1 Sample

#	Violence	United States (issue, city, year)	#	Violence	Germany (issue, city, year)
01	yes	World Trade Organization (WTO) meeting, Seattle, 1999	16	yes	Group of Eight meeting, Rostock, 2007
02	yes	Free Trade of the Americas meeting, Miami, 2003	17	yes	Asia-Europe meeting (ASEM), Hamburg, 2007
03	yes	Rutgers University, New Jersey, 1995	18	yes	Nuclear power plant, Wilstermarsch, 1981
04	no	Washington Peace March, Washington, DC, 1971	19	yes	US Cambodia invasion, Berlin, 1970
05	yes	Tompkins curfew & gentrification, New York City, 1988	20	no	City politics & gentrification, Hamburg, 2009
06	no	Iraq invasion, Washington, DC, 2002	21	no	North Atlantic Treaty Organization (NATO), Kehl, 2009
07	no	Group of 20, Pittsburgh, 2009	22	no	Migrants' rights, Rostock, 2007
08	yes	International Monetary Fund (IMF) & WTO, Washington, DC, 2000	23	yes	Education policies, Hannover, 2008
09	yes	IMF, Washington, DC, 2003	24	yes	Education fees, Frankfurt, 2008
10	yes	Republican National Convention (RNC), St Paul, 2008	25	yes	NATO, Munich, 2003
11	no	Iraq War, San Francisco, 2003	26	yes	Social service cuts, Frankfurt, 2007
12	no	RNC, New York City, 2004	27	no	Education policies, Frankfurt, 2009

13	yes	Bush administration, Portland, 2002	28	yes	Springer Press & Vietnam War, Berlin, 1968
14	no	Iraq War, Washington, DC, 2007	29	no	Emergency laws, Bonn, 1968
15	yes	Vietnam War, Washington, DC, 1967	30	no	Gorleben nuclear power plant, Hannover, 1979

Notes

1. See, among others: R. Collins (2008) *Violence: A Micro-Sociological Theory* (Princeton, NJ: Princeton University Press); S. Klusemann (2009) "Atrocities and Confrontational Tension", *Frontiers in Behavioral Neuroscience*, 3(42), 1–10; M. Levine, P. J. Taylor and R. Best (2011) "Third Parties, Violence, and Conflict Resolution: The Role of Group Size and Collective Action in the Microregulation of Violence", *Psychological Science*, 22(3), 406–412; S. D. Reicher, C. Stott, J. Drury, O. Adang, P. Cronin and A. Livingstone (2007) "Knowledge-Based Public Order Policing: Principles and Practice", *Policing*, 1(4), 403–415.
2. Collins (2008).
3. Klusemann (2009); D. Weenink (2014) "Frenzied Attacks: A Micro-Sociological Analysis of the Emotional Dynamics of Extreme Youth Violence", *The British Journal of Sociology*, 65(3), 411–433.
4. Collins (2008), pp. 83 ff.
5. A. Nassauer (2012) *Violence in Demonstrations: A Comparative Analysis of Situational Interaction Dynamics at Social Movement Protests* (Humboldt Universität zu Berlin).
6. Collins, 2008; see also H. Blumer (1988) "Foreword", in L. H. Athens (ed.) *Violent Criminal Acts and Actors: A Symbolic Interactionist Study* (Routledge & Kegan Paul); J. Katz (1988) *Seductions of Crime: Moral and Sensual Attractions in Doing Evil* (New York: Basic Books).
7. J. D. McCarthy, A. Martin and C. McPhail (2007) "Policing Disorderly Campus Protests and Convivial Gatherings: The Interaction of Threat, Social Organization, and First Amendment Guarantees", *Social Problems*, 54(3), 274–296; A. Nassauer (2010) "From Hate to Collective Violence: Research and Practical Implications", *Journal of Hate Studies*, 9(1), 198–220; Nassauer, 2012; Reicher et al., 2007.
8. G. P. Alpert, R. G. Dunham and J. M. MacDonald (2004) "Interactive Police–Citizen Encounters That Result in Force", *Police Quarterly*, 7(4), 485; W. Terrill (2003) "Police Use of Force and Suspect Resistance: The Micro Process of the Police–Suspect Encounter", *Police Quarterly*, 6(1), 51–83.
9. S. P. Griffin and T. J. Bernard (2003) "Angry Aggression among Police Officers", *Police Quarterly*, 6(1), 11; see also R. Flin, Z. Pender, L. Wujec, V. Grant and E. Stewart (2007) "Police Officers' Assessment of Operational Situations", *Policing: An International Journal of Police Strategies & Management*, 30(2), 310–323; M. D. White (2002) "Identifying Situational Predictors of Police

Shootings Using Multivariate Analysis", *Policing: An International Journal of Police Strategies & Management*, 25(4), 726–751.

10. ACPO, ACPOS and NPIA (2010) *Manual of Guidance on Keeping the Peace* (London); J. Hoggett and C. Stott (2010) "Crowd Psychology, Public Order Police Training and the Policing of Football Crowds", *Policing: An International Journal of Police Strategies & Management*, 33(2), 218–235; S. D. Reicher, C. Stott, P. Cronin and O. Adang (2004) "An Integrated Approach to Crowd Psychology and Public Order Policing", *Policing: An International Journal of Police Strategies & Management*, 27(4), 558–572; C. Stott (2003) "Police Expectations and the Control of English Soccer Fans at 'Euro 2000' ", *Policing: An International Journal of Police Strategies & Management*, 26(4), 640–655.
11. See, among others: L. Fernandez (2005) "Policing Protest Spaces: Social Control in the Anti-Globalization Movement", *The Canadian Journal of Police & Security Services*, 3(4), 241–249; J. A. Noakes, B. V. Klocke and P. F. Gillham (September 2005) "Whose Streets? Police and Protester Struggles over Space in Washington, DC, 29–30 September 2001", *Policing and Society*, 15(3), 235–254; M. Wahlström (2011) "The Making of Protest and Protest Policing – Negotiation, Knowledge, Space, and Narrative", *Göteborg Studies in Sociology*, 47; M. Zajko and D. Béland (2008) "Space and Protest Policing at International Summits", *Environment and Planning D: Society and Space*, 26(4), 719–735.
12. See, among others: J. Goodwin and J. M. Jasper (2006) "Emotions and Social Movements", in J. Stets and J. H. Turner (eds.) *Handbook of the Sociology of Emotions* (New York: Springer), pp. 611–635; J. M. Jasper (1998) "The Emotions of Protest: Affective and Reactive Emotions in and around Social Movements", *Sociological Forum*, 13(3), 397–424; J. M. Jasper (2006) "Emotions and the Microfoundations of Politics: Rethinking Ends and Means", in S. Clarke, P. Hoggett and S. Thompson (eds.) *Emotion, Politics and Society* (London: Palgrave Macmillan), pp. 14–30.
13. R. Collins (2009) "The Micro-Sociology of Violence", *The British Journal of Sociology*, 60(3), 566–576; Klusemann, 2009.
14. Collins, 2008.
15. Collins, 2009, p. 568.
16. Collins, 2008; Collins, 2009, p. 570.
17. Collins, 2008, pp. 83 ff.
18. Collins, 2008, p. 88 and p. 102.
19. Collins, 2008, p. 94.
20. Collins, 2008, p. 121.
21. Collins, 2008.
22. A. Nassauer "From Peaceful Marches to Violent Clashes: A Micro-Situational Analysis", unpublished manuscript A.
23. Collins, 2008, p. 94; see also L. A. Fujii (2013) "The Puzzle of Extra-Lethal Violence", *Perspectives on Politics*, 11(2), 410–426; A. Mazur (2009) "A Hormonal Interpretation of Collins's Micro-Sociological Theory of Violence", *Journal for the Theory of Social Behaviour*, 39(4), 434–447; Weenink, 2014.
24. Collins, 2008, p. 94.

25. See also A. J. Vetlesen (2014) "Passions in Context – Atrocities: A Case of Suppressing Emotions or of Acting Them Out?", *Passions in Context: International Journal for the History and Theory of Emotions*, 2, http://www.passionsincontext.de/?id=773.
26. Mazur, 2009, p. 443.
27. Collins, 2008, p. 46 and p. 92.
28. Collins, 2008, p. 83.
29. D. D. Laitin (2008) "Confronting Violence Face to Face", *Science*, 320(5872), 51–52; see also Mazur, 2009.
30. I chose an unlikely setting for violence to emerge – demonstration marches of moderate left-wing social movement groups in the United States and Germany [N. R. Fyfe (1991) "The Police, Space and Society: The Geography of Policing", *Progress in Human Geography*, 15(3), 249–267; G. T. Marx (1998) "Afterword: Some Reflections on the Democratic Policing of Demonstrations", in D. D. Porta and H. Reiter (eds.) *Policing Protest: The Control of Mass Demonstrations in Western Democracies* (Minneapolis, MN: University of Minnesota Press), p. 260; C. Tilly and S. G. Tarrow (2006) *Contentious Politics* (Boulder, CO: Paradigm Publishers); P. A. J. Waddington (1998) "Controlling Protest in Contemporary Historical and Comparative Perspective", in D. D. Porta and H. Reiter (eds.) pp. 117–140]. I selected these scope conditions, assuming that factors leading to violence in these routinely peaceful settings are likely to lead to a violent outcome in more "favourable" settings as well.
31. To arrive at the sample of 30 cases, I selected four protests by the highest data availability [see J. Blatter (2012) *Ontological and Epistemological Foundations of Causal-Process Tracing: Configurational Thinking and Timing* (Antwerp: ICPR Joint Sessions), p. 5] to develop concepts of interactions leading to a violent outcome. I then drew a random sample of 26 protests out of a list of 109 cases. For more information, see Nassauer, 2012.
32. Blatter, 2012; J. Gerring and C. Thomas (2006) "Chapter 7: Internal Validity: Process Tracing", in J. Gerring (ed.) *Case Study Research: Principles and Practices* (Cambridge: Cambridge University Press), pp. 151–171.
33. Collins, 2008; P. Ekman, W. F. Friesen and P. Ellsworth (1972) *Emotion in the Human Face* (New York: Pergamon); Klusemann, 2009; for visual examples see, among others, E. Richie (2009) *G20–170*, http://www.flickr.com/photos/edr1084/4054204428/, date accessed 3 June 2012, or Thomas Quine (2014) *Laughing Policemen*, https://www.flickr.com/photos/quinet/15354110961/, date accessed 7 November 2014.
34. Klusemann, 2009, p. 9. For protest videos showing strong fear just before the outbreak of violence, see among others: Indymedia (2007) *The Miami Model – 2003 FTAA Summit*, http://www.youtube.com/watch?v=u2QfHaFitMs, date accessed 18 September 2011; and Jamsven (2007) *G8 – Polizei Taktik?*, http://www.youtube.com/watch?v=bqIvShEZ4Po&feature=youtube_gdata_player, date accessed 15 January 2011. Owing to copyright restrictions video screenshots and pictures cannot be reprinted. The reader is encouraged to click on the YouTube and Flickr links provided to see the data first-hand.
35. C. C. Ragin (1987) *The Comparative Method: Moving beyond Qualitative and Quantitative Strategies* (Berkeley, CA: University of California Press);

C. C. Ragin (2008) *Redesigning Social Inquiry: Fuzzy Sets and Beyond* (Chicago, IL: University Of Chicago Press); see also C. Q. Schneider and C. Wagemann (2012) *Set-Theoretic Methods for the Social Sciences: A Guide to Qualitative Comparative Analysis* (Cambridge: Cambridge University Press); N. Legewie (2013) "An Introduction to Applied Data Analysis with Qualitative Comparative Analysis", *Forum Qualitative Sozialforschung/Forum: Qualitative Social Research*, 14(3), http://www.qualitative-research.net/index.php/fqs/article/view/1961, date accessed 5 October 2013.

36. For an easily accessible introduction, see Legewie, 2013.
37. See A. Abbott and A. Tsay (2000) "Sequence Analysis and Optimal Matching Methods in Sociology: Review and Prospect", *Sociological Methods & Research*, 29(1), 3–33; A. Abbott (1992) "From Causes to Events: Notes on Narrative Positivism", *Sociological Methods & Research*, 20(4), 428–455; S. Aisenbrey and A. E. Fasang (2010) "New Life for Old Ideas: The 'Second Wave' of Sequence Analysis Bringing the 'Course' Back into the Life Course", *Sociological Methods & Research*, 38(3), 420–462.
38. I refrained from using the optimal matching algorithm (a further step of analysis frequently employed in sequence analysis), since the calculation of differences between sequences is not of interest to my study.
39. A. Nassauer "The Emergence of Protest Violence: A Configurational Analysis of Situational Interaction Dynamics", unpublished manuscript B.
40. A. Nassauer (2015) "Effective Crowd Policing: Empirical Insights on Avoiding Violence", *Policing: An International Journal of Police Strategies & Management*, 38(1), 3–23.
41. See, inter alia, J. Rubinstein (1973) *City Police* (New York: Ballantine Books).
42. Seattle Police Department (2000) *The Seattle Police Department After Action Report: World Trade Organization Ministerial Conference, Seattle, Washington November 29 – December 3, 1999*, http://www.seattle.gov/police/publications/WTO/WTO_AAR.PDF, date accessed 4 April 2000; WTO Accountability Review Committee (2000) *Report of the WTO Accountability Review Committee Seattle City Council*, http://depts.washington.edu/wtohist/documents/arcfinal.pdf, date accessed 15 January 2011.
43. See also Zajko and Béland, 2008.
44. Citizens' Panel on WTO Operations (2000) *Report to the Seattle City Council WTO Accountability Committee by the Citizens' Panel on WTO Operations*, http://www.seattle.gov/archive/wtocommittee/panel3_report.htm, date accessed 5 February 2011; Fox 9 News (2008) "Anarchists Took Control of St. Paul during RNC Police Admit", http://www.youtube.com/watch?v=gkZvtGCh5YA&feature=youtube_gdata_player, date accessed 16 July 2011; Gewerkschaft der Polizei (2007) *G-8 Gipfel in Heiligendamm: Gewerkschaftliche Aufbereitung des Polizeieinsatzes*. Gewerkschaft der Polizei – Bundesfachausschuss Bereitschaftspolizei, http://www.dfg-vk.de/dateien/gdp-abschlussberichtbfa_bupo_g8.pdf, date accessed 3 July 2010; Indymedia, 2004; RNC Review Commission (2009) *Report of the Republican National Convention Public Safety Planning and Implementation Review Commission*, http://www.stpaul.gov/DocumentView.aspx?DID=7405, date accessed 17 July 2011; B. Solomon and D. Levin (2008) *Captured* (Blowback & Benvsdan Productions); WTO Accountability Review Committee, 2000.
45. Nassauer, unpublished manuscript B.

46. The Portland protest (protest no. 13, Appendix) is also part of this sequence. In Portland police also used excessive violence against protesters after a combination of spatial incursions and police mismanagement took place. Yet this protest will not be discussed in detail here, as is an outlier case: it is the only protest in my sample of 30 demonstrations where police superiors ordered the use of force. Police forces were later set to approve payment of $300,000 to 12 protesters for their use of excessive force.
47. Collins, 2008.
48. T. S. Purdum (25 August 2008) "Findings on Tompkins Sq. Prompt 2 Police Supervisors to Lose Posts", *New York Times*, http://www.nytimes.com/1988/08/25/nyregion/findings-on-tompkins-sq-prompt-2-police-supervisors-to-lose-posts.html?pagewanted=all&src=pm, date accessed 12 August 2011.
49. Nassauer, unpublished manuscript B.
50. Solomon and Levin, 2008.
51. Solomon and Levin, 2008.
52. See telengardc64 (2007) *Tompkins Square Park Riot*, http://www.youtube.com/watch?v=bunhcwSvil8&feature=youtube_gdata_player, date accessed 18 May 2011.
53. Collins, 2008.
54. S. Vogel (16 March 2007) "Once More to the Pentagon", *The Washington Post*, http://www.washingtonpost.com/wp-dyn/content/article/2007/03/15/AR2007031502206.html, date accessed 15 October 2011.
55. See also Universal Newsreel (2010) *Vietnam War – Pentagon Protest Newsreel*, http://www.youtube.com/watch?v=tV7CFB4yAdA&feature=youtube_gdata_player, date accessed 16 April 2011.
56. Vogel, 2007.
57. J. Leen (27 September 1999) "The Vietnam Protests: When Worlds Collided", *Washington Post*, http://www.washingtonpost.com/wp-srv/local/2000/vietnam092799.htm, date accessed 20 September 2011.
58. City of Seattle (2008) "Interactive Incident Map with Police Incident Timeline Description of Nov 30 1999 Seattle Protests", http://www.seattle.gov/archive/wtocommittee/maps/1130_800_829.htm, date accessed 12 February 2011.
59. City Council's WTO Accountability Review Committee – Panel 3 (2000) *Final Report of Panel 3 of the WTO Accountability Review Committee*, p. 4; WTO Accountability Review Committee, 2000, p. 12.
60. C. Stott and S. Reicher (1998) "Crowd Action as Intergroup Process: Introducing the Police Perspective", *European Journal of Social Psychology*, 28(4), 509–529.
61. Bijitaq (2007) *WTO Protests: Seattle (2/3)*, http://www.youtube.com/watch?v=FHfKDgf7lp8&feature=youtube_gdata_player, date accessed 12 April 2011; Independent Media Center und Big Noise Film (2011) *This Is What Democracy Looks Like (Seattle 1999 WTO)*, http://www.youtube.com/watch?v=yBUZH2vCD_k&feature=youtube_gdata_player, date accessed 15 January 2012.
62. WTO Accountability Review Committee, 2000, p. 4.
63. WTO Accountability Review Committee, 2000, p. 12.
64. Nassauer, unpublished manuscript A.
65. Seattle Police Department, 2000, p. 6.

66. Collins, 2008.
67. Nassauer, 2012.
68. The remarks are not meant to justify police behaviour, but to explain its emergence. Officers might hold hateful emotions and cruel intentions towards protesters. Yet my findings suggest that such potential intentions or long-term emotions are neither necessary nor sufficient for such situational actions. See also: Collins, 2008, 2009; Klusemann, 2009; Nassauer, 2010, 2012.
69. Collins, 2008.
70. See also: Fujii, 2013, p. 415; J. Kersten (2012) "Polizei, Gewalt und Menschenwürde", *Systhema* 3(26), p. 291.
71. As suggested by Mazur, 2009.

4

What the Situation Explains: On Riotous Violence

Ferdinand Sutterlüty

Some two decades ago, a number of German sociologists called for a fundamental reorientation of research into violence, arguing that the failure to make violence as such – in the sense of a situated event, a physical activity – the subject of social-scientific research represented a serious deficit that bordered on the grotesque. Such research, these critics claimed, had been hitherto limited mainly to the socio-structural, cultural-historical and biographically conditioned *causes* of violence, factors that were remote from the situations in which violence was physically manifested.[1] Mainstream sociology, which is able to identify quantitative distributions and statistical connections – for example, between poverty, disintegrated milieux, ethnicised attitudes and violence – has almost nothing to say about the actual exercise of violence and, in addition, has a tendency to over-predict its occurrence. Such a sociology can perhaps explain *rates* and probabilities of violence but not a violent *act*, a violent event. Explaining the latter, as Trutz von Trotha has argued, requires a "genuine sociology of violence", one that begins with a "thick description" and a "microscopic analysis" of the violent *action*.[2]

Research into violence thus needs to take into account the only apparently trivial fact that violent action always takes place in a situation. This often dynamically developing situation is fundamentally determined by the actions of others – opponents, victims and also third parties who may be directly or merely indirectly involved. Since violence is constitutively a situational interaction, it can only be adequately investigated

My thanks to Axel Paul and Benjamin Schwalb for their valuable suggestions, to Sarah Mühlbacher for her bibliographical assistance and to Joseph O'Donnell for translating the manuscript from the German, in cooperation with the author.

as such. This is especially clear in the case of collective violence, which is the focus of this paper.

Following a brief explanation of what can be regarded as a situationist approach (1), my paper explores a couple of such approaches that have contributed significantly to research into violence over the past years and generated a series of ground-breaking empirical studies (2). A number of impressive micro-sociological, social-psychological and transdisciplinary theoretical frameworks have been developed that share the characteristics of a situationist explanatory approach. As I will show, these frameworks in part run the risk of abetting an excessively mechanistic and reifying understanding of the violent situation and embracing a situational metaphysics (3). Referring to examples of riots in the recent past, I will also examine the achievements and limitations of a situationist approach to collective violence.

However, before addressing these issues it is necessary to clarify what is to be understood by the terms "situation" and "situationist explanation".

1. What is a situationist explanation of violent action?

The literature relating to this field extends from experimental psychology to micro-sociological interaction analysis and ethnography and offers a highly diverse range of conceptions of the situationist approach. Philip Zimbardo, for instance, subsumes under a situationist approach everything that goes beyond the analysis of individual dispositions and does without a pathologisation of the perpetrators, thereby according situationism an extremely broad scope of application.[3] While there is convincing evidence to support Zimbardo's thesis that in certain circumstances normal, clinically sane people are capable of the most brutal acts, from a sociological perspective identifying every explanation that does not refer to personality traits as situationist is unsatisfactory. In sociology and its neighbouring disciplines, the methodologies offering an alternative to personality-based aetiologies constitute a highly differentiated field, one in which not only dispositional but above all socio-structural and culture-theoretical approaches form the counterpoles to paradigms that set the greatest store by the meticulous analysis of violent situations.[4]

Against this background it is important to define the meaning of "situation" and "situationist explanatory approach" within the context of research into violence, in order to avoid saddling situational analyses with the burden of having to explain almost everything. We can

begin with two negative definitions. First, a situationist explanation must be able to comprehend violent actions independently of the actors participating in them: i.e., without recourse to the latter's individual socialisation or biographically acquired behavioural dispositions. Second, such an explanation must not limit itself to the analysis of socio-structural tensions, patterns of cultural orientation or historical processes but must, where required, show how these are manifested in the action situations in which violence is exercised. A positive definition of situationist approaches is that they engage with the physical act of violence itself – as opposed to the causes of violence, structural preconditions and background factors external to the event. They attempt to explain this physical act on the basis of the interaction between the participating actors, the dynamic resulting from this interaction and the specific, often rapidly changing, situational contexts of the exercise of violence.

2. The contribution of situationist analyses of collective violence

Situationist approaches that proceed in this manner have certainly generated theoretical concepts and analytical instruments that are indispensable for the investigation of violence, particularly collective violence. Without them, as argued below, the inherent dynamics of violent interaction cannot be adequately comprehended. Moreover, they provide important insights into the situational interpretations by actors that make collective violent excesses possible in the first place.

However, collective violence encompasses very different phenomena, which range from pre-planned brawls between hooligans to campaigns of genocidal extermination. As these two examples already show, the constellations of actors involved can be highly symmetrical or extremely asymmetrical. Furthermore, along with the actions of direct participants, the behaviour of other groups of actors also plays a central role. The course of collective violent events can be strongly influenced, for example, by the reactions of state executives and statements by political representatives or by whether the immediate setting is dominated by passive supporters of the perpetrators, applauding bystanders or groups who take the side of the victims and attempt to stop the violence. Such contextual factors determine not only the opportunity structures for violence and the legitimatory conditions in which the perpetrators act but often also how they define the action situation. The variants and constellations of actors are so numerous that it is barely possible to

list them all. However, in general we can say that collective violence is an interactive event and, as such, is shaped by multilaterally influenced escalation processes that develop a powerful dynamic of their own. An understanding of this inherent dynamic of collective violence, which is indispensable for a comprehensive explanation, requires a precise reconstruction of the violence itself and the often complex contexts in which it is carried out. It is precisely to this task that situationist approaches are suited.

Although this paper examines the value of such approaches for the analysis of collective violence, it does not aim to provide a systematic description of the differences between collective and individually practised violence. Without claiming to offer a conclusive explanation, my focus here is on the following specific features of collective violence: the chains of interaction involved, which, in comparison to violence perpetrated by individuals, are far longer and more complex, and in which different actors influence one another in their actions; the multilateral and ongoing interpretive processes that are constitutive of the genesis and course of collective violent phenomena; and the diversity of groups of actors, which do not necessarily need to have the same motives for their violent behaviour or act in the same way in order to spur each other on.[5] In this sense collective violence is much more than the violence of a group whose members would be capable of the same actions when acting as individuals.

The explanatory capacity of situationist approaches to collective violence can be illustrated using examples of riots that have occurred in recent decades in urban areas in the United States and Europe characterised by social deprivation and ethnic tensions. The manner in which these riots broke out already points to the fact that socio-structural conditions such as poverty and extreme inequality cannot in themselves explain such events. The beginning of the unrest is typically associated with a police assault. The run-up to the riots in Los Angeles in 1992, which resulted in 53 deaths and immense damage to property as a result of arson and looting, began on 3 March 1991, when the then 26-year-old black motorist Rodney King was brutally beaten with batons by four police officers, three white and one Hispanic, following a car chase. The incident was seen around the world owing to the fact that it was filmed by a local resident and then disseminated through the media. However, the riots, which were concentrated in sections of South Central Los Angeles, actually occurred a year later, after the four charged police officers were cleared by a mainly white jury, which did not have a single African-American member.[6] The three weeks of rioting in the

French *banlieues* in 2005 broke out after two youths of Maghrebi origin, 17-year-old Zyed Benna and 15-year-old Bouna Traoré, were tragically electrocuted in a power substation in Clichy-sous-Bois, in the outskirts of Paris, while attempting to evade a police patrol on 27 October of that year. According to official figures, in the unrest that followed four people died and numerous others were injured; throughout France thousands of cars were reported burned and destroyed, and over 200 public buildings, including many schools and police stations, were damaged or burned to the ground.[7] The far shorter but no less severe riots that raged in 2011 in several London suburbs before spreading to other British cities began in the early evening of 4 August, after Mark Duggan, a 29-year-old dark-skinned man, was shot in the north London suburb of Tottenham by police for reasons that remain unclear.[8] The Swedish riots that broke out in the Stockholm suburb of Husby in May 2013 followed the shooting of a 69-year-old man of Portuguese origin who, according to the police, was waving a machete as officers attempted to search his home.[9] In August 2014, in Ferguson, near St Louis, Missouri, angry residents demonstrated and rioted following the death of the unarmed 18-year-old African-American Michael Brown, who was shot several times by a white police officer; rioting flared up again following the decision by a grand jury not to indict the police officer concerned.[10]

The striking similarities between the events that triggered these riots could be read as evidence of a culturally mediated script that was activated by an initial spark and provided stage directions for the ritual that was subsequently played out. The riots described here all had antecedents in these countries, and it can also be assumed that, owing to their widespread echo in the international media, events of this kind have influenced one another. Seen from a distance, the diagnosis that riots in urban problem areas proceed in accordance with a culturally sedimented script is certainly not incorrect. However, on closer examination a more differentiated picture emerges. Detailed situation and progression analyses quickly show that violent excesses during the riots developed out of the interaction between many actors and a constant redefinition of the situation. It is far too simplistic to assume that the rioters just carried out previously defined intentions without being affected in the course of events by their context-specific experiences, newly emerging interpretations and situational action problems.[11] Along with the intentions and interpretive activity of actors, we also need to consider a situation-theoretical "alterity principle", one that takes into account the possibility of a "guidance of the situation by the others".[12]

The interactionist analysis of riots in the United States by Ralph H. Turner reveals two fundamental elements of their situational developmental dynamic: the successive alteration of normative standards, which ultimately leads to a situational interpretation that facilitates violence, and the trajectory of the outbreaks of violence themselves, which can only be comprehended with reference to the interplay of different actors.[13] Turner points out that in the course of riots norms usually accepted by most of the participants are abrogated. For example, he quotes one participant in the Los Angeles riots of 1992 as saying: "It's a riot – anything goes!"[14] During riots, norms inhibiting violence are temporarily suspended, as is respect for the property of others, which facilitates violent attacks, looting and arson by people who in other circumstances would hardly be capable of such actions.[15] Randall Collins, referring to examples that include the Los Angeles riots, uses the term "moral holiday" to describe a situation in which certain rules are collectively suspended and people no longer prevent others from acting violently or committing other offences.[16] On the other hand, as Collins quite rightly points out, the moral time-out during riots does not apply to all rules governing public behaviour. In cases such as the Los Angeles riots, violence never led to an unrestrained war of all against all, looters did not loot from one another and there were virtually no indications of rape.

However, the partial collapse of restrictive norms still does not explain what motivated the rioters in a positive sense; it merely shows that inhibitory principles which usually have a prohibitive or restraining function were dismissed. What Turner's analysis shows is that the impulses motivating action are not simply generated by the initial events but rather take shape in the course of the riots and serve as a common legitimatory framework for the different groups of rioters. During the 1992 Los Angeles riots, the "emergent norms" that Turner speaks of were shaped by the idea of "retaliation for white injustice toward minorities".[17] However, he does not describe in any detail the process by which the idea of taking revenge developed into a legitimate and motivating maxim of action among the rioters and situationally prevented them from considering the consequences for themselves and others. In the case of the 2005 French and 2011 British riots, in which the motive of "revenge" – above all, against the police and other state authorities – also played a vital role,[18] it can be seen that it was not only the rioters who participated in the development of a situational interpretation that legitimised violence. Public debates and statements by leading politicians also contributed decisively to the interactive formation of this interpretation.[19]

When considering the French case, it is important to remember that during the months prior to the outbreak of rioting in November 2005, the negative image of so-called *beurs*, the Maghrebi French, was the subject of an intense discussion, in the context of which they were frequently defamed as Islamists ready to foment terror and as internal enemies, while the *banlieues* they inhabited were depicted as hives of criminality.[20] The pronouncement by the then Minister of the Interior, Nicolas Sarkozy, on 19 July 2005 that, owing to the high level of criminality, he wanted to have the Parisian suburb of La Courneuve "cleaned out with a Kärcher" and the delinquents "Kärcherised"[21] – i.e., washed away with a high-pressure cleaner – had significant repercussions in the public debate. In the early phase of the French riots Sarkozy spoke on camera of young "scum" and "rabble" in the *banlieues*. Prime Minister David Cameron's statement on the 2011 British riots, "This is criminality, pure and simple", while adopting a more moderate tone, also took the line that the riots were merely a result of rioters' behavioural problems and not also an expression of problems suffered by the residents of the suburbs concerned. This sentiment reflected dominant political reactions in Britain, which in many cases took a harsher tone, referring to a "feckless criminal underclass" and "mindless, feral youths" who needed to be brought to book.[22]

Such statements, which were disseminated by the media in real time, fuelled the aggressiveness of the rioting and attacks by strengthening the subjective certainty of the rioters that their actions were legitimate. The fatal police pursuit of Zyed Benna and Bouna Traoré in Clichy-sous-Bois and the shooting of Mark Duggan in Tottenham were interpreted as merely the most extreme forms of the way state authorities dealt with disadvantaged populations and ethnic minorities. Moreover, as in the US riots described by Turner, in both the French and British cases the outrage over these deaths and the reaction of rioters were met with a degree of understanding in the neighbourhoods and districts involved – even among those opposed to the use of violence. This, too, strengthened the sense among rioters that their rage and retributive actions were justified.

Here a situationist analysis runs into certain limitations. The normative expectations whose violation the rioters were reacting to cannot be explained solely on the basis of the interactively developing situation. They did not first emerge, as Turner suggests in his analysis, in the course of the escalating unrest.[23] In the French and British riots, pre-existing claims to equal treatment were of utmost importance. As relevant studies show, young members of ethnic minorities residing in areas involved

in the rioting – in contrast to their parents' generation – had fully internalised the idea of civic equality.[24] Indeed it would seem that the rioters, who were predominantly young and male, represent cogent examples of the "paradox of cultural assimilation", a concept formulated in the 1990s by François Dubet in the context of his study of violence-prone and rebellious youths in the *banlieues*. Dubet noticed that the more culturally integrated such young people were, and the greater the degree to which they had internalised the values of their society, the more pronounced were their feelings of exclusion and injustice.[25]

In the years leading up to the 2005 and 2011 riots in France and Britain, such morally based discontent was fuelled by the everyday experiences of subsequent rioters. These experiences were shaped above all in France by the law and order policies implemented in the *banlieues* in the years prior to the riots, which Fabien Jobard has described as "paramilitary",[26] and in Britain by the so-called stop-and-search policing, which was introduced to combat terrorism and implemented above all in areas with a high crime rate. In the areas of France and Britain where the riots occurred, these policies, which permitted police to carry out checks and searches without any specific suspicion, corroded trust in security agencies and in the rule of law.

In both cases there was an accumulation of reports of demeaning treatment by police and arbitrary measures undertaken by security organs. Many rioters had direct experience of such treatment, and we know from the available primary sources that this was a major factor contributing to the claim that they were not treated in the same way as other French or British citizens.[27] They took the constitutional principle of civic equality at its word and were angered by the fact that apparently in practice it was not supposed to apply to them. In France, unlike in Britain, a decisive role was also played by the accusation, based on widespread experience, that in the *banlieues* the French education system consistently failed to live up to its promise of equality of opportunity and merit-based advancement. The infuriation of the rioters was thus fed by the violation of claims to civic equality, of a norm constitutive of democracies, the reconstruction of which is beyond the capacity of a purely situationist analysis of the events. The interpretive paradigm that formed the basis of rioters' outrage was already formulated before the riots themselves broke out and was directly connected with the normative order of democratic societies and their institutions.

Nevertheless, if the above account is correct, a situationist analysis must be able to show that the claim to equal treatment by state institutions and the perceived violation of this right had an impact on the riots themselves. There are many indications in sources relating directly

to the riots that this was actually the case. One example can be found in a slogan used very often by the rioters in France: "Liberty, equality, fraternity, but not on the outskirts!"[28] The protagonists thereby voiced their demand that what applied to other French citizens necessarily also applied to *banlieue* residents; the noble ideals of the nation could not be abrogated in their case. One British rioter expressed the rage he felt towards the police and the government with the words "One 'law' for the rich and another for everyone else".[29] This statement also articulates a basic claim to equal treatment as a citizen and legal entity, a claim that ultimately became the motivational mainspring for participation in the riots.

Without the normative standards outlined above, which did not originate situationally and yet evidently played a role in the way the corresponding situations were interpreted by actors, the riots would not have occurred.[30] Once we have reconstructed these internalised norms of equality anchored firmly in democratic culture and demonstrated their significant effect on the riots, then the strengths of situationist analyses become readily apparent. The escalatory and inherent dynamic of the riots can certainly not be reduced to this normative paradigm. Explaining the occurrence and course of the riots requires an interactionistically orientated situational analysis.

Such a reconstruction needs first to consider the "period of testing" that can usually be observed at the beginning of riots.[31] In this phase an offensive advance guard engages with the police in order to find out who will gain the upper hand and how great the risks of being apprehended are. In some cases, this test phase is certainly directly intended as such, while in other cases spontaneous reactions are seen as test runs only in retrospect; whatever applies here, the result of the test is crucial in determining whether other actors become involved and whether there is an extension of riot activities. In the initial phases, attacks are most directed – in accordance with the triggering events and the basic normative paradigms outlined above – against the police and their institutions. The expansion of targets of attack can also be explained in interactionist terms on the basis of new situations emerging in the context of riots. In the French case, these latter targets were, above all, schools and other public institutions, which for the rioters represented symbols and embodiments of a republic that they saw as betraying its own ideals. In the British case, rioters set fire to numerous municipal institutions and many turned to looting businesses.

Looting, which also assumed enormous dimensions during the Los Angeles riots in 1992, seems to constitute a gross deviation from the original, normatively based motives of the rioters. However, it can be

comprehended, at least in part, on the basis of the interactive nature of events. For instance, Lee Bridges points out that during the 2011 British riots the strategy adopted by the police initially focused on protecting their own facilities, which led to a territorial extension of the riots and the selection of new targets for attack, namely businesses.[32] Randall Collins argues that looting is the best way of keeping a riot going and drawing in actors who reject the use of violence against people. As he puts it, "Rioters must have something to do, otherwise the riot peters out."[33] It needs to be added that, while looting plays a key role in the perpetuation and prolongation of a riot and the recruitment of new rioters, it also, of course, provides opportunities for free riders who are merely interested in exploiting the situation in order to take a free shopping trip.

An interactionist reconstruction of the escalation processes characterising the French and British riots, for instance, also has to keep in mind the competition between the different locations at which rioting simultaneously took place. In both cases a type of rivalry developed between different suburbs and cities, with rioting groups competing to attract the most media attention and cause the most destruction. The list of escalation dynamics, opportunity structures and goal displacements that can only be identified using an interactionist situational analysis could certainly be extended.

However, what also needs to be taken into account here is an aspect that seems to have decisive significance for the initial situation in which riots are sparked and that helps to shed light on the destructiveness they entail: the alienation of rioters and their social milieu from state institutions and the arenas of political debate. I have already referred to the mistrust of the justice system and policing apparatus common among rioters and nourished by specific experiences. In all the cases discussed here, this mistrust extended to the sphere of politics. None of the urban areas in which the riots took place was connected to mainstream politics by functioning channels of communication which could have provided the concerns of residents with public representation.

In the case of the United States, Ronald N. Jacobs argues that an ethnic stratification of the public sphere has prevented the formation of "interpretive communities" focusing on the situation of the African-American population within a diversified public.[34] As a consequence, discourse has been dominated by a "tragic narrative" that has promoted alienation and resignation and destroyed all hope of making oneself consistently heard through the political articulation of specific concerns. Jacobs sees this state of affairs as defining the initial situation from which not only

the Los Angeles riots of 1992 but also earlier cases of unrest evolved. In his analysis of the background to the French riots in 2005, Didier Lapeyronnie demonstrates that in the wake of the widespread disappearance of local associations of the traditional workers' parties a silent "emptiness" has emerged between the political sphere and the residents of urban zones of poverty.[35] Comparable characterisations can be found in Gary Younge's designation of the British rioters of 2011 as "political orphans" and John Benyon's description of the riots as the "ballot boxes of the poor".[36]

The yawning gulf between the political sphere and local life in the areas affected by rioting is doubtless a fundamental reason for the fact that the riots took on a destructive form and were not translated into political demands. This gulf makes comprehensible the fact that the riots were bereft of any sense of political hope but were, rather, dominated by the semantics of revenge and retribution. Because the rioters were alienated from political institutions and saw themselves as disconnected from these institutions, their protest did not take the form, for instance, of a political petition or a social movement but instead was expressed in violence against a state that had failed to keep its promise and had trampled on the claim to civic equality. This blockage of communication between marginalised urban areas and the political sphere is a general feature of situations out of which riots can develop.

Comparing situational analyses of the kind described can help us to identify types of situational constellations and features that favour collective violence. Research over recent decades has contributed a great deal in this respect. The famous Stanford Prison Experiment and the study of a diverse range of violent phenomena have shown that the dehumanisation of victims, the de-individuation of perpetrators and victims (for example, by means of uniforms or facial concealment), the symbolic exclusion of groups of people from the scope of moral rules and the institutional acceptability of brutal ways of acting greatly encourage the exercise of collective violence.[37] Here and there such situational conditions may also have played a role in the riots referred to. But when it comes to an explanation of these events, it is more promising to condense the features of urban unrest identified above into a situational typology of riot-like occurrences.

This situational typology, which could certainly be expanded and refined by studying further past and present examples, features three analytically distinguishable yet empirically interlocking elements: the initial situation, the developing interpretation of the situation by the actors and the interactively evolving escalation dynamic.

At the beginning there is always an incident that is the subject of heated public discussion in which a member of an ethnic minority is either badly injured or killed as the result of excessive police action. The victims come, hardly coincidentally, from the deprived urban areas in which the riots triggered by the police action are centred. The initial situation is further typically characterised by the fact that the marginalised milieux from which the rioters are recruited are alienated from all levels of politics and as a result do not know how to channel their protest into some form of political intervention. The reason for the rioters being so outraged is connected with their situational interpretation.

They interpret the initial events in light of their own experiences with the police and other state authorities as merely the most extreme expression of what they are subject to in their neighbourhoods on a daily basis. This interpretation, which cannot be comprehended in solely situational terms, is based in democratic cultures on generally accepted norms of equal treatment for all citizens; their everyday violation is the source of rebellious rage. However, it is due to public reactions vilifying the initial rioting and attacks against police that the interpretation underpinned by norms of equality becomes activated, confirmed anew and ultimately a guiding basis for action. A moral state of exception develops, in which normally effective social-moral barriers to violent behaviour are pulverised and rioters see themselves as justified in exacting retribution upon the police and the state institutions that have deprived them of their legitimate rights.

Interaction dynamics then come into play that lead to a further escalation of the violence, the selection of new targets and the creation of opportunity structures enabling other actors to participate in the rioting or commit criminal acts on their own account. This escalation commonly includes a phase in which the relative strengths of the initial group of rioters and the police are tested out. The results of this phase are decisive for whether other actors take part in the unrest and for the dimensions the riot is able to assume. The subsequent selection of targets of destruction is highly dependent on the strategies employed by the police. The chaos that ensues also provides looters and other criminals with the opportunity to take actions that have little direct connection with the moral outrage that formed the original foundation of the riot.

The reconstruction of such dynamics is the exclusive domain of situationist approaches to the investigation of collective violence and the courses it takes. However, the preceding analyses, based on the example of several riots, have also pointed to a number of limitations of

the situationist approach. At the same time they have at least suggested at some points how tensions and interpretations that require a socio-structural and culture-theoretical analysis can be integrated into the investigation of the interactive violent event. Against this background, we can now take a critical look at new concepts of research into violence that can clearly be located within the situationist paradigm. Even if these concepts for the most part do not refer exclusively to riots, they can be evaluated in light of the preceding discussion.

3. Some flaws in situationist theories of violence

In the entirely justified endeavour to scrutinise the physical reality of violence and move beyond a disembodied correlation of isolated factors, more recent situationist approaches have led for their part to a peculiar narrowing of perspective. Perhaps the most extreme form of situationist reductionism can be found in Wolfgang Sofsky's attempt to provide a thick description of the practice of violence within the framework of his bleak anthropology. The micro-analysis he propagates is concerned not with a reconstruction of "sense and meaning" or "intentions and ideas" but rather with the "phenomenal facts" of violence itself, the central concepts of which are "body", "sensation" and "experience", in the sense of being negatively impacted by an event.[38] As part of his gesture of pronouncing the truth about our violence-addicted species, one that we attempt to hide behind our illusions of civilisation, Sofsky diagnoses a "law" or "logic" of violence which we can all be swept along by more or less indiscriminately merely as a result of finding ourselves in certain types of situation. In Sofsky's view torture, the hunting of other human beings and massacres are different forms of a self-sufficient "pure praxis" whose motive is solely generated within the dynamic of violence.[39] This baleful dynamic, which seems able to take possession of violent subjects as if they were neutral vessels, evolves, according to Sofsky, out of the violent situation itself. This means, he writes, that for the "praxeology of violence" the predispositions of the perpetrators are just as irrelevant as the historical circumstances. The occurrence of violence can only be explained in terms of itself and the passions it unleashes.[40]

It is absolutely correct that violent actions can induce physical and normative states of exception that are experienced by the perpetrators as ecstatic. This may motivate some rioters to a certain extent; however, such "intrinsic motives for violence"[41] cannot explain the evolution and course of riots as a whole.[42] Even where the violent experience becomes

an end in itself for the perpetrators, they act not as mere situationally propelled bundles of reactions or experiences but on the basis of the meaning they attribute to the violence. In the exercise of violence self-aggrandisement, feelings of power, thrills and sadistic pleasure do not constitute context-free motives but require an analysis that includes the relevant historical conditions as well as the socialisatory experiences of the perpetrators. Sofsky's far too short-sighted perspective culminates in a situational metaphysics. His praxeological theory leads him to speak of a logic of violence as if it were a self-actuating collective subject that infiltrates the human actors – murderous gangs, hunting packs and torturers. The reifying concept of a logic of violence fails to take account of the interpretive activity of actors without which any study of collective violence as it occurs in riots necessarily remains piecemeal.

Riots certainly follow their own logic. However, this logic can only be comprehended against the background of a riot tradition that prefigures individual incidences and an action dynamic informed by rioters' interpretive models developed outside the situation and the interactively intersecting interpretations of the participating youth, their social environments and the wider public. Rioters' situational definitions continue to be shaped by social experiences, which are conditioned by their structurally disadvantaged position and which they see as violating the normative claims to equal treatment as citizens that they have internalised. As already discussed, in the course of the riots, the violence of rioters certainly takes on its own dynamic, the driving forces of which can be ascertained not through the ascription of a mechanistic situational logic but only through the reconstruction of the culturally and socio-structurally contextualised, interactively unfolding situational interpretations of the actors.

While it is essential that we take into consideration the passions ignited by the use of violence and the inherent situational dynamic of violent excesses, reducing such phenomena to the brutal event and its physical immediacy can only limit the reach of our analysis. Owing to the close range at which Sofsky views the physical occurrence of violence – paradoxically from an empathic outsider's perspective[43] – he cancels out what has always been the central strength of situationist approaches: their symbolic-interactionist orientation, one of the key elements of which is the reconstruction of the action-related unfolding of interpretations and meanings.[44]

In a certain sense this also applies to Jan Philipp Reemtsma's phenomenology of violence. Following Helmuth Plessner, Reemtsma speaks of "the basic form of human existence under the spell of the body" and,

against this background, distinguishes between three types of physical violence.[45] He uses the term "locative violence" to describe occurrences in which bodies are violently fixed or moved in space without these bodies as such being the direct target of the action. In instances of "raptive violence", by contrast, the perpetrator wants to have the body of the other and use it for his own sexual or sadistic satisfaction. Finally, what Reemtsma calls "autotelic violence" aims at the destruction of the integrity of the body; the term denotes phenomena that tend to be regarded in our culture as instances of inexplicable rage and senseless cruelty. This is certainly not where Reemtsma's comprehensive analyses end; on the contrary, it is upon his investigation of which of these forms of violence are seen as dangerous to society or amenable to social integration, as abhorrent or potentially legitimate in certain circumstances, that he builds his cultural-historical comparative social theory, which is based on the interplay between violence and trust.[46]

Regardless of this, on the level of phenomenal description Reemtsma, too, strips the practice of violence of its specific internal meaning, in that he views it only from outside as a quasi-mechanical process with and between bodies. This unusual approach may exert what at times is an inspirational alienation effect, but, when it is applied in a systematic way, it obscures the description of violent phenomena. Depicting the riots under discussion here as physical occurrences of locative, raptive and autotelic violence does not really help us to understand them. When we apply Reemtsma's categories, the result is that quite different manifestations of violence end up looking completely the same as one another: the riots seem hardly distinguishable from the violence of a xenophobic or fanatical religious mob, a violent confrontation between gangs or a street battle between hooligans and police in an annually repeated protest ritual. This is not only unsatisfactory for social-scientific analysis but also normatively and politically questionable. In addition, a number of the objections raised against Sofsky's reifying diction of a self-actuating logic of violence can also be directed at Reemtsma's theory.

Surprisingly, Randall Collins' quite differently structured theory of violence exhibits a similar reductionism. Starting from an anthropologically much more optimistic position than Sofsky and Reemtsma, Collins points out how difficult it is not only to imagine violent action but also to actually carry it out.[47] He sees the reason for this as lying in the "confrontational tension" that, as a rule, we seek to avoid. However, it is in this confrontational tension that Collins sees the element that drives violent behaviour. Violence is unleashed when this tension leads to a

"forward panic". Because escaping in a forward direction and the violent venting of confrontational pressure are easiest in relation to weaker parties, he contends, the violence is mostly directed at the latter; and the fact that tensions can be extremely high often results in "overkill" – i.e., a form of violence that is disproportionately extreme in the given context.

Collins describes this course of events, which is based on confrontational tension and a resulting forward panic, as a "micro-interactional process", the motor of which is the "emotional energy" between actors who seek to prevail in the agonal exchange of emotions. The action-theoretical premise on which Collins' theory depends, as Eddie Hartmann has correctly argued, is thus that those who practice violence always act "as maximisers of emotional energy" without being really aware that they are doing so.[48] In fact, Collins is able to demonstrate the aspiration to emotional dominance, the build-up of confrontational tension and its dissolution in a forward panic in numerous individual analyses. This is very illuminating as long as he focuses on the micro-situational processes making up violent action, which sometimes relate to small but momentous changes in the interactional situation or to action-relevant physical poses and movements.

Collins' work offers a rare range of meticulous and varying analyses of violence, yet while his microscopic, detailed studies are extremely informative, his central theoretical categories also promote a mechanistic point of view. They speak the behaviouristic-sounding language of states of tension, energy charges, imbalance of forces and automatisms, not of interpretations and meanings. A good example is Collins' concept of "emotional energy". At times he refers to such energy as if it were a force of nature bereft of an internal semantics.[49] However, the rage of the quoted rioters has a propositional content consisting in the violation of feelings of justice and equity. In all fairness it has to be said that in his presentation of individual episodes of violence Collins does indeed offer comprehensive descriptions of this semantic content. Nevertheless his key analytic concepts comprise an anti-hermeneutic impetus, one that cannot be filtered out without changing the concepts themselves.

The police assaults that preceded the riots in Los Angeles, Paris, London, Husby and Ferguson can probably be interpreted, at least in part, as the result of a forward panic with which the frightened policemen reacted to confrontational tension.[50] However, at this point the applicability of these terms is already exhausted. In his own explanation of the Los Angeles riots, Collins makes little use of his most important categories, and even when he does, they seem somewhat

etiolated and tacked on from outside; they bring little of substance to his analysis.[51] To be sure, Collins' microanalysis provides us with detailed insights into the course of individual episodes of riotous violence but such an approach does not help us to draw overall conclusions about such instances of unrest. We cannot formulate such conclusions without reconstructing the normative motives behind rioters' actions, their situational interpretations and the interactively precipitated transition to collective violence. Violence always takes place in the space of reasons and justifications, and we cannot bracket off this space in favour of a microscopic and body-centred analysis without ignoring a fundamental aspect of this phenomenon.

4. Conclusion

This essay has attempted to delineate the achievements and limitations of a situationally and interactionistically orientated theory of collective violence using the example of riots. It has also aimed to draw attention to the dangers of a reductionist situationism that has attuned its sensorium too closely to the physical execution of violence and the mechanisms through which bodies affect one another. A convincing theory of collective violence must draw on analytical tools that allow us to grasp the wide range of what can only be explained on the basis of the situational dynamics of violence. At the same time it cannot ignore how and to what extent the relevant situations and their interpretation are determined by the actors involved. Above all, it must provide insight into how cultural patterns of interpretation and socio-structural conditions become situationally relevant to action. In brief, the situation must be given sufficient consideration both as *explanans* and as *explanandum*.

Notes

1. See, above all, B. Nedelmann (1995) "Schwierigkeiten soziologischer Gewaltanalyse", *Mittelweg 36*, 4(3), 8–17; T. v. Trotha (1997) "Zur Soziologie der Gewalt", in T. v. Trotha (ed.) *Soziologie der Gewalt: Kölner Zeitschrift für Soziologie und Sozialpsychologie, Sonderheft 37* (Opladen and Wiesbaden: Westdeutscher Verlag), pp. 9–56; H. Joas (2003) "Action Theory and the Dynamics of Violence", in H. Joas (ed.) *War and Modernity* (Oxford: Polity Press), pp. 187–196.
2. Trotha, 1997, pp. 20–21. For comparable, much earlier, theoretical interventions on the part of Anglophone scholarship see, for example: A. K. Cohen (1965) "The Sociology of the Deviant Act: Anomie Theory and Beyond", *American Sociological Review*, 30(1), 5–14; J. Katz (1988) *Seductions of Crime: Moral and Sensual Attractions in Doing Evil* (New York: Basic Books), pp. 3 ff.;

C. Birkbeck and G. LaFree (1993) "The Situational Analysis of Crime and Deviance", *Annual Review of Sociology*, 19, 113–137.

3. P. G. Zimbardo (2004) "A Situationist Perspective on the Psychology of Evil: Understanding How Good People are Transformed into Perpetrators", in A. G. Miller (ed.) *The Social Psychology of Good and Evil* (New York: Guilford Press), pp. 21–50.
4. For a brief overview see F. Sutterlüty (2009) "Jugend und Gewalt", *Ethik & Unterricht*, 19(2), 6–10.
5. Cf. R. H. Turner and L. M. Killian (1972) *Collective Behavior*, 2nd edn (Englewood Cliffs, NJ: Prentice-Hall), pp. 21 ff.
6. Important documentation and analyses can be found in W. Christopher (ed.) (1991) *Report of the Independent Commission on the Los Angeles Police Department* (Los Angeles: Diane Publishing); D. Hazen and Institute for Alternative Journalism (eds.) (1992) *Inside the L.A. Riots: What Really Happened – And Why It Will Happen Again* (New York: Independent Pub Group); S. Coffey and Los Angeles Times (eds.) (1992) *Understanding the Riots: Los Angeles Before and After the Rodney King Case* (Los Angeles, CA: Times Books); R. Gooding-Williams (ed.) (1993) *Reading Rodney King, Reading Urban Uprising* (New York and London: Routledge); M. Baldassare (ed.) (1994) *The Los Angeles Riots: Lessons for the Urban Future* (Boulder, CO, and Oxford: Westview Press).
7. Centre d'analyse stratégique (2006) *Enquêtes sur les violences urbaines. Comprendre les émeutes de novembre 2005. Les exemples de Saint-Denis et d'Aulnay-sous-Bois* (Paris: Documentation française); A. Bertho (2007) *Événements de novembre 2005 dans les banlieues françaises. Dossier documentaire* (Paris: Université Paris VIII Vincennes Saint-Denis); L. Mucchielli (2009) "Autumn 2005: A Review of the Most Important Riot in the History of French Contemporary Society", *Journal of Ethnic and Migration Studies*, 35(5), 731–751; D. Waddington, F. Jobard and M. King (eds.) (2009) *Rioting in the UK and France: A Comparative Analysis* (Portland, OR: Willan Publishing), pp. 105 ff.
8. Guardian and London School of Economics and Political Science (2011) *Reading the Riots: Investigating England's Summer of Disorder* (London: Guardian Books); G. Morrell, S. Scott, D. McNeish and S. Webster (2011) *The August Riots in England: Understanding the Involvement of Young People* (London: National Centre for Social Research); D. Briggs (ed.) (2012) *The English Riots of 2011: A Summer of Discontent* (Hook: Waterside Press); Metropolitan Police Service (2012) *4 Days in August: Strategic Review into the Disorder of August 2011: Final Report* (London: Metropolitan Police Service).
9. C.-U. Schierup, A. Ålund and L. Kings (2014) "Reading the Stockholm Riots: A Moment for Social Justice?", *Race & Class*, 55(3), 1–21; O. Sernhede (2014) "Youth Rebellion and Social Mobilisation in Sweden", *Soundings*, 56(1), 81–91.
10. T. Vega, T. Williams and E. Eckholm (2014) "Dueling Police Statements Raise Tension in Missouri", *New York Times*, 16 August, A1 and A12; P. Bahners (2014) "Das umstrittene Erbe des Michael Brown", *Frankfurter Allgemeine Zeitung*, 19 August, 5; M. Davey and A. Blinder (2014) "After Disputed Verdict, Reckoning for Ferguson", *New York Times*, 27 November, A1.
11. For a general action-theoretical argument see J. Whitford (2002) "Pragmatism and the Untenable Dualism of Means and Ends: Why Rational Choice

Theory Does Not Deserve Paradigmatic Privilege", *Theory and Society*, 31(3), 325–363.

12. A. Ziemann (2013) "Soziologische Strukturlogiken der Situation", in A. Ziemann (ed.) *Offene Ordnung? Philosophie und Soziologie der Situation* (Wiesbaden: Springer VS), pp. 105–129, here p. 108.
13. R. H. Turner (1994) "Race Riots Past and Present: A Cultural-Collective Behavior Approach", *Symbolic Interaction*, 17(3), 309–324.
14. Turner, 1994, p. 317.
15. During the Los Angeles riots in 1992 Koreans and their businesses were conspicuously often the target of attacks by the mainly African-American and Hispanic rioters. This was connected, on the one hand, with the increasing dominance of Korean business owners in the particularly affected areas in South Central Los Angeles and, on the other, with the heated public debate around an earlier local incident in which a Korean shop owner had shot the 15-year-old African-American Latasha Harlins from behind following a fierce argument.
16. R. Collins (2008) *Violence: A Micro-Sociological Theory* (Princeton, NJ: Princeton University Press), pp. 98, 243 ff.
17. Coffey and Los Angeles Times, 1992, p. 129; Turner, 1994, pp. 317–318.
18. Mucchielli, 2009, pp. 740–741; Guardian and London School of Economics and Political Science, 2011, p. 19.
19. In the recent riots in Ferguson, a pivotal role was played by the discussion around a surveillance video made public by the city's chief of police, which showed Michael Brown, who was later shot, apparently robbing a shop. This manoeuvre, which established a rapidly disproved connection between the robbery and the police shooting, was widely perceived as a mere tactic designed to reassign the roles of perpetrator and victim. It ultimately only served to increase the mistrust felt by the black population towards the white-dominated Ferguson police force and contributed to the escalation of rioting; cf. J. Slater, J. Friesen and M. Peters, B. Kesling (2014) "The Lessons of Ferguson", *The Globe and Mail*, 16 August, A8–A9.
20. Here and on the following see F. Sutterlüty (2014) "The Hidden Morale of the 2005 French and 2011 English Riots", *Thesis Eleven*, 121(1), 38–56.
21. Sarkozy's statement was a direct reaction to the death of an 11-year-old following a shoot-out in La Courneuve.
22. C. Cooper (2011) "Understanding the English 'Riots' of 2011: 'Mindless Criminality' or Youth 'Mekin Histri' in Austerity Britain?", *Youth & Policy*, 109, 6–26; D. Frost and R. Phillips (2012) "The 2011 Summer Riots: Learning from History – Remembering '81", *Sociological Research Online*, 17(3), 3.2–3.8.
23. Cf. also R. H. Turner (1996) "The Moral Issue in Collective Behavior and Collective Action", *Mobilization*, 1(1), 1–15.
24. See on France: L. Wacquant (1996) "Red Belt, Black Belt: Racial Division, Class Inequality and the State in the French Urban Periphery and the American Ghetto", in E. Mingione (ed.) *Urban Poverty and the Underclass: A Reader* (Oxford: Blackwell), pp. 234–274, here pp. 242–243; on Great Britain: P. Bagguley and Y. Hussain (2008) *Riotous Citizens: Ethnic Conflict in Multicultural Britain* (Aldershot and Burlington, VT: Ashgate), pp. 143 ff.; on Sweden: A. Higgins (2013) "In Sweden, Riots Put an Identity in Question", *New York Times*, 27 May, A4.

25. F. Dubet (1997) "Die Logik der Jugendgewalt. Das Beispiel der französischen Vorstädte", in T. v. Trotha (ed.) *Soziologie der Gewalt. Kölner Zeitschrift für Soziologie und Sozialpsychologie, Sonderheft 37*, pp. 220–234, here pp. 225 ff., 232 f.
26. F. Jobard (2009) "Rioting as a Political Tool: The 2005 Riots in France", *Howard Journal of Criminal Justice*, 48(3), 235–244, here p. 243.
27. Sutterlüty, 2014, pp. 46 ff.
28. R. Castel (2006) "La discrimination négative. Le déficit de citoyenneté des jeunes de banlieue", *Annales. Histoire, Sciences Sociales*, 61(4), 777–808, here p. 788.
29. Anonymous (2011) "From a Rioter", *325 Insurgent Zine*, 9 October, 22.
30. The consistently repeated finding that young men make up the majority of rioters while women are notably underrepresented is also difficult to explain in situational terms and requires a culture- and gender-theoretical analysis. On the predominance of men in riots see P. A. Morrison and I. S. Lowry (1994) "A Riot of Color: The Demographic Setting", in M. Baldassare (ed.) *The Los Angeles Riots: Lessons for the Urban Future* (Boulder, CO, and Oxford: Westview Press), pp. 19–46, here p. 34; M. Kokoreff (2009) "The Political Dimension of the 2005 Riots", in D. Waddington, F. Jobard and M. King (eds.) *Rioting in the UK and France: A Comparative Analysis* (Portland, OR: Willan Publishing), pp. 147–156, here p. 151; Riots Communities and Victims Panel (2012) *After the Riots: The Final Report of the Riots Communities and Victims Panel* (London: Riots Communities and Victims Panel), pp. 7, 86 ff.
31. See Turner, 1994, pp. 315–316.
32. L. Bridges (2012) "Four Days in August: The UK Riots", *Race & Class*, 54(1), 1–12, here p. 6.
33. Collins, 2008, p. 247.
34. R. N. Jacobs (2000) *Race, Media, and the Crisis of Civil Society: From Watts to Rodney King* (Cambridge and New York: Cambridge University Press), pp. 140–141; see also Turner, 1994, pp. 312–313.
35. D. Lapeyronnie (2009) "Primitive Rebellion in the French Banlieues: On the Fall 2005 Riots", in C. Tshimanga, D. Gondola and P. J. Bloom (eds.) *Frenchness and the African Diaspora: Identity and Uprising in Contemporary France* (Bloomington, IN: Indiana University Press), pp. 21–46, here p. 43; see also É. Balibar (2007) "Uprisings in the Banlieues", *Constellations*, 14(1), 47–71, esp. pp. 61 ff.
36. G. Younge (2011) "These Riots Were Political. They Were Looting, Not Shoplifting", *The Guardian*, 15 August, 25; J. Benyon (2012) "England's Urban Disorder: The 2011 Riots", *Political Insight*, 3(1), 12–17, here p. 13.
37. Zimbardo, 2004, pp. 38 ff.; P. G. Zimbardo (2007) *The Lucifer Effect: Understanding How Good People Turn Evil* (New York: Random House), p. 258 ff.
38. W. Sofsky (1997) "Gewaltzeit", in T. V. Trotha (ed.) *Soziologie der Gewalt. Kölner Zeitschrift für Soziologie und Sozialpsychologie, Sonderheft 37*, pp. 102–121, here p. 105.
39. W. Sofsky (1993) "Formen absoluter Gewalt", *Mittelweg 36*, 2(5), 36–46, particularly p. 37; W. Sofsky (1996) *Traktat über die Gewalt* (Frankfurt am Main: Fischer), pp. 88–89, 171–172, 177–178, and passim; W. Sofsky (1998) "Das Gesetz des Gemetzels", *Die Zeit*, 2 April, 53–54.

40. Sofsky, 1996, p. 61; W. Sofsky (2013) "Das 'eigentliche Element'. Über das Böse", *Kursbuch*, 176, 34–46.
41. F. Sutterlüty (2007) "The Genesis of Violent Careers", *Ethnography*, 8(3), 267–296, here pp. 281 ff.
42. See Sutterlüty, 2014, pp. 44–45; cf. G. T. Marx (1972) "Issueless Riots", in J. F. Short and M. E. Wolfgang (eds.) *Collective Violence* (Chicago, IL, and New York: Transaction), pp. 47–59; S. I. Wilkinson (2009) "Riots", *Annual Review of Political Science*, 12, 329–343, here pp. 338–339.
43. Cf. the illuminating review essay on Sofsky's treatise on violence by T. v. Trotha and M. Schwab-Trapp (1996) "Logiken der Gewalt", *Mittelweg 36*, 5(6), 56–64, esp. pp. 61–62.
44. H. Blumer (1969) *Symbolic Interactionism: Perspective and Method* (Englewood Cliffs, NJ: Prentice-Hall), pp. 2 ff.
45. J. P. Reemtsma (2006) "Die Natur der Gewalt als Problem der Soziologie", *Mittelweg 36*, 15(5), 2–25, here p. 13; J. P. Reemtsma (2012) *Trust and Violence: An Essay on a Modern Relationship* (Princeton, NJ: Princeton University Press), pp. 57 ff.
46. See A. Honneth (2012) "'Nach Weltuntergang'. Zur Sozialtheorie von Jan Philipp Reemtsma", in U. Bielefeld, H. Bude and B. Greiner (eds.) *Gesellschaft – Gewalt – Vertrauen. Jan Philipp Reemtsma zum 60. Geburtstag* (Hamburg: Hamburger Edition), pp. 246–266, here pp. 252 ff.
47. Collins, 2008, pp. 39 ff.; R. Collins (2009) "Micro and Macro Causes of Violence", *International Journal of Conflict and Violence*, 3(1), 9–22.
48. E. Hartmann (2013) "Soziale Ordnung und Gewalt. Anmerkungen zur neueren Literatur in der Gewaltforschung", *Berliner Journal für Soziologie*, 23(1), 115–131, here p. 121.
49. This also applies to Collins' otherwise highly informative analysis of techniques with which violence "experts" – the violent few within gangs or fan clubs, the police or military forces etc. – steer emotional energy and learn how to exploit confrontational tensions for their own purposes; see Collins, 2008, pp. 370 ff.
50. The severe beating of Rodney King, which, following a court decision in favour of the indicted policemen, triggered the Los Angeles riots, is regarded by Collins as a prime example of forward panic; see Collins, 2008, pp. 88 ff., 128 ff.
51. Collins, 2008, pp. 245 ff.

5
Violence and Emotion: Perspectives of the Perpetrators

Bernhard Giesen

Violence – about this a consensus is quickly reached – is to be refused. Violence opens up an extraordinary intermediate space of in-betweenness in everyday routine and its habitual streams, which signals a barbaric state of nature, the bestial ground of human behaviour, the breakdown of meaningful action, but in which nonetheless the memory of a social order is still present. The slide into sheer corporeality is deemed catastrophic, but only because the possibility of reasonable action still exists. In an animal that is simply an animal, an instinctive, purely corporeal action will hardly shock us. Violence exists, and becomes a problem, only with humans.

However, violence, like all crossings of boundaries, is ambiguous. It is not so much an easily determinable quality of an action as a specific framing of this action, a perspective that assumes the standpoint of an external observer or the victim. Perpetrators themselves rarely call their behaviour violent. If anything, they see in it an unavoidable revenge for injustice suffered, and emphasise the confrontational character of the situation, the legitimate use of physicality, the playful character of it all.

Violence is above all observable from the perspective of an uninvolved third party. Even those who have to endure violence adopt, in a certain way, an external standpoint. They do not acquiesce in the

---

The text was originally published in German in Bernhard Giesen: *Zwischenlagen: Das Außerordentliche als Grund der sozialen Wirklichkeit* (© Velbrück Wissenschaft 2010, ISBN 978–3–938808–93–1) under the title "Gewalt und Gefühl: Täterperspektiven". This translated version, by Dorothy H. H. Kwek, is published with the permission of Velbrück Wissenschaft. This essay was supported by funds made available by the "Cultural Foundations of Social Integration" Centre of Excellence at the University of Konstanz, established in the framework of the German Federal and State Initiative for Excellence.

behaviour of the perpetrator, they do not share his view of the situation; they are confronted with the collapse of a shared understanding. In many cases, however, the victims no longer have an opportunity to give an account of their suffering – they are dead, or their shocking experiences are traumatically trapped in their bodies, blocking their communicability.

Hence it is mainly from the standpoint of the uninvolved observer that an event can be perceived as an act of violence, or a person as a victim. The discourse on violence requires distance from the violence itself. It is from this distance that an act can appear as an act of violence, even if neither the perpetrator nor the victim classifies it as such. For centuries, beating was valid as a punishment in school or as an expression of marital conflict, and though admittedly more unpleasant for the victims, was a perfectly "normal" use of physical strength, whereas today violence against children and women would be prosecuted with juridical vigour.[1] The distance that is presupposed in the observation of violence entails a shift. It not only suggests that phenomena of violence are a barbarity that is antithetical to the civilisation of the modern era, but also classifies violence as a typical phenomenon of pre-modern societies.[2] In the following we will not make such a classification. Violence is possible in all societies, and each society generates its own form of violence. The dependence on the observer's point of view suggests the writing of a history of the changing perspectives through which certain behaviours appear as "violence". However, such a history of violence would be beyond the scope of this essay.[3]

Nonetheless, the historical distance of a century is not needed in order to define the differences, and hence to ascertain what counts as violence. Whoever speaks of violence seems to enter a twilight zone of vague transitions, in which entirely different stories can be told and conflicting judgements can be applied. Are we perhaps already speaking of violence when boxers fight in the ring, when boys come to blows, when duellists attempt to kill each other, when someone being initiated into a youth group gets a beating from his friends, when a man follows his exalted beloved, reaches her, holds her fast and kisses her, when a condemned criminal is executed, when someone dies because of a careless omission of a warning? Depending on the perspective, one can speak of borderline cases or answer the question in the affirmative, claiming that violence is such a broad fuzzy concept. The application of the concept varies so strongly that it seems more appropriate to use it as a designation of "family resemblances"[4] than as a selective or clearly delineated category.

Nonetheless, the designation of a behaviour as "violence" is not something that should be left to the discretion of the external observer. "Violence" has a significance that exceeds the polemical emphasis against a certain behaviour. The following short remarks aim at a phenomenology of relations of violence, in order to set boundaries to the inflationary expansion of the concept of violence ("structural violence", "cultural violence" and so on) and to understand violence as an ambivalent space of in-between-ness, located between pure corporeality and communicativity. It is precisely this ambivalence, the always possible transition between corporeal domination and communicative understanding, that makes violence interesting as a boundary phenomenon.

The following outline discusses first and foremost the illegitimate violence that perpetrators inflict upon the victims. In this chapter we will introduce various scenarios of violence that are differentiated by the logic and the emotions that unfold within them: (1) the act of violence that issues from overpowering affect; (2) strategic violence; (3) the autistic act of violence of a solitary actor; (4) the liminal act of violence in the group; (5) the public act of violence that usurps power within its territory; and (6) the emotionless act of violence carried out in accordance to orders. The antithesis of illegitimate violence is (7) the so-called sovereign violence that creates social order that does not apply to itself the distinction between perpetrators and victims. Its relation to illegitimate violence will be sketched out at the end of the chapter.[5] Despite all attempts to clarify the concept of violence, its ambivalence and ambiguity will, however, prevail: foundational violence, which establishes order, is simultaneously creative and destructive.

In order to define a minimal concept of violence we will identify three essential properties. First, violence presumes non-consensual corporeal compulsion or wilful bodily harm despite attempts at resistance. Surgical interventions (on the body) and sporting injuries are therefore excluded, as are social inequalities (Galtung's "structural violence"[6]) or acts of power without the application of physical force. Violence brings bodies into contact. It violates the autonomy of one's own body and intrudes into territory of the self. Precisely therein lies its scandalous nature.

However, what is understood as the violation of one's autonomy over one's own body or the territory of the self[7] varies from case to case. Even a deviation from an acceptable minimal distance between bodies or an intrusion into a private residence may be counted as such a violation while, conversely, a push on the shoulder need not necessarily be regarded as an act of violence. Since actors always also act through and

with the help of their bodies, a crisis of meaningful understanding, a misunderstanding, an exaggeration, can also turn into violence.[8] Thus violence constitutes a dangerous underworld of meaningful order. This underworld is excluded from and overlooked in the flow of the everyday, even as this exclusion is not secure and final.

Violence further presumes an asymmetrical relation – in the case of illegitimate violence, between perpetrators and victims – and yet also always bears the reminder that this relation could also be symmetrical. Violence – as well as sexuality – is defined by the interim space between, on the one hand, the orientation towards mutual understanding among equals and, on the other, the absolute inequality that separates people and things. Violence is always based on the capriciousness of the perpetrators and the resistance of the victims, and in this resistance its identity comes to light. One cannot do violence to a salad, for it does not resist.[9] This connection between capriciousness and resistance rules out sado-masochistic relations as well as unintended injury. Since violence presupposes an asymmetrical relation, different types of martial arts and bloody conflicts between equally matched opponents do not fall within the narrow concept of violence.[10]

Strictly speaking, most social relationships are in fact asymmetrical. However, these actual asymmetries and distortions of relations of equality remain camouflaged in normal cases. The ideas of fairness, equal opportunity, justice and everyday consensus are ideals that are reached only approximately in actual relationships. The illusion of a discourse among equals, free of domination, of equal opportunities in competition and in equivalent exchange becomes possible only through the famous "veil of ignorance".[11] The act of violence rends this veil. The actual asymmetry is no longer veiled and restrained by the ordinariness of the everyday but comes to light in its naked form. It places the victim starkly against the perpetrator, and lifts both out of the framework of the customary and the normal.

This happens as two contrary tendencies. The perpetrator deifies himself and arrogates to himself, as a person (and not as a representative of a higher power), the decision over another's body, against the resistance of the other. By contrast, the victims become profane, become mere bodies, and lose their singularity, their names, their faces. The perpetrator commands the bodies of the victims. The victims each have a body, but these bodies no longer belong to them.

Finally, the act of violence is mostly experienced as an extraordinary event, and this extraordinariness makes it the antithesis of the quiet flow of the everyday. The latter remains an unseen background.[12] The act of

violence occurs suddenly and surprisingly – even if threats preceded it, and fear had long prevailed.[13] When one anticipates it, is used to it and expects it at a certain time and occasion, then unpleasant bodily injury becomes a part of the framework of the everyday or a game. This is another reason why boxing matches are not acts of violence, as long as they remain within the limits of the normal. Violence requires the rupture of the everyday, the shattering of expectations and the breaking of rules. It is as such that the act of violence draws the attention of those present and generates the most popular plots of crime writers and is the most reliable cause of public agitation. Because the act of violence is an extraordinary event, it unleashes very strong emotions. Herein it resembles other processes in the terrain between the consciousness and the body, such as laughter and sexuality. These emotions of the perpetrators, the victims and the public will be the focus of what follows here.

The antagonism between perpetrator and victim is reflected in the opposition of the emotions of perpetrators and victims. Victims, above all, are afraid: they are afraid of being hit, of injuries, of death. Their horizons are reduced to this elementary fear that takes centre-stage, a fear that is otherwise concealed in everyday life. For many victims their own death is not only an eventual, inescapable, abstract and uncertain possibility but also a clear and immediate threat. This turn of a long-term possibility into an instantaneous, intensive awareness of danger unleashes endeavours to defer death and to push it once again into the temporality of the long-term: one obeys the perpetrators, one puts up no resistance, one does not bristle at the humiliation, one hopes, this time, to be spared. This apathy of those who eventually become victims can be understood as their attempt to switch into the role of the uninvolved public, which remains silent.

1. In contrast, the emotional world of the perpetrator is not uniform. The emotional world of perpetrators is most accessible to the uninvolved third party. Perpetrators commit violence against a person based on strong personal emotions, out of hate, envy, ambition, avarice or vengeance. The emotion overwhelms the perpetrator and makes him forget, at least for a moment, all the prohibitions, laws and rules that apply in the everyday and that prudence counsels. These emotions are also present in everyday acts, and the everyday is not necessarily disturbed by these emotions. The everyday masters or restrains them through communicative distancing. By contrast, feelings that communicative corrections can no longer reach, and that can no longer be controlled, become disruptive. The perpetrator is then alone with his powerful emotions and can only overcome them by injuring

or destroying a particular person. Communicative distancing and self-discipline fail here. At this moment the "victim" still has a name and a face; he or she is not yet exchangeable and profaned, he or she is not yet a "victim" in a strict sense of the term. On the contrary: it is precisely the overly dominant personality and the inescapable relation to the victim that ignites the totalising emotion of the perpetrator and causes him to lose control (of himself). With his act the perpetrator resists the inescapability of the personal relation to his victim. This affect history is in many cases also understandable and comprehensible for outsiders. Mythical acts of violence, such as Cain's murder of Abel, provide the frame for this understanding of the wrath that leads to the act of violence. Because the majority of homicides and violent crimes, especially in families, may be traced back to such overpowering affects, we do not find them puzzling or extraordinary. We tend to regard them as catastrophes in relations that may be averted with education, precaution and tact, but which are not always avoidable. Acts of violence that emerge out of strong emotions mostly provoke only weak emotions in the uninvolved third party – shaking our heads, we take notice of them with a certain prurient interest and rejoice that we are not the victims. The observer of the act of violence that stems from overwhelming affect becomes a voyeur; the act of violence becomes a sensation that does not disturb but entertains. We are in control; it could not happen to us.

2. When strong emotional motives are missing in the perpetrator, when violence is executed solely with a strategic aim or out of expediency, then the uninvolved third party tends towards greater indignation and a greater determination to punish. Whoever slays his parents for his inheritance, whoever shoots a shopkeeper in order to rob the till undisturbed, whoever murders a kidnapped child in order to silence a possible witness (to an abduction), is deemed emotionless and "cold-blooded". His act of violence is nevertheless comprehensible and explicable; he (or she) acts rationally within the framework of familiar means–ends relations. The outrage and the will to punish are triggered precisely by this conjunction of rationality and emotionlessness with the holiness of human life that demands unconditional validity and which is based on affective identification. Here the act of violence is no mystery: it does not result from a loss of self-control. But it is damaging to the holy centre of modern society. The rational, instrumental act of violence is different from the emotionless act of violence committed in the name of an organisation (which we will turn to later), because the former is not socially integrated but remains an individual act and an exception.

3. By contrast, those acts of violence that are attributable neither to rational calculation nor to the history of a personal relationship, but which are simply directed against victims unknown to the perpetrator, victims from whose suffering the perpetrator cannot expect to derive further benefit, appear puzzling to us. The act of violence happens seemingly without reason; it cannot be considered as a calculated use of means or as a reaction to an affective condition [*Affektlage*].[14] To this incomprehensibility of the act of violence we, the uninvolved third party, respond with intense public outrage and agitation. The act is extraordinary, monstrous, terrible. The victims appear arbitrary; it could have been us, if we had happened to be there at the moment the act was committed. The perpetrator is potentially recognisable only in exceptional cases – most perpetrators appear as ordinary citizens before they are discovered. From this opacity stems a heightened unsettledness: everybody could be a perpetrator, everybody could become a victim. This unsettledness and impotence of the uninvolved public is worked through with strong emotions. We are gripped by an indeterminate anger that seeks objects; we demand more severe punishment, stronger laws, better protection, and we tend to regard suspects already as culprits.

The emotional world of this perpetrator differentiates itself emphatically from the one that we referred to as affectively overwhelming. It is precisely not about the strong emotional cathexis of another person but about an utter egocentrism. Rapists and murderers of anonymous victims, rioters and assassins get roped into a frenzy of self-intensification in the moment of their violent acts. They sense a godlike power; they vanquish with the act of violence the earthly burden of their own human existence; they take revenge on the imperfection of the world and the inevitability of suffering. This rush of self-intensification is addictive. It explains the compulsion to repeat that impels many of these perpetrators, if they are not killed first by security forces.

As a deified self-intensification, as ecstasy, the act of violence is the existential complement to creative acts.[15] While the radiance of created things reflects back on their creator and thus makes him appear extraordinary, the perpetrator of violence draws his extraordinariness from the deed of damage and destruction.[16] He removes himself from the normal heteronomous order and rejects communication, he submerges the life-world of the victims and, in extreme cases, he destroys, not out of a desire for advantage or as an expression of personal hatred, but senselessly and absolutely. The autistic act of violence is literally about nothing.[17] The autonomy of his victims appears to the perpetrator as a

threat to his own autonomy: he cannot tolerate them; he must destroy them. From an existential perspective the individual perpetrator is, in the moment of the act, alone – he does not allow another subjectivity near his own, and he does not need another. In many cases the autistic act of violence is bound to the death of the perpetrator, and the perpetrator knows it. In a way, he commits suicide and takes many others with him in his death. Here self-intensification and suicide become one.

Others are stunned in the face of this – from the perspective of the uninvolved third party – senseless violence. Understanding of and communication about this act are simply not possible any more. The perpetrator is considered a lunatic, a monster, a fiend, who can no longer be tamed by social ties.

This ecstatic self-intensification through the act of violence has until now hardly been taken into account by the conventional sociology of violence.[18] Nonetheless, it is probably a stronger impetus for the act of extreme violence than covetousness, the weakness of the threat of punishment or even the social disadvantages of the perpetrator. Stronger locks and fortified fences help prevent burglary; resorting to an intensified risk of punishment deters calculating perpetrators; establishing redistribution and social programmes reduces pauperism – but there is no socio-technical way of getting through to nihilistic self-intensification through violence. It has existential, not structural, reasons. Shooting sprees by armed students, rape and the degradation and torture of the victims before their murder are not prevented by social work, or by tougher penalties.

4. The fathomless and "inexplicable" act of violence of the individual must be distinguished from the collectively committed act of violence. It does not follow the logic of a solitary self-intensification but shows precisely how normal citizens, who as individuals would never acquiesce in an act of violence, participate in monstrous acts of violence in a group.[19] Examples of such collectively committed acts of violence may be seen in the murders of the Eastern European Jewry by the SS, the practices of torture in Abu Ghraib, the torments in schools and juvenile detention centres, the use of drugged child soldiers to carry out arbitrary torture and murder in African civil wars, the excesses of a mob against the random attendant representative of the abhorred order and so forth. Here it is precisely the social relation, which in the individual perpetrator could have hindered the nihilistic act of violence, which appears to be the impetus. From the effort to outdo others in the contempt for order, in cold-bloodedness and cruelty, develops an escalating spiral of violence that not only debases outsiders but also risks their death. Here

the individual ecstasy of the solitary perpetrator confronts the collective ecstasy of the liminal community.[20] Everyday constraints and divisions disperse, an alternative world [*Gegenwelt*] to the normal order opens up, and the exuberance of an extraordinary communality is celebrated.

However, this liminal communality is exactly not about the cohesion of an everyday understanding, but rather its social opposite. Liminal *communitas* forms – following Turner – the necessary counterpart to every structural order.[21] This elevating counterpart to normality emerges not only in carnivals and feasts, communal meals and shared asceticism, but also in collective violence. In collective violence we are confronted with the dark side of *communitas*.

The act of violence itself draws a sharp boundary between those who belong to the liminal community and those for whom this does not apply. For those who stand beyond this boundary there is only a barbaric state of nature, the right of the mighty, violence. At the same time, the collectively committed crime wordlessly forges the group members together – they are "brothers in crime". Everyone knows about the involvement of the others, but no one speaks about the act of violence when it is over.

The collectively consummated act of violence takes place mostly outside ordinary everyday life, in the outlands of war, of the nocturnal street, of jails and of the camps. There the civilised restraints of the family, the presence of women and a shared past are no longer effective. The moralising vision of the public is shut out; the group is alone with its victims.[22] Now the perpetrators can treat their victims playfully and ridicule them. It is precisely this playful intercourse with the victims that constitutes the cruelty of the communal act of violence. The group of perpetrators solidifies its communality not only through the subsequent silence about their knowledge of the involvement of the others but also through the shared laughter over the victims. Laughter is a collective, contagious process that suspends the obligations to give reasons [*Begründungspflichten*] and ostracises those ridiculed. No appeal is possible. The autonomy of the victims, not only over their bodies but also over their personal identity, is therefore taken away. They are turned into puppets, into things without a will, who must perform a play by command, over which the perpetrators gloat. Abu Ghraib is a famous example of this practice of the degradation of victims to risible puppets. The victims are no longer autonomous people; they just look like them – like puppets. In the shared laughter of the perpetrators the violent profanation of the victims is intensified on the one hand, and, on the other, the act of violence is lifted out of the normal flow of the everyday and relocated into a liminal alternative world.

The logic of the play is aimed at a public: alone one can scarcely laugh; alone one is not yet a public. They laugh together only when somebody watches. This dependence of the play on a public also explains the inclination of the group of perpetrators to document the degradation of their victims visually, even if this document could always end up in the wrong hands and might be damaging in the event of subsequent prosecution. The perpetrators are the dramatists and directors of the debasement, but they also to a large extent constitute the public. When they later look at the pictures of the act of violence, they assume the position of the viewing public. The documentation of the act of violence demonstrates that it is an extraordinary event for the perpetrators, an event – like overseas holidays and family celebrations, which can be observed and experienced primarily in shared retrospection – in which, as it unfolds, one is unable to observe oneself. For the perpetrators, it is not only about an ecstatic moment of omnipotence, the communicability of which is barred, but also about repetition and remembrance.[23]

The emotional reaction of the uninvolved third party to the revelation of the collectively committed act of violence is, above all, one of horror. The act of violence was obviously attributable not to a single perpetrator who remained beyond the reach of reason, but to a communication between many, to something social. Others – ourselves included – could have been implicated. The mere presence of others alone does not shield us from the abyss of violence; it even facilitates it, when it appears as liminal communality.[24]

To outsiders, liminal community actions always seem embarrassing or appalling. This applies both to the bellowing of drunkards and to the collectively committed ecstatic act of violence. The unease or horror that affects the external observer is connected to the intuition that he too is not entirely immune to the seduction of liminal ecstasy. Special charges are brought against the perpetrators precisely because they are not pathological monsters but completely normal fellow citizens: They have shown us our own dark side. The disclosure of the collectively committed act of violence therefore often triggers a public scandal, in which demands are made for the severe punishment of the perpetrators, and public criticism is levelled against poor supervision (of the perpetrators). We all feel a little complicit in what was possible in a liminal situation, in which perhaps we remained uninvolved only by sheer accident. In the denunciation of the perpetrators we eliminate this awareness of our own potential for violence.

5. While the liminal violence that we have outlined so far happens as a rule beyond the familiar relations of the everyday and cannot be observed by outsiders, the street violence of youth gangs,

the insurrections in the ghettos and the violence of right-wing extremists against "foreigners" are *not* about a concealed and silent violence of the outlands. There the violence that is exerted is not liminal, nor does it transgress boundaries; it is publicly visible and authoritative. It takes place and remains mostly within the confines of one's own territory. Such an act of violence lays official claim to this territory, is an enactment of sovereignty [*Herrschaft*] and divides the fearless perpetrators from the fearful victims. Its aim is a territorial monopoly of power [*Herrschaftsmonopol*]. On their own territory, but only there, do the perpetrators refuse to accept any other authority, and whosoever questions their authority must expect a murderous violence. This applies as much to conflicts between rival gangs over territory as it does to the police or the courageous citizen. It involves the assumption that a centralised stately authority is either distant and weak, or corrupt and criminal.

In a certain way, the relations of violence outlined here themselves resemble forms of political sovereignty [*Herrschaft*]. Territoriality, the monopoly of power and public visibility are signs of both: that is, the liminal act of violence in the group and the public act of violence that usurps power within its territory. Though the publicly demonstrated capriciousness of the perpetrators is accompanied by the emotional exaltation of self-intensification, the latter seldom takes place in the case of a political organisation.

Here the authority's gestures of power are also dependent on a public. When no one is watching, the degradation of the victim is not worthwhile. Therefore the act of violence appears most often in public, before the eyes of as a large an audience as possible. Not the victim but this involuntary audience is the real addressee of the public act of violence. For the perpetrators this is not only about a fearless self-intensification, but also about the intimidation of many others, about the respect of their claim to power. The act of violence is not – in contrast to the case of the autistic perpetrator or the liminal act of violence – aimed at the annihilation of the victim or at her dehumanisation, but at the performance of an authoritative difference. This authoritative difference requires the recognition of others, or at least the illusion of such recognition. The audience mostly acquiesces in this demand; it reacts not with indignation or outrage but with silence, and an averted gaze. One hopes thereby to be spared, one does not want to get mixed up in the matter; after all, a lone protester would change nothing – one would only be offering oneself up as the next victim. The authoritative intimidation works.

6. The solitary ecstasy of self-intensification, or the degradation of victims that is carried out with relish by a group of perpetrators, must be

distinguished from the act of violence that is committed under orders and in the name of an organisation. In contrast to the forms of violence that we have so far discussed (with the exception of the rational, instrumental act of violence), such an act is carried out without emotion. It can occur cold-bloodedly and professionally. Mafia murders belong in this category, but so do bureaucratically planned genocides, the ordered execution of hostages, the arranged assassination of political opponents and so on. The perpetrators do not hate the victims, they do not become intoxicated, they do not debase or humiliate the victims, they attach no personal feelings to their act. What propels them is the order, the higher directive, the command and the endeavour to duly accomplish their task.[25]

From the perspective of the perpetrator the act of violence here has lost much of its extraordinariness; it is a part of an occupational everyday of the contract killer, the hostage-taker, the cleansing squads [*Säuberungstruppe*], the executioner or torture specialists. As a part of an occupational everyday, it is thoroughly meaningfully structured. It is subject to regulations and standards, its implementation can be judged by those who commissioned it, it can be learned, it is recorded in writing, it is "normal".

The perpetrators therefore tend to ascribe responsibility for the act of violence to the institution in the name of which they act and which has instructed them to execute the orders.[26] For them it is not about arbitrariness but about the orderly execution of an order. Here delight in violence is, if anything, obstructive. Even the members of the SS at the extermination camps themselves excluded those who used excessive force. To the dispassionate perpetrator, his act appears as an orderly performance of duty, which conforms to regulations, is legitimate and is no more violent that the work of a policeman arresting someone on a warrant.[27]

The position of the onlooking third party is here occupied by those who commissioned the act. It decides whether the execution of the order was correct or faulty. Those who are uninvolved are excluded as far as possible; their protest and indignation would only interfere with the execution of the orders.

For the act that is regular and carried out according to orders to become visible as an act of violence, a breakdown in a higher law is required. Only the reference to this higher legal principle permits the distinction between the sovereign violence of the state and the criminal violence of the mafia, between legitimate arrest by the police and the illegitimate transportation to a concentration camp, between

interrogation and torture. Certainly this reference to a higher legal principle, to the constitution or to human rights, by no means provides a firm basis for the unambiguous classification of a form of behaviour as violence. Constitutional principles are notoriously ambiguous ("Die Würde des Menschen ist unantastbar"[28]); their relevance to a determinate act can be contested, and different judgements can be argued from various principles.

Let us leave aside considerations of this irresolvable ambiguity that especially applies to higher-ranking principles, to focus on the insurmountable ground of law, the sovereign. If we do so, it quickly becomes clear that "violence" in the sense discussed here constitutes an antithesis to the violence that is deemed to be the sovereign source of legality: God, the prince, the people, the single individual. The demonic violence of destruction defines itself through its opposition to the divine violence that founds and preserves the order of society.[29]

7. Sovereign violence exists, above all else, as a power, accepted by the members of the association, to enforce the law and to settle controversy, and therefore also authorised to deploy violence. Sovereign violence is the foundation – in modern terminology – of legitimate authority [*Herrschaft*] in a territory, in contrast to the reign of violence briefly outlined above. This sovereign violence does not fit the asymmetrical distinction between perpetrators and victims that has been presented thus far. From its point of view perpetrators are those who reject its order, break the law and flout the sovereign monopoly of violence when they deploy violence. Sovereign violence is turned against them. In most cases the sheer threat of sovereign violence suffices to deter breaches of law. One remains in the familiar everyday, conforms to expectations and complies with ordinances. However, authority risks its validity if it remains as bare potentiality. From time to time it must also display its violent core, to enforce its ordinances with violence against resistance and to punish those who refuse to obey. Sovereign violence must be enacted.

In this, it is subject to a similar logic of actualisation and presence to its counterpart, the charismatic core of authority. Both operate on corporeal proximity, both are surrounded by an aura and both require the occasional appearance of the ruler before the ruled; however, if this happens too often, both also risk misgivings about and the collapse of authority. The charismatic person can only maintain his claim to authority if his admirers do not discover that he is a normal person, with ordinary human weaknesses. Charisma demands extraordinariness, and

the moment of its encounter must remain an exceptional event, in order to induce the ecstatic feelings of its followers.

A similar ambivalence is found in the enactment of sovereign violence. It must not take place too often; it must never become mundane; one must not get used to it. It must affect like a sudden convulsion of the everyday, to induce the dread of those affected. The enactment of sovereign violence must demonstrate an incalculable *tremenda majestas*.[30] The sudden wrath that gripped the ruler in antiquity and that, alongside his clemency, counted as one of the central sovereign emotions is explained by the need to shock the subjugated in an unpredictable way. When the enactment of sovereign violence becomes mundane and continuous, it gets caught up in an inflationary spiral – ever more dramatic acts of violence become necessary in order to invoke the desired effect of shock, to generate deterrence and submission.

From the point of view of the uninvolved third party, the increase in the exercise of violence appears exaggerated or unnecessary, it lacks a sense of proportion, it undermines trust in the prudence of the rulers. Thereby it becomes obvious that the actual deployment of violence is always extra-ordinary and ambiguous. It has no clear yardstick to be measured by; it always risks being judged as exaggerated or too weak. Furthermore the escalation of violence provokes the question of why a bare threat is not sufficient to subdue those who resist. Consequently, the resisting and rebellious violence can interpret the escalation of authoritative violence as a sign of the latter's weakness and attempt to provoke such action. Authority collapses at the end of the escalatory violence, for the deployment of violence consumes resources and these resources are not only economic but also, and above all, consist in support, trust and legitimacy.

From the perspective of the existing order, rebellious and insurrectionary violence always appears to be senseless and nihilistic, but for the insurrectionists it can become the source of a new and distinct significance: the rupture of rules and norms, violent insurrection against authority and the violation of others not only gain the individual an instant of autonomy,[31] but also open, on a collective level, a door to the advent of a new order. Hobbes was aware of this: in the beginning was violence, and this foundational violence was at once sacred and daemonic.

The ambivalent violence that both destroys and imposes order is the driving force of every founding. The liminal dissolution of boundaries and the imposition of order, the antagonists of the social, become one

in the foundational act. In it, patricide and procreation, regicide and the revolutionary self-instantiation of the demos, traumatic degradation and triumphant conquest, crimes against the old and the creation of new order, the oblivion of prehistory and the beginning of history are united.[32]

However, violence is not only an element of the foundational act but is also, after the founding, the basis of every social order. If it were not for the unceasing risk of a regression back into violence in very social order, the social order would ultimately be superfluous – thus one could turn Hobbes' theory of authority in a negative direction. Only the danger of war and of violence gives rise to law and authority, and this danger cannot just remain an abstract possibility but must every now and then be enacted. Hence every order needs its own violence, a violence that it excludes as order but that it must stage as a danger. That which, in the Schmittian perspective, is the enemy of the state is the danger of violence for a social order, an order that occasionally struggles to identify an enemy as a person. Thus the danger of civil war and illegitimate violence paradoxically constitutes order and its legitimate forms of violence.

The fundamental ambivalence of the foundational violence calls for its mastering and masking through mystical narratives and ritual performances that order the irreconcilable and contradictory. Inauguration into a high office is often preceded by ritual degradation, divestiture, fasting, torture.[33] The inauguration therefore constitutes only a special case of the status passage ritual. The initiate experiences within it a liminal violence that, like sovereign violence, does not fit the distinction between the capriciousness of the perpetrator and the suffering of the victim.[34] The initiate is not the victim of this violence. She or he has consented to this ritual; once it has begun, however, there is no longer the option of backing out.

In liminal violence the community turns to the initiate, and the pain that he feels marks the liminality of his entry into the community. With the pain the transition loses its non-committal character. Those who inflict pain on the initiate are not perpetrators acting indiscriminately but the ceremonial representatives of the community, which inscribes itself onto his body.[35] Individual intentions do not count in the ritual of initiation, which is about the forgetting and suppression of the past, the victory over one's body, the demonstration of sovereignty, the somatic trace of the boundary crossing.[36] In the myth of Oedipus the tragic hero becomes king after he has murdered his father and married his mother. He does this unknowingly and without intention. In the chthonic world of violence we do things that are blocked and resisted by the reasonable

understanding of individual guilt and responsibility, of caprice and suffering. And it would be foolish to believe that we can ultimately escape this world. Every attempt to ban it completely remains temporary and incomplete, and it is precisely for this reason that the possibility of violence takes effect as the constitutive force of every social order.

Notes

1. This familial violence was by no means only the habit of the under-classes. Norbert Elias mentions the guidebooks for the medieval nobility which advised against hitting women in the face and suggested beating them on their backs, in order to leave fewer bruises; N. Elias (1994) *The Civilizing Process: The History of Manners and State Formation and Civilization* (Oxford: Blackwell).
2. Critically: H.-G. Soeffner and M. Miller (eds.) (1996) *Modernität und Barbarei. Soziologische Zeitdiagnose am Ende des 20. Jahrhunderts* (Frankfurt am Main: Suhrkamp Verlag); P. Imbusch (2005) *Moderne und Gewalt. Zivilisationstheoretische Perspektive auf das 20. Jahrhundert* (Wiesbaden: VS Verlag für Sozialwissenschaften); W. Sofsky (1996) *Traktat über die Gewalt* (Frankfurt am Main: Fischer Verlag); Z. Bauman (1989) *Modernity and the Holocaust* (Cambridge: Polity Press).
3. "Violence Describes Nothing, Violence Is a Label. It Functions as a Condensing Symbol", H. Cremer-Schaefer (1992) *Im Namen des Volkes? Strafvollzug und Haftbedingungen in einem freien Land* (Idstein: Schulz-Kirchner), p. 24, English version by translator.
4. L. Wittgenstein (2009) *Philosophical Investigations* (Oxford: Blackwell).
5. The undoubtedly interesting attempt at a cultural history of the semantics of violence will not be undertaken here. The rise of the concept of violence to a key metaphor of the crisis of the social is a relatively recent phenomenon. In Meyer's *Conversationslexikon* from 1858, one finds no entry under "violence [*Gewalt*]", only a brief note on violence [*Gewalttätigkeit*] as a juridical concept. Half a century later the *Brockhauslexikon* introduces the keyword "violence", but again addresses it from a juridical point of view.
6. J. Galtung (1969) "Violence, Peace, and Peace Research", *Journal of Peace Research*, 6(3), 167–191.
7. Sofsky, 1996.
8. Thus Popitz also speaks of violence as something for which "everyone" is qualified; H. Popitz (2004) *Phänomene der Macht* (Tübingen: Mohr Siebeck) p. 50.
9. With dogs the matter is already a little less clear.
10. However, a boxing match can also slide into violence – for instance, when one of the competitors injures the other against the rules. The combat is no longer a game. Such a slide into violence can never absolutely be avoided.
11. J. Rawls (1999) *A Theory of Justice* (Cambridge, MA: Belknap Press).
12. Waldmann's description of the routinisation of violence in Colombia does not cast doubt on this. It is about the increasing frequency of violent events; P. Waldmann (1997) "Veralltäglichung von Gewalt. Das Beispiel

Kolumbien", in T. v. Trotha (ed.) *Soziologie der Gewalt: Kölner Zeitschrift für Soziologie und Sozialpsychologie* (Opladen: Westdeutscher Verlag37), 141–161.

13. This is also stressed by Soeffner; H.-G. Soeffner (2004) "Gewalt als Faszinosum", in H.-G. Soeffner and W. Heitmeyer (eds.) *Gewalt: Entwicklungen, Strukturen, Analyseprobleme* (Frankfurt am Main: Suhrkamp Verlag), p. 73.
14. In this respect Reemtsma speaks of "autotelic" and Sofsky of "absolute" violence; J. P. Reemtsma (2012) *Trust and Violence: An Essay on a Modern Relationship* (Princeton, NJ: Princeton University Press), pp. 62–66; Sofsky, 1996, pp. 52–53.
15. H. Joas (1996) *The Creativity of Action* (Chicago, IL: The University of Chicago Press).
16. G. Bataille (2008) *Henker und Opfer* (Berlin: Matthes & Seitz).
17. H.-M. Enzensberger (2006) *Schreckens Männer: Versuch über den radikalen Verlierer* (Frankfurt am Main: Suhrkamp Verlag).
18. Even Randall Collins' impressive study *Violence* contains only a marginal treatment of the self-deification of the solitary perpetrator; R. Collins (2008) *Violence: A Micro-Sociological Theory* (Princeton, NJ: Princeton University Press).
19. C. R. Browning (1998) *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (New York: Harper Perennial).
20. V. W. Turner (2009): *The Ritual Process: Structure and Anti-Structure* (New Brunswick, NJ: Aldine Publishing).
21. Turner, 2009.
22. In Chapter 3 of his book *Violence*, Collins treats the collective liminal act of violence as "forward panic" and, within the frame of his micro-sociological-situational approach, attributes it to "confrontational tension" and the emotional mastering of the perpetrator. The act of violence is certainly triggered by conditions internal to the situation. The disposition towards this is nonetheless created through a cultural programme, and the event first becomes possible through the definition of the situation as a state of exception. Collins speaks here of "moral holidays"; Collins, 2008.
23. At the beginning of the war in the east the members of the task force [*Einsatzgruppe*] sent home photos in which they posed with their murdered victims as if they were hunting trophies. This was later prohibited, so as not to imperil the morals of the homeland. Murder became a secret matter of the Reich.
24. In the "Stanford Prison Experiment" Zimbardo impressively showed how collective violence could emerge out of nothing; P. G. Zimbardo (2004) "A Situationist Perspective on the Psychology of Evil: Understanding How Good People Are Transformed into Perpetrators", in A. G. Miller (ed.) *The Social Psychology of Good and Evil* (New York: The Guilford), pp. 21–50.
25. Bauman, 1989.
26. Milgram and Zimbardo's social-psychological experiments prove the susceptibility of normal persons to commands to violence; Zimbardo, 2004.
27. This does not exclude the possibility that an individual (perpetrator), in the execution of an order, may suddenly become overwhelmed by an appetite for violence and so exceed the scope of his assignment.

28. Translator's note: this is Article 1 of the German Constitution, which says "The dignity of human beings is inviolable."
29. The German term for violence [*Gewalt*] refers equally to what is kept separate or distinct in French and English: " 'violence' et 'pouvoir' ", " 'violence' and 'power' ". In Latin the distinction is between "vis publicum" and "vis privatum".
30. R. Otto (2004) *Das Heilige: Über das Irrationale in der Idee des Göttlichen und sein Verhältnis zum Rationalen* (Munich: C. H. Beck).
31. G. Bataille (1978) *Die psychologische Struktur des Faschismus: Die Souveränität* (Munich: Matthes & Seitz).
32. Sorel had already referred to the "creative force" of power; G. Sorel (1928) *Über die Gewalt* (Innsbruck: Universitäts-Verlag Wagner), pp. 215–216.
33. Turner, 2009; R. Girard (2005) *Violence and the Sacred* (London and New York: Continuum).
34. A. v. Gennep (1960) *The Rites of Passage* (Chicago, IL: The University of Chicago Press).
35. This is what, in modernity, has become the largely forgotten logic of circumcision. For the indigenous peoples of Australia this logic led to a total splitting of the penis, an extremely painful mutilation, which is rarely carried out by contemporary members of indigenous communities; K. H. Kohl (2003) *Die Macht der Dinge: Geschichte und Theorie sakraler Objekte* (Munich: C.H. Beck).
36. In knighting ceremonies or in the strike across the face in Catholic confirmation ceremonies one finds the relics of this somatic anchoring of the boundary crossing.

6

Neo-Fascist Heroes: Group Identity and Idealisation of the Aggressor among Violent Right-Wing Adolescents

Michael Günter

Over the last 20 years violent offences committed by adolescent skinheads with a radical right-wing orientation have become an increasingly serious problem in Germany and other Western countries. Media accounts and public discourse seem to be dominated by rather too clear-cut attributions of motive as soon as it is a case of adolescent skinheads committing a crime. Xenophobic, neo-Nazi and ideological motives are foregrounded mainly because they allow clear and unambiguous interpretations. Even the criminal prosecution authorities tend to stress these motivational aspects, especially as many offenders like to present themselves in the first instance as cool, hard-baked, tough guys with a clear ideological orientation. They sometimes even say, on first being apprehended and questioned, that they regret not having succeeded in killing more of their adversaries.

At the same time this ideologically based brutal violence is seen as unrestrained in the sense that these violent juvenile perpetrators are rejecting and transgressing moral boundaries on which there is a consensus in modern societies, and especially in Germany. Hence society reacts with a discussion about the need to re-establish limits or, let us say, restraints. These adolescent offenders are consequently regarded as in some way outside society. Interestingly, a very similar mechanism of mental expulsion of the perpetrators of unbridled violence is apparent in the current public discussion about juveniles who join IS and other Islamist terror organisations. The adolescent followers of IS are not seen as having their roots in Western society, where they in fact grew up,

but as some kind of foreign body and are therefore perceived as located outside the community. In this way society can reassure itself that it is not being threatened by unrestrained violence. From a psychiatric and psychoanalytical point of view this reassurance is absolutely fundamental for the coherence of societies, since it is a powerful defence against deeply rooted fears stemming from our own violent fantasies. Such fantasies threaten our psychic equilibrium, although they are to a great extent unconscious.

What I wish to show in this chapter is that this kind of public perception of youth violence, especially right-wing-based violence, loses sight of two things. First, the provocative gesture of these adolescents – choosing to transgress precisely those boundaries which are to a great extent undisputed in society – has to be seen as one directed towards and not away from society, as an attempt to provoke reactions from society; in short, it is as a social action.

Second, the motivational grid which eventually leads to the outburst of unrestrained violence is not only very complex but also intimately connected to individual and social devaluation. Joining the group and adopting its ideology has to be seen as a social process which can be understood as an attempt to re-establish certain forms of self-esteem and social valuation via the exercise of violence and terror.

I have made a close examination of more than 30 adolescent skinheads in the last 20 years in a forensic assessment. They had been accused of severe offences. Nearly all of them had committed offences involving bodily injury, and the great majority had been arrested on charges of homicide or attempted homicide. Most of these severe attacks had developed out of a group situation. In contrast to the views in the above-mentioned public discussion, the conclusion I was able to draw from my detailed, in-depth examinations was that the motives of these youngsters were not as clear as they seemed at first sight. Most of them did indeed talk about their radical opinions and rejection of foreigners, asylum seekers, black people, punks and so on, but these were mostly not differentiated in their thinking in much detail, and some of these adolescents showed a serious tendency to support authoritarian solutions and a certain admiration for the Nazi rule. However, a closer look at the dynamics of the offences committed revealed that in most of my cases these ideologically based motives were not the main driving force for the severe offence itself. Instead, they could, first, be better understood as a justification for a general inclination towards aggressive reactions or as a kind of ideologically organised defence against severe emotional problems in the background. Second, as I have just pointed

out, their proneness to excessive violence and their self-presentation to the public could be understood as an attempt to regain a minimum sense of strength, self-esteem and self-coherence. As I will show below, very often these processes were embedded in powerful group dynamics.

There is a lively and as yet unresolved controversy about whether it is possible to identify specific elements characterising radical right-wing juvenile offenders or whether they should be regarded exactly the same as other antisocial adolescents. It is mainly psychoanalytical authors who stress the existence of specific personality organisations in violent juvenile offenders with a radical right-wing orientation. Annette Streeck-Fischer showed in her writings how these adolescents warded off damaged processes of identity formation regressively and by projective mechanisms.[1] The ideology served to establish a blown-up, grandiose self and acted as a form of auto-repair system to transform self-hatred into xenophobia and hatred of foreigners. The ideology further contributed to the development of a personality with uniformed and masked traits. Eventually sexual desire was transformed into a lust for violence. Streeck-Fischer further described how unbearable inner conflicts were pathologically defused with the aid of splitting mechanisms. This allowed the transference of narcissistic damage – stemming, for example, from failures in psycho-social adaptation or in school performance – to enemies in the external world, allowing this damage to be turned into public conflicts in an arena where the adolescent could fight against them. Right-wing extremist ideologies could in this way help to externalise unbearable inner conflicts, deep loneliness and self-hatred. Adopting uniformity and masking could overcome isolation, exclusion and humiliation, and images of masculinity and bravery served to maintain the narcissistic equilibrium. Hating foreigners became a means of surviving and of saving oneself, and in addition it channelled the adolescents' hatred of their parents. Many of these adolescents unconsciously or pre-consciously felt let down and rejected by their parents.

Acknowledging the role of the developmental dynamics of these narcissistic organisations helped form a more complete picture. Above all, what played a major role was the weakness of ego structures, which was seen as based on an upbringing marked by neglect and a lack of boundary setting.[2] Where such conflictual inner conditions prevailed, the radical right-wing orientation promised ritualised security and an idealisation of the young person's own pseudo-identity. Via the projection of his or her own structural deficits and unconscious wishes for dependency onto leftists and drug addicts – and, I would add, "greedy"

asylum seekers – it also provided a substantial relief from conflict and drive tensions.[3] The young person's aggressive tendencies, connected either with warded-off aggressive attitudes of the parents or with the experience of aggressive maltreatment, were projected onto others and thereby split off. Either way, acting them out was legitimised.

Views expressed in psychoanalytic and social-psychological literature converge over the impact on these adolescents of their relationship to and experiences with the father. Typically fathers were described as weak, not emotionally present and not available as an identification figure.[4] The adolescents' longing for a strong father and their hatred of the emotionally absent father who in many cases maltreated them were organised into the idealisation of violence and of seemingly strong leaders.

Other authors have firmly contradicted the described specificity of violent radical right-wing development. Frank Wendt and others emphasised, above all, the large degree of correspondence between violent offenders with a radical right-wing background and "normal" violent offenders.[5] Core differences in this view, held by forensic psychiatric experts working mainly with adults, were seen: first, in the highly significant younger age of the radical right-wing violent offenders in comparison with the control group (mean age 19.9 years versus 24.2 years); second, in the fact that the offences were nearly always committed out of a group situation or in a group (87.5 per cent versus 20.5 per cent); and third, in the fact that in about 50 per cent of the radical right-wing offenders there was significantly more often a relevant state of inebriation observed. There were no other major differences in the characteristics between the groups. Obviously the radical right-wing offenders were also a typical group of delinquents with their respective psycho-social risk and adversity factors. The fact that these authors found fewer adolescents with clear psychiatric disturbances in the right-wing group is due in my opinion to a selection effect: in general, severely disturbed adolescents cannot establish themselves in such groups.

The sociologists focused in their analyses on interactional processes in society leading to violent right-wing orientations[6] and on a certain normality of subcultural behaviour.[7] It was pointed out that the public perception of skinheads as a unified phenomenon hardly accords with reality. It was further argued that the historical root of the skinhead subculture among youths was the effort to dissociate themselves clearly as working-class youths from the culture of middle-class youths. These adolescents want to assure themselves of their affiliation to the group and of their own identity by using external signs derived from

proletarian traditions.[8] The skinhead scene should, in their view, primarily be understood as a phenomenon of youth culture. This would explain why, like their other behaviour, many offences contained a provocative function. At the same time identification with latent radical right-wing thought patterns in society in general and particularly in working-class and lower-middle-class milieux played an important role. Even the German secret service (Verfassungsschutz) were able to establish any close integration in the radical right-wing scene in only 20 per cent of the cases of offences with a radical right-wing background, and they pointed out the already previously occurring high rates of general criminality in the skinhead population.[9] The skinhead scene was characterised by the predominance of "fun orientation", with practically no "desire to deal with difficult right-wing extremist ideological literature or with the organised life in a party full of discipline".[10]

From a child psychiatric perspective Gerd Schütze took up an intermediate position.[11] He based his position mainly on Erik H. Erikson's concept of adolescent identity confusion, which could be aggravated to become identity diffusion and could eventually lead to a negative identity.[12] At this point the youth in question accepts as an ideal those negative traits which had been attributed to him by his caregivers or by society or which he subjectively experienced as having been negatively attributed to him. Schütze principally pointed out that youths who suffer from such identity confusion slip into a clearly designed role identity and can stabilise themselves by their affiliation to the group. He described the way the adolescent inclination for provocation and aggression, need for admiration and exhibitionism played a major role in the offenders he was assessing for the juvenile court. Alongside this factor the need to be firmly integrated in the group, resulting from a disintegration syndrome, was predominant. A second group of less disintegrated youths was made up of those with identity insecurities who sympathised with such skinhead groups in a temporary identification. By comparison with these factors the ideological political alignment was seen as secondary.

In the following I wish to clarify more of the specific motivation and offence dynamics using a number of casevignettes from my practice as a forensic adolescent psychiatrist. I will keep those vignettes fairly short. They are intended to illustrate my theses in the conclusion.

1. Sixteen-year-old Jennifer brutally assaulted an asylum seeker from South-East Asia together with two 15- and 17-year-old friends from the skinhead scene at a railway station. They then threw him onto

> the railway line, where he lost consciousness and did not get up again. It was only through the intervention of a passer-by, who was instructed on the telephone by the police to save the unconscious person first of all, that the man was pulled from the track literally ten seconds before a train would have passed over him. Jennifer had not consumed any alcohol before this action, but she did have a history of alcohol abuse in the past.

Jennifer had a developmental history typical for juvenile delinquents. She told me that her father had already left her mother while her mother was pregnant with her. Her stepfather suddenly ran off with a new partner, leaving her mother even though the wedding date had been decided. Her mother had substantial psychological problems. At the age of nine Jennifer was confronted with her mother's new boyfriend, who drank heavily and beat her and her mother quite often. He also threatened her mother with extreme violence. After this mother and daughter formed a kind of emergency organisation against the stepfather, who, after he was forced to use a wheelchair because of a slipped disc, became even more violent. She had not spoken a word to her stepfather for the previous two years. This refusal to speak to him made him livid, but she remained resolute.

It was noticeable that the victim came from the same East Asian country as her stepfather. During the forensic assessment Jennifer reported that over time she had developed an increasing hatred of people from that specific country, initially, and later of any foreigner. She described very impressively and understandably how this hatred would begin to well up in her even on just seeing a foreigner. Her hatred flared up especially if these people spoke or made typical gestures of their culture. She also reported that she had been building up fantasies of hatred and violence against her stepfather for a long time and that this eventually led to concentration camp fantasies in which he was a prisoner. After she had also become an outsider at school and after her ability to do school work had deteriorated because of her stressful situation, she began to play truant for a sustained period. Two years before the offence she had made contact with a radical right-wing skinhead group. She had adapted to the group very quickly, shaved her hair off and got her outfit together. She told me that she liked the group situation; they stuck together and did many things together. She tattooed "White Terror" on her skull. She reported that they drank quite a lot of alcohol and that she got drunk every day. It became clear that her affiliation to a neo-Nazi ideology had strengthened more and more and was still relevant during

the forensic assessment. She told us that her mother was shocked by this development in her. Her account pointed also to her channelling aggressive feelings towards her mother into this neo-Nazi orientation, but she herself was hardly aware of this. Besides this, her personality profile was characterised by the typical elements already described above, with a façade-like organisation, a defence against depressive feelings via an identification with aggressive-destructive objects and personalities such as Adolf Hitler and a search for a feeling of being at home in the group identity.

On the one hand, the offence in her case seemed to be understandable as arising out of a typical group constellation, but on the other it seemed to the same extent to be shaped by a fairly individual conflict constellation which had been additionally activated by the initial aggressive provocation of the victim, who was very drunk, and his demand for beer. As a result, presumably Jennifer suddenly found herself in a subjectively only too familiar situation, combining the main elements of her experience with her stepfather.

2. Sixteen-year-old Jonas was accused of having committed an arson attack on the home of a black African family together with his 15-year-old accomplice. Both had drunk some alcohol but not an excessive amount and suddenly they decided to walk several kilometres to the next village. There they threw the Molotov cocktails, which they had prepared at home, at the house, knowing it to be inhabited by this immigrant family. In a confused way they expressed xenophobic opinions. They told the police that they wanted to send a signal so that the immigrant youths who had been rude to them on several occasions would show a little bit more respect in future. They immediately admitted to the police their "positive acceptance" of the possibility that someone would be hurt, and had therefore been accused of attempted murder. Both of them had fairly good relationships among their peer group, which did not show any radical right-wing tendencies. Several witnesses described them as friendly and ready to help. Various friends remarked that they would be absolutely OK were it not for their radical right-wing opinions.

In the forensic assessment Jonas described in detail how he had been interested in right-wing things from childhood. He had been fascinated by the appearance of the Wehrmacht and by the goose-step. He liked Hitler's charisma and his body language. He said that military things fascinated him, especially tanks. It was really great for him when they

turned around and one could see how the caterpillar tracks burrowed into the earth. He also told me that he was fascinated by the superiority of German military technology and the strike power of the German army in World War II. This was why he had begun to order Nazi things, to listen to Nazi music, and at times he ran around in a Nazi outfit. The result was he also got into trouble at school.

The individual background which made this developmental history comprehensible was as follows. When Jonas was seven years old, his father had committed suicide in a horrific manner. He was not told about this directly, nor did anybody in the family ever talk about it later on. Three months later his paternal grandfather also committed suicide. Two further male relatives had also taken their own lives. His mother had always seen him as potentially following in their footsteps, and indeed he had taken his father's place at the dining table days after his death. He subsequently developed very socially adapted, façade-like traits, but he also caused problems with repeated aggressive outbursts; however, he had not previously committed an offence.

The fascination with tanks, the admiration for Hitler's power and charisma, had to be seen psychodynamically as attempts to reconstruct an ideal, invulnerable paternal object and to identify with this object in order to escape from the fantasised fate of being destined to failure. Against this background I assumed that the trigger for the offence was a relatively banal one: a girl who had made approaches to him several times and whom he himself regarded as attractive had again shown interest in him on the evening in question. Clearly this had disturbed him considerably, given his lack of self-confidence and his male identity problems. The wish to make himself respected, which was the motive he had declared for the offence, would, from this perspective, refer to this kind of insecurity with the girl. Psychologically the arson attack would then be comprehensible as proof of his masculinity. His anxieties, insecurity and the threatening fantasies of his own inferiority were projected onto the victims, and the uncontrolled aggression was projected onto the foreigners.

3. Eighteen-year-old Pascal stabbed to death a 61-year-old homeless female alcoholic who was very drunk and whom he had met occasionally. He had taunted and humiliated her, and eventually he himself felt provoked by her comments. Pascal had already committed several aggressive offences under the influence of alcohol before this. Among other things, he had repeatedly threatened and severely beaten his adoptive parents.

The brutality of his remarks left a deep impression on me. For example, he stated that because of her alcoholism "the cripple" would not have lived very much longer anyway. During the forensic psychiatric assessment he explained that boozing had been part of the skinhead way of life for generations. Punks and foreigners were the scum of the nation; asylum seekers were criminal riff-raff and should be deported. He stated emphatically that he was a neo-Nazi, but this did not mean he would go so far as to shoot any old asylum seeker or "nigger". According to him, punks were disgusting; one could get scabies from them.

We then found out that he basically realised he was very close to going down the same path as this homeless, alcoholic woman. So, on the one hand, the offence was connected with his explosive irritability; on the other, it could be understood as a defence against the frightening future he foresaw for himself. In this context, his radical right-wing ideology, combined with the alcohol, eliminated any scruples he might have had.

4. Sixteen-year-old Alberto took part in all kinds of burglaries and thefts, and in a more passive role he also contributed in his antisocial peer group to offences involving grievous bodily harm. He seemed to suffer from severe problems with social contact and from a considerable impairment in his cognitive functioning. He was apparently the one in the group who was given orders and hence had to be the look-out. He initially hid his pronounced neo-Nazi identity from the psychiatric forensic expert. It was only after I inquired about it and confronted him with his grandmother's remarks about it that he admitted that he had repeatedly begged to be called "Adolf" and that he wanted to change his name. He had thought a lot about the possibility that his family name might stem from a famous Nazi leader.
5. A 15-year-old, unkempt young male prostitute had, together with his friend, assaulted and killed a paedophile former police officer. The background was a long-standing reciprocally violent relationship between the two offenders and their victim. The victim had raped one of the boys several months earlier. The situation became even more serious after the two assaulted the victim and started to panic when they saw that he was hardly breathing. Alongside this the 15-year-old had a clear radical right-wing attitude and skinhead orientation, which, however, was not directly connected with the offence.

These examples may show how we have to see the impact of a radical right-wing orientation on associated offences by youths as being very diverse. In one case this orientation contributed considerably to the offence in combination with an individual conflict dynamic; in another it led to a common group ideology from which the offences evolved; and in the last example this fundamental orientation was at most an unspecific factor legitimising violence or was more precisely a channelling of fantasies of violence.

These youths were, to judge from my experience, essentially like almost any other adolescent offenders. They exhibited the same risk factors: family violence, neglect and school failure played a major role. Like other youths, they could be classified according to Moffitt's (1993) scheme among those adolescents becoming conspicuous early (life-course-persistent antisocial behaviour) and adolescents whose antisocial behaviour had to be understood more as an adaptation to existing group norms (adolescence-limited antisocial behaviour).[13] The group identity which played an outstanding role in these radical right-wing groups and which, above all, was marked by a sharp delimitation from people who were different, helped this second, larger group of adolescents to stabilise themselves in a situation of loss of identity and to defend themselves against threatening fantasies and regressive tendencies.

Nevertheless, as is well known, such groups easily tend to develop regressive phenomena which can lead to an increasingly paranoid processing of reality and to a further decline of the level of emotional functionality. However, this is not limited to radical right-wing or skinhead groups. Similar phenomena are found in religious sects, in more or less accepted fundamentalist circles or, for example, in groups of youths from foreign countries sticking together to secure their ethnic identity. A further factor is that in the offences described here the group identity was euphorically intensified through the shared consumption of alcohol.

A second basic as well as unspecific element is the function of violence and the youths' identification with violent models. It is a well-known phenomenon that deprived and maltreated people develop strong tendencies to identify with the aggressor.[14] This identification with the aggressor in the end serves as a coping mechanism – albeit a pathological one – in an overwhelming situation, but it results in a repetition compulsion with reversed roles. Passive surrender is turned into the adoption of an active role. Thus feelings of helplessness, anxiety and

aggression can be transformed and organised into active deeds. This transformation is in fact particularly supported by radical right-wing ideologies, because these ideologies provide such mechanisms in a preformed way and present the identification with aggressive destructive objects as an ideal. Such a make-up dovetails with the defensive tendencies of deprived and maltreated youths. Nevertheless this is not specific for right-wing ideologies only but is also used systematically by Islamist terrorist organisations in their propaganda, attracting deprived and maltreated adolescents who can envisage no other future for themselves.

From this perspective radical right-wing ideologies are screens which can be discovered and picked up by these psychologically injured adolescents. They are, though, only one possible form of defence mechanism. Other forms would include, for instance, sliding into drug addiction or being drawn to other violence-legitimating ideologies, or descending into self-destruction or following a "normal" criminal career. As the examples above show, in certain cases specific features were formed in the adolescent's emotional development and emotional conflict and personality organisation, and these features carried with them a predisposition to adopt neo-Nazi ideologies.

Conclusion

Unrestrained violence as committed by neo-Nazi youths is deeply rooted in individual identification with aggression and violence as well as in group dynamics. In most of the cases group processes are essential for the outburst of extreme violence. Flexible identifications with violent fantasies are very common not only in adolescents but in all age groups. These particular adolescents, however, are caught up in an ever closer fixation on these fantasies.

The adolescents' wish to be part of "something greater than me" and to re-establish their narcissistic equilibrium by participating in unrestrained acts of violence is then exploited systematically by ideological leaders, as can currently be seen in Islamist terror organisations, which are attracting young people from all over the world.

Nevertheless, the main source for the designation of these offences as acts of "unrestrained violence" in public opinion is their fear-provoking potential, which is fuelled by a sensation-driven media "promotion" of these violent actions. In this way we demarcate a civilised "inside" from an uncivilised "outside" and so reassure ourselves that we do not have any tendency to excessive and unrestrained violence. This

conceptualisation serves two opposite purposes at the same time: to reassure us of our distance from violence and to allow us to take part in the thrill which violence gives us from a distance.

Notes

1. A. Streeck-Fischer (1992) " 'Geil auf Gewalt': Psychoanalytische Bemerkungen zu Adoleszenz und Rechtsextremismus", *Psyche: Zeitschrift für Psychoanalyse*, 46, 745–768; A. Streeck-Fischer (1994a) "Männliche Adoleszenz, Fremdenhass und seine selbstreparative Funktion am Beispiel jugendlicher rechtsextremer Skinheads", *Praxis der Kinderpsychologie und Kinderpsychiatrie*, 43, 259–266; A. Streeck-Fischer (1994b) " 'Wir sind die Kraft, die Deutschland sauber macht': oder die Entstehung von Fremdenhass und Gewalt als Gruppenprozess", *Gruppenpsychotherapie und Gruppendynamik*, 30, 75–85; A. Streeck-Fischer (2000) "Vergangene und gegenwärtige Traumatisierung: Jugendliche Skinheads in Deutschland", in L. Opher-Cohn, J. Pfäfflin, B. Sonntag, B. Klose and P. Pogany-Wnendt (eds.) *Das Ende der Sprachlosigkeit: Auswirkungen traumatischer Holocaust-Erfahrungen über mehrere Generationen* (Gießen: Psychosozial), pp. 51–70.
2. J. Kahl-Popp (1994) " 'Ich bin Dr. Deutschland':Rechtsradikale Phantasien als verschlüsselte Kommunikation in der analytischen Psychotherapie eines Jugendlichen", *Praxis der Kinderpsychologie und Kinderpsychiatrie*, 43, 266–272; E. Regehr (2003) "Rechtsradikale Jugendgewalt: Der familiäre Einfluss hat in der Debatte um die Ursachen zu wenig Gewicht", *Familiendynamik*, 28, 129–142.
3. Kahl-Popp, 1994.
4. J. C. Aigner (2001) *Der ferne Vater: zur Psychoanalyse von Vatererfahrung, männlicher Entwicklung und negativem Ödipuskomplex* (Gießen: Psychosozial).
5. F. Wendt, S. Lau and H. L. Kröber (2002) "Rechtsradikale Gewalttäter", *Rechtsmedizin*, 12, 214–223.
6. H. Willems (1993) "Fremdenfeindliche Gewalt: Entwicklung, Strukturen, Eskalationsprozesse", *Gruppendynamik*, 23, 433–448.
7. L. Kamphaus (1993) "Skins: Ein jugendkulturelles Phänomen", *Psychologie und Gesellschaftskritik*, 17(2), 35–58; K. Farin (2001) "Alles Rechtsextreme? Skins . . . , Glatzen . . . Rechte Erscheinungsformen in Jugendkulturen", *DVJJ-Journal. Zeitschrift für Kriminalrecht und Jugendhilfe*, 12, 39–44.
8. B. Haupert and B. Wilms (1994) "Autoritäre Einstellungen und Gewaltbereitschaft bei Skinheads: Ein Werkstattbericht", *Archiv für Wissenschaft und Praxis der sozialen Arbeit*, 25, 316–326; Kamphaus, 1993; P. Walkenhorst (2001) "Rechtsorientierte Jugendliche in Ost- und Westdeutschland: Erscheinungsformen und Ursachen", *DVJJ-Journal. Zeitschrift für Kriminalrecht und Jugendhilfe*, 12, 13–30; K. Weber (1993) "Der Fremde ist schlimmer als der Feind: Gespräche mit 'Rassisten' ", *Psychologie und Gesellschaftskritik*, 17(2), 61–71.
9. R. Boos (2001) "Aufgaben und Erkenntnisse des Verfassungsschutzes zum Rechtsextremismus: aus ostdeutschem Blickwinkel", *DVJJ-Journal. Zeitschrift für Kriminalrecht und Jugendhilfe*, 12, 30–36.
10. Boos, 2001, p. 34.

11. G. Schütze (2001) "Persönlichkeitsmerkmale rechter Gewalttäter aus Sicht eines jugendpsychiatrischen Gutachters", *DVJJ-Journal. Zeitschrift für Kriminalrecht und Jugendhilfe*, 12, 36–39.
12. E. H. Erikson (1968) *Identity, Youth and Crisis* (New York: W. W. Norton & Co.).
13. T. E. Moffit (1993) "Adolescence Limited and Life Course Persistent Antisocial Behavior: A Developmental Taxonomy", *Psychological Review*, 4, 641–701.
14. A. Freud (1936) *Das Ich und die Abwehrmechanismen* (Vienna: Internationaler Psychoanalytischer Verlag).

7

Explaining Intimate Massacres: Suggestions for Honing in on an Elusive and Tragic Spirit

Jack Katz

Among the multiple challenges on the path to an explanation of school shootings – their rarity as events; their unique and brief duration in the lives of the aggressors; the lack of evidence on purpose, as a result of the death of the aggressor and the emotional impact on his family; the workings of profoundly idiosyncratic psyches – the greatest challenge is that of taking a research trip to "the other side", which requires wrenching the research perspective away from aligning in sympathy with victims.[1] The younger the victims, the more difficult it is to investigate the aggressors non-judgementally. When the site of the attack is a school, the hallowed nature of the place immediately throws many observers into alliance with a community of mourners. And when preventive measures are considered, it is tempting for policy advocates to imagine that they are seeking to influence people on the other side whose sensibilities are like their own.

How to stay where the animating causal processes lie, on the offender's side? The researcher's inspection of the readily available data cannot point the way. The cases publicised by the media as well as police cases are likely to be constituted from the victim's side.

In considering how to proceed with an inquiry into the aetiology of any type of crime, it is useful to step away from the most emotionally provocative offences and focus on a banal variety. At the risk of seeming to trivialise the matter, I suggest we begin by considering the options for studying what, some 50 years ago, was a sudden, seemingly unstoppable rash of crime: the stealing of hubcaps.[2]

What popular culture labelled hubcap-stealing was for the police an instance of theft: no laws specified a unique infraction differentiated by

this object. Should the researcher adopt the popular or the technical legal way of isolating the phenomenon to explain (hereafter, explanandum)? Either choice is fundamentally flawed as a way to set up the search for a successful explanation (hereafter, explanans).

"Theft", whether qualified as "petty" or "grand", is a gross category which lumps together actions that emerge from very different social psychological histories. Shoplifting clothes or jewellery from a shop, stealing tools from a worker's truck and burgling homes or warehouses can often be done without the necessity of first investigating a resale market. But some hubcaps are much more in demand than those of other car models. Before stealing a hubcap, it profits the thief to do some prior research, as well as to locate a buyer. The difference in the way the market prices the hubcaps of different model cars means that the natural history of hubcap theft by professionals is likely to be very different from the natural history of theft by those not concerned about resale. Professionals are likely to be concerned to form specifically useful social relations outside of and before the execution of criminal action. Amateur thefts will be influenced more by aspects of the *mise-en-scène*.[3]

If the researcher is dissuaded from taking the legal definition of a crime as setting up the investigation and instead takes the definition of the explanandum from popular culture, similar problems arise. If the cases for explanation are sorted out to conform to victims' experience, "hubcap theft" is likely to be both under- and over-inclusive relative to the natural history of the criminal behaviour involved. On the under-inclusive side, for some thieves there is nothing special about stealing hubcaps. They approach a hubcap theft much as they do other items with niche market value: they pre-establish connections for resale.

Pre-establishing relationships for resale changes the social psychology of the criminal aetiology. In such cases, the act of theft realises a kind of promise made to the self about future behaviour and also fulfils a kind of contractual relationship. The fence has taken the risk of pre-collaborating in the crime, which itself is a form of consideration anticipating reciprocity; when the item is presented for fencing, it comes as the closure of what had been a kind of transaction, albeit one that was left more or less open. Before the hubcap has been dislodged, constraints have been built up in the offender's social world: the causal train is already in motion.

On the other hand, what victims or the news media refer to as hubcap theft is over-inclusive, lumping into one set of problems behaviours that have drastically different natural histories. Some hubcaps are stolen to get scrap metal for resale, which does not require pre-investigation

of market value. Other hubcaps will be improvised solutions to some nagging practical problem requiring the object's physical properties. Perhaps the loot will become a way to block a hole in a roof or a fence. Other hubcap thefts fulfil spur-of-the-moment motivations, such as responding to a "dare" from peers.

It is especially notable that hubcap thefts develop in a recursive series that is rare for other commonly stolen consumer items (TV sets, computers, jewellery). Having had my hubcaps stolen, I suddenly have a novel interest in those on other cars of the same model. Other consumer items I may wish to replace are not readily visible and accessible in public spaces. When hubcaps are stolen to replace hubcaps that were stolen, the victim of one theft is more likely to roll over into the offender role in the next, setting up self-sustaining dynamics.

Crimes often have identity-transforming, recruiting effects on victims: becoming a victim creates a motivation to retaliate or to imitate the act by victimising someone else. Construction workers who have their tools "picked up" by other workers may do the same to a third party. It is common that innocent targets of aggression – for example, recipients of curses or insulting gestures – are tempted to respond immediately in kind. Much of youth gang violence is the product of the imitative-inverting process in which one who perceives himself to be cast as a victim rejects the offer by casting another in that role. Criminology is repeatedly frustrated by temporal variations in the incidence of offences that cannot be explained by changes in the background factors usually invoked for explanation. An appreciation of the imitative-inverting processes that shape some forms of criminal behaviour helps explain why some rise and fall like fads.

The fundamental problem with taking either the definitions of the criminal law or those of popular culture as defining the explanandum is that in both cases the central concern is not to set up a problem for explanatory investigation but to reflect what the behaviour means to others: to victims, to the public audience that identifies with the victims and to politicians and law enforcement authorities, who ally with victims to represent the interests of "the community". Any legal definition of crime will misrepresent the definitions of behaviour that would represent offenders' perspectives because the very point of criminal law is to privilege the meaning of offensive action to victims. In the criminal justice process, grasping the biographical meaning of offences to offenders becomes relevant more in punishment processes (sentencing hearings, prison assignments, parole decisions) than in assessing culpability (charging processes, plea bargains, trials). But the

data commonly used for studying crime come from arrest, conviction or victims' characterisations of what a stranger did to them.

Crime data come to researchers *ex post facto* and in a form that is artificially flattened out. They define what happened retrospectively and focus on the termination point of a line of action. With few exceptions, the categories used to arrest and prosecute alleged offenders are systematically indifferent to the natural history of the event, its initial formation, evolution, multi-stage execution and the many alternative courses of action that were considered but not taken.

All criminal law regimes insist on giving priority to the meanings of action to victims – at least, to victims as portrayed by representatives of the state. Criminal laws exist specifically to reject the meanings of offensive behaviour to offenders as unacceptably egocentric. Sometimes the commitment to define crime from the perspective of the victim results in lumping together relatively spontaneous acts, which reflect little more than fleeting moments in an offender's life, with criminal behaviour that emerges from a more sustained perspective. Sometimes social reality as seen from the victim's perspective differentiates behaviour based on chance factors, as occurs when violence that in its planning and execution is identical to lethal aggression but does not have a fatal result owing to errant aim or proximity to a site for emergency medical services. In many of the most serious lines of criminal behaviour, what the law enforcement system picks up is literally a matter of hit and miss: there is no systematic correspondence between offence intended and offence charged. A miss may leave the intended victim threatened and thus capable of sustaining only a lesser offence. Or an intended victim may remain completely unaware of his luck and thus incapable of sustaining any charge at all.

The challenge for developing empirically successful aetiological explanations includes recognising that what popular culture carves out when it makes colloquial characterisations of types of crime is itself systematically different from the sets of cases created by law enforcement institutions. What makes crime news – the sets of deviant acts that are selected for dissemination by organs of mass media – is not a commitment to reflect suffering but an effort to engage readers or viewers in reflections on the nature of the community they live in. Crime news highlights features of a presumed communal identity that the actions are seen to put into question: shoplifting by entertainment stars or by elderly recidivists, violent attacks on costumed characters at Disneyland or assaults on co-workers by employees of the postal service mandated by the US constitution. Popular culture seizes on crime and deviance

when they can be presented as shocks to what the audience believes holds them together.[4]

"School shootings", "going postal" and "rampages" are not legal categories, but neither are they definitions that are rooted in evidence about offenders' perspectives. They are rubrics that most systematically reflect what makes crime newsworthy. Part of the horror generated by school shootings is the shocking realisation that individuals can be so deeply integrated in the community – in school, which is widely proclaimed to be a community's most formative public institution; residing in anodyne suburbs; passing for lengthy periods as reliable workers – and at the same time exist outside of any moral control. Their newsworthiness rests on the quasi-religious question, what do such acts say about our collective moral power? When violent crime occurs where it usually does, which in the Western world means in private lives and public places in low-income minority areas, popular culture has pre-made ideological answers to the question. These are places where all, from the right and from the left of the political spectrum, generally agree that the moral force of the community has not penetrated or dominated. So such crimes routinely are not newsworthy. When the news media report that crime has occurred in the heart of the heartland, among the most innocent and cherished, in the most protected and respectful places, the public wakes up to search for hidden breaches in the fabric of the community's collective embrace.

We have, then, a tripartite distinction, between transgressions as lived by offenders, as recognised by legal officials and as picked up in popular culture: most importantly by the news and the entertainment media. Each has been the province of a different set of knowledge-builders, the first being the stuff of autobiography, investigative journalism and a small band of stubborn academic researchers[5]; the second constituting the data worked over by positivist criminologists; and the last emerging about 50 years ago among social researchers, eventually known as "cultural criminologists", who began to raise questions about how popular culture defines acts and people as deviant.

Research of the last sort thrived for about 20 years, between 1960 and 1980, under various new rubrics. In the UK, Stan Cohen's "moral panics" emerged more or less at the same time and as a cousin to the Becker-Kitsuse-Lemert-Erikson-Garfinkel-Goffman contributions to "labelling theory". In a second stage of this work, "constructing social problems" became a perspective on the historical stages in establishing popular understandings of deviance.[6] In a third stage, which is still thriving today, researchers sympathetically study social movements

that are aimed at dismantling definitions of deviance, whether in the form of stigmatised physical "handicap", racism or denigrated sexual orientations.

Taken in isolation, there is no intellectual news in any of the points made above. For centuries jurisprudence has taught law students the justifications for the wilful under- and over-inclusion achieved by crime's categories. It is not long into any criminal research project before a researcher discovers the relevance of over-inclusion for the study at hand.[7] How is it that everybody knows that law enforcement categories, much less popular culture's categories, are inaccurate ways to define an explanandum for causal explanation, and yet go on doing it anyway? How is it that research programmes for developing aetiological explanations of crime and deviance, on the one hand, and research programmes to explain the social construction of social problems, on the other, thrive in peaceful indifference to the implications of each for the other?

It is a short step from seeking research funding to a dependence on law and popular culture in shaping empirical research agendas. Where to get the organising definition – at least, one that will be intelligible to funding agencies – if not from some mixture of the law and popular culture? The pragmatics of administering large grants reinforce the need to pre-define the explanandum for practical administrative purposes. How to tell the researchers where to go, and what to inquire about, without using legal or pop-cultural categories to pre-define the phenomenon to be studied? How to define the object of study from the offender's perspective without first doing the research that grants might fund? This is the devilish Catch-22 that haunts all sociological research.

The alternative is to take a popular label like "school shootings" as crudely pointing to something that may have an essential aetiological uniformity, and to begin making rough comparisons among types of behaviour in order to begin honing in on the distinctive but not yet named phenomenon of interest. For example, we may pick up the shock character of the assault in many school shootings as representing criminal violence that is abruptly imposed on victims, and draw a contrast with criminal violence that only progressively makes compelling sense to the aggressor as his interaction with the victim develops. In one regard, the opposite of school shootings is a criminal attack that begins with a relatively modest intervention in a victim's life, which then commits the assailant to a more destructive intervention, which in turn sets up the provocations of a yet more harmful violation, which then becomes a situation in which murder suddenly makes compelling sense.

A would-be thief approaches a car to steal items. He finds a driver retrieving keys from a handbag. With the unexpected means to steal the car at hand, he takes it. To avoid making a scene and leaving a witness, he takes the driver too. Having successfully avoided suspicion when exiting the car park – security camera photographs show him in the passenger seat and the victim driving with no obvious fear in her expression – he directs the driver to go to an isolated spot so he can work out what to do. Once there, the opportunity to rape is irresistible: having kidnapped, rape will add minimal additional culpability. In the cold silence that follows, he realises the now enhanced value of eliminating the witness. This sequence describes a progression towards an ever more violent identity.

Many school shootings fall on the opposite end of the scale, in that the initial attack creates an insurmountable experience of violence in the aggressor's life. After the assailant has shot a number of passive victims in a precious place such as an elementary school, any subsequent action – an escape, a battle with armed professionals, the theft of a getaway car, an attack on a potential witness – can only detract from what has already been achieved. And any of these subsequent steps may be bungled. The initial attack defines an identity that cannot be transcended. It would take a great deal of help – say, from a terrorist network – to chart out a future in which such an attack could lead to an even more glorious self-indication.

If from the start we think about a colloquially aggregated set of cases in a comparative way, the colloquial label will soon be surpassed by a refined definition of the explanandum. Once this investigative course is chosen, the logic for proceeding towards a more empirically accurate conceptualisation is familiar. It is through a research strategy that in sociology has been known as analytic induction and which, without the benefit of a guiding rubric, is the methodological stock-in-trade of the humanities in general.[8]

Analytic induction is as much concerned with discovering and specifying the explanandum as with assessing candidates for explanation. Each fact, case or instance considered is examined in relation to a hypothesised perfect or universal relationship between cause and effect, with the researcher mutually adjusting the definitions of the explanandum and of the explanans so that each case supports the theory. The result will be to separate out various subsets of what law enforcement and popular culture lump together as one phenomenon, and the inclusion in the explanandum of cases treated as distinct, both by self-defined victims, by officials and by the agencies of popular culture.

For "school shootings", what next definition of the explanandum will emerge? Perhaps the very difficulties that initially block our way also point towards an answer. School shootings compel our attention because, unlike forms of violence that are everyday phenomena, they appear to go beyond any utilitarian purpose, beyond the limits of "evening things up", "pay-back" or other versions of invoking a norm of reciprocity to make sense of violence as revenge. They are "rampages" or attempts to "massacre" victims who appear to be almost randomly selected.

But not quite. Rampages and massacres, such as those in genocidal raids and in shootings of passers-by on streets, often target strangers in places the aggressor has never before visited. School shootings, and the workplace shootings that get the most media attention, as well as some attacks at airports, in shopping malls and perhaps driver-guided transportation crashes, attack strangers but at a site that has had some special meaning to the aggressor. Somehow, in the aggressor's biography the site has taken on a significance that is uniquely fascinating, disturbing, haunting.

A seemingly schizophrenic combination of opposites – the effort to massacre large numbers of randomly targeted victims along with the intimate nature of the attraction that the site has for the aggressor – appears to set school, workplace and certain other violent behaviours apart. Media attention is not insensitive to this schizophrenia. On the one hand, the random nature of the attack means that victims were unable to anticipate it, which after the fact makes observers near and far sense their own vulnerability. On the other hand, the unique personal meaning of the site to the aggressor suggests that there was an elaborate building up of meaning, which makes the resulting murders compelling mysteries.

The enigmatic character of some acts of randomly selected, violent victimisation sets them off from other types of mass violence. Terrorist attacks differ in that the aggressors are all too eager to explain their violence to us. Terrorist attacks make us physically but not cognitively vulnerable. Domestic and youth gang violence also emerge from symbolically dense and emotionally long-compacted histories, but their targets are circumscribed in ways that make us at once personally indifferent and idly curious about why people who are in most social dimensions so much like each other focus aggression so specifically on each other.[9]

As an initial formulation for the class of events of which many of the most disturbing school shootings are a part, but as a class that will

include events in other sites, I suggest "intimate massacres". This phrase at once registers the personal biographical meaning of the location of the attack to the attacker and the indiscriminate targeting of victims.

How, then, to work towards the explanans? Here a theory of social ontology becomes indispensable. A theory of ontology specifies the nature of being. It asks, what is true of everything that exists or has ever existed? That metaphysical question becomes useful for sociologists when transformed into a theory of social ontology, which asks, what is true of any moment in which a human being relates to others?

A first principle of social ontology is that any social phenomenon, any moment in which an individual relates to others, is a form of life, something alive, something active. Put another way, any moment in which one relates to another is a certain kind of doing. What the individual is doing is itself a matter for research, hypothesis testing, discovery. When confounded by any form of behaviour we wish to understand, the guiding question becomes: "What is he/she trying to do, in doing that?" Answering that question provides a motivational explanation. Aetiology is sought in what Alfred Schutz termed the "in order to" sense of motivation, rather than the "because" sense, which turns our attention to backgrounds, whether biographical or social-ecological/contextual. A search for explanation based on social ontology shifts research attentions from background factors which pressure or overcome the actor's subjectivity towards appreciating how the actor builds up the motivation that will become compelling to him.

The general question posed by a theory of social ontology is: what are people doing in creating any moment in their social lives? Expanding on Herbert Blumer's lead – Blumer defied sociologists to locate any instance of social life that was not produced through interaction – I propose that social ontology consists of three processes: sequence, interaction and embodiment. The order in which the three may be examined in an analysis aimed at explaining a given form of social life is a matter of convenience; there is no assumption of causal priority. In creating every moment of social life, the actor shapes his or her behaviour so that it takes on a specific meaning as it fits into the ongoing sequences in his or her life; the actor tailors his or her behaviour so that it will be taken into account by another in a particular way (the other at times being the actor him- or herself); and the actor embodies his or her action by grounding behaviour in a landscape that sustains or transforms the actor's experience in a sensual/emotional way.

A theory of social ontology is a kind of philosophy for sociologists, a way of calculating first principles. To be adapted for use in discovering

and testing explanations, social ontology must be directed towards difference, change, variation. Addressed to a *distinctive* form of behaviour, a theory of social ontology points investigators to search for the *unique* forms of the constitutive processes that create the behaviour in question. What is different about the sequential meaning, the interaction process and the embodiment of intimate massacres, in contrast with other forms of behaviour and, in particular, other forms of violence?

1. Sequential meaning: Passing a point of no return

At any moment in social life, people shape their behaviour with regard to where they are in several ongoing sequences, whether they be trajectories, progressions, careers, histories or biographical developments, as understood by the actor. At any moment the individual will be shaping his or her action with regard to several sequences. Some are understood to run parallel to or independently from each other, while others are like Russian dolls, processes that are understood to change simultaneously as progression at one level affects progression at another. The multiple sequential meanings of action, as attended to by the actor, give layered, multiply resonant qualities to participation in social life.

A given individual may start his or her day in public life by, at once, talking to a friend on the car phone as a way of starting the daily round, responding to the other's prior comment to show you are engaged with her, trying to overtake the car in front, getting closer in time to the next scheduled engagement, being stuck in traffic, appreciating an aching back as a sign of ageing in various social and biological ways and moving at different speeds and in different stages through various other progressions in social relationships with people who are not physically or virtually present, such as work projects with colleagues, anniversary present-giving obligations to family members, tax-filing deadlines and so on.

Considering how little we know about the multiple sequences that frame anyone's experience in a given moment of social life, it is not surprising that popular and academic culture ignore the multilayered temporal significance of any criminal act. With regard to intimate massacres, to the extent that media reports, sociological and psychological commentaries appreciate the sequential framing of an attack, they generally engage in a backward analysis and focus on a single path leading to violence as a culminating moment. Perhaps the suggestion is that the act was a response to bullying or to a dare, a fulfilment of a veiled promise to "show" the others something, a motivated distraction from

a catalytic rejection (in academic evaluation, of romantic entreaties, in efforts to join a peer group). In any case, the attack is seen as a subsequent to one or other particular event or events, considered more or less in linear rather than multilayered, variously progressing, halting and reversing fashion. Sometimes the explanatory language gives up weighing the contributions of prior events and becomes metaphorical by pointing to a history of provocations and suggesting a blowing up of tensions that can no longer be contained.

Intimate massacres, at schools, workplaces, shopping malls and so on, distinctively do not just respond to particular prior events, as a revenge attack might do. Their distinguishing form of violence is its generality: the attacker does not attempt to focus violence on pre-selected others. The generality of the violence indicates that the attraction of the attack has a generalised appeal in a sequential sense.

Instead of responding to a particular earlier provocation, which would keep his biography linked to specific earlier scenes, the attacker seeks to achieve a generalised departure from his past. The distinctive value of an intimate massacre is to turn away from the past as a whole. Randomness in choosing targets serves the end of reaching an end. We have reason to hypothesise that the sequential contingency of intimate massacres is reaching a point of no return.

In addition to their liberal inclusion of virtually anyone present as a worthy victim, a striking feature of intimate massacres is the lack of planning to get away. The absence of a detailed or reasonably plausible escape plan is common, whether an intimate massacre is done by adolescents in school contexts or adults at workplaces. These acts create final moments in a social identity. In that respect they are fatalistic, at least in the sense of being foreseen and chosen as abandonments to fate. There is no substantial indication that the attackers subsequently show remorse, fantasise about being able to go back to the possibilities in life as lived earlier or otherwise hesitate to embrace the authenticity of their action as crossing a point of no return.

Intimate massacres often end in the assailant's death at the scene of the attack. Are they suicides? But if suicides, why take other lives? The lack of a plausible escape plan, combined with a specific intention to take others' lives, puts these lines of aggressive action somewhere between revenge and suicide. With revenge they share a dimension of retribution for disrespect suffered. But they go much further than that. With suicide they share an acceptance of oblivion, a negation of one's future. But they are killings of others as well as of self, and so they are not "suicide by cop", a phrase that refers to courses of action that predictably

lead to the aggressor's demise in scenarios reminiscent of Hollywood's "hail of gunfire". Indeed, sometimes the attackers drop their weapons and surrender. Like terrorists who die in collective assaults or in the imagined company of religious communities they claim to honour, if those who mount intimate massacres are resolved to die, they are not content to die alone.

Instead of seeing a sequential meaning in the future, as terrorists do when they see their attack as a step on a path that others will continue on, attackers creating intimate massacres see the attack as a culmination of past actions: it is enacted as a final act in a drama already developed through several stages. The younger the attacker, the more fantastical the preparations. Like Perseus on his way to free Andromeda, one of the early "quest" sagas that have become a mainstay of computer games, they pick up various weapons, consult sites that offer them virtual charms and hide their plans, the better to overwhelm, mystify and surprise victims. The attractions of the act are in part embedded in their culminating potential. The ongoing sequencing of the attacker's life, in all the streams of change the attacker has simultaneously been in, is sacrificed in favour of bringing a train of preparations to an abrupt, crashing end.

Several patterns indicate that the sequential objective in committing an intimate massacre is reaching a point of no return. There is the "one-off" nature of the attack, which is not only indicated by the absence of a viable escape plan but is also, in contrast to most forms of violence, emphasised by the frequent lack of prior, lesser aggressions. The absence in most cases of a history of prior aggressions has led to the unwarranted explanation that the attacks are caused by bullying. The image is of long-enduring suffering finally exploding. But the aggressor's prior passivity does not explain the details of the attack, which is typically the culmination of planning, not the sort of sudden outburst in acts of righteous aggression that characterises much violence among intimates. Most significantly, preparations for the attack far outweigh planning for post-attack life.

One act of planning post-attack life is a kind of exception that indicates the rule. The enigmatic nature of school and workplace shootings is built up by the erasure of preparatory measures. Explanatory documents are not left to guide the understanding of survivors. Computer files are destroyed. Those who can be anticipated as sources that the news media will turn to for explanation are left in the dark or, as occurs when young attacks kill family members on the way to the focal

site, removed. The attack is designed so that the scene of violence will embody the final word.

2. Interaction strategy: Destroying a site-based personification

In addition to investigating the sequential placement of the aggressive act, we can gain further traction on the aetiology of intimate massacres by asking about their distinctive character as a form of social interaction. These attacks are not just efforts to reach a point of no return. Suicide would accomplish that. In a sense, intimate massacres betray a failure to sustain faith in the promise of suicide, which is a far more common response to emotional turmoil. Suicide destroys the self. That is not quite the objective in intimate massacres.

The dialectic suggested by "intimate massacre", of a profoundly private and yet stunningly public event, is essential to the motivating dynamics. In seeking explanations, commentators usually debate points along the prior history at which a road to violence might have been abandoned. But that is an outsider's view. The more subjectively relevant question, one that is shied away from when moral horror displaces aetiological inquiry, is why the attackers do not simply kill themselves. There is something the attackers wish to accomplish in social life, something that will survive their death. Suicide would destroy the self and achieve a point of no return, but it would not destroy one's personification in place.

As the symbolic interaction tradition has developed the understanding of individual identity, it is a product of self (or who one is as encoded in one's actions towards others) and person (who one is as implied in other's actions). Everyday life shapes individual identity through a constantly problematic lamination of self and person. Others' actions imply a version of oneself that one may find inspiring, depressing, challenging and so on. One's actions towards others contain presumptions and pleadings as to how those others will respond, whether in confirming or disconfirming ways.

The vocabulary of respect is a colloquial way to address the dialectics of self and person that constitute individual identity. Experiences of pride and humiliation register the emotional repercussions of the problematic lamination of self and person. In experiences of disrespect, one experiences being treated as unjustifiably claiming a version of self that will not be complemented. This error in lamination is more commonly

recognised than is the inverse error: the awkward experience of being treated with too much respect, which also, if ironically, may be taken as by the recipient as a form of disrespect.

Disrespect may be registered whether one is treated as either more or less competent than one understands one's actions to imply. The technical nature of problems in sustaining a laminated identity is important to emphasise because it is appealing to believe that negative emotions (shame, hostility, depression) can be overcome through routinely positive treatment. But those who mount intimate massacres have not necessarily been rejected. They may have been treated too positively, such that they have been unable to embrace the personification they have received.

How can treatment by others that is too positive be a problem? Take, for example, a student who, understanding he does not understand, poses a question that is greeted by a teacher as a "great" question because the teacher wishes to avert the possibility that the student's admission of ignorance will be shameful. The student does not understand the question as great, doubts that it is and senses that he is being offered a false image of self. Perhaps the student understands that for the teacher a straightforward admission of ignorance would be too horrible to acknowledge. Analysts and policymakers who treat the dilemmas of delaminated identity as matters of insufficient respect misread and trivialise the interaction complexities and confusing emotions that are at play. It may be that intimate massacres are strategies of frustrated masochists.

There is no clear pattern in the antecedents of intimate massacres that show demeaning prior treatment as causal. Whether in the form of bullying, school performance or workplace evaluations, the correlations are inconsistent, and – something that is rarely, if ever, considered – the direction of causality is always unclear. The evidence never allows us to know whether experiences of disrespect came after or before negative treatment. Adolescent society is particularly keen on detecting problems in the lamination of identity. It is as logical to hypothesise that intimate massacres are the upshot of insufficient bullying as it is to imagine that they are responses to excessive bullying. Schoolmates, who are compelled to associate with each other by the force of the state, have special interests in detecting those whose emotions are "weird". When mass attacks erupt, they justify the apprehensions of peers that adults have compelled them to suffer the results of emotional disturbance that has its roots in domestic environments to which they have no access. Respect-themed provocations by peers that are geared to elicit publicly

witnessed reactions should be appreciated as ways of playing to peer interests in discovering what they may be dealing with.

In any case, whether people at or associated with the site of the attack have sustained the delamination of the attacker's social identity through negative or overly positive treatment, the clearest pattern is of delamination itself: the attacker has not been able to generate a self that accepts or complements his personification in place. The attacker has not necessarily, or not only, been a "loner". To use the phrase offered by Katherine Newman and Cybelle Fox, he has most often been a "failed joiner".[10]

Given the motivational significance of the place targeted, an explanation of intimate massacres must comprehend how a given site has come to embody the attacker's struggles with a delaminated identity. Terrorists choose their targets based on iconic identities. They favour sites that a community has taken to be critical, precious, somehow summarily evocative of collective identity. These may be schools, workplaces, public gathering sites, government buildings, sports events, shopping malls and so on; the variety of places that are honoured as iconic of communal identity makes defence strategies especially difficult. But in any case terrorists will not necessarily have had any personal involvement at the site of attack, which presents also practical difficulties for successful attack strategies. Hostage takers are also relatively indifferent to the personal meanings of the sites they target. They may happen to be where a particular other person is present or where an interrupted crime has left them boxed in.

In comparing forms of randomly targeted violence, a distinguishing feature of intimate massacres is that they occur in sites in which, to the aggressor, his identity has become diffused and embedded. Whether through paranoia or an accurate perception of gossip, the attacker appreciates that the person he is taken to be has become a feature of the place in general. It is this understanding that is a critical contingency for making the massacre objective sensible. As inchoate as the phenomenon may be, there is a reality to one's "reputation" in a school or work site. Who should one attack to destroy an abiding reputation? If the objective is to destroy one's personification in place, it makes sense that there would be a certain measure of indifference in the selection of targets.

Intimate massacres are events that fulfil the objective of destroying the person one has been taken to be, without constructing a future self. They construct a point of no return, both in creating no basis for a reasonably anticipated future – if the attackers are crazy, they do not appear so crazy as to think that they can resume a planned life after the

attack – and in fundamentally transforming who they will have been in the eyes of intimates who survive. Predictably, their pasts will be reinterpreted, through recollections of premonitions, searches for missed early warning signs, clues to a dimension of suffering that could have reached the scale of the destruction wrought. The only future that the attackers guarantee is a reinterpretation of who they were.

3. Embodiment: Crystallising chaos

The third aspect of social ontology is the embodiment of action. Every intention to express oneself is materialised through incorporating a certain instrumentality. Every perception of how others regard oneself is registered from a certain corporeal stance. Every distinct moment in social life is a metamorphosis, a change in the embodiment of behaviour that effects a transformation with a dynamic sensual/sensible aspect.[11]

In intimate massacres, the key transformation is in the enactment of violence itself. In contrast to violence in robberies and in domestic relations, where violence is commonly a chance or unanticipated upshot of evolving interactions initiated through non-violent means of communication, it is the vision of enacting violence that guides aggressors to the site of intimate massacres. What is the prospect that is the charm of that vision? Compressing chaotic imaginings into a singular enacted drama. The emotional dynamics leading to intimate massacres revolve around the crystallisation of chaos into an unchanging, profoundly grounded, exquisitely detailed narrative. If the attacker's emotional life was experienced as barely under control and impossible to specify in words, the outcome of the attack will be a narrative whose reach and boundaries – who was harmed, to what extent, who escaped, by what luck or device – will be precisely and permanently traced.

Most inquiry and commentary on school, workplace and other "rampage"-like violence focuses on the origins of personal chaos. The blame may fall on a lack of supervision of peers' cruelty, on family psychopathology or child abuse by strangers or even on violent content in entertainment media. An alternative approach is to follow the lead of Edwin Lemert's "secondary deviance" concept, which leaves the origins of personal chaos outside of sociologists' research competence. Think of intense psychic chaos as a low-level but ever present and socially ubiquitous phenomenon that can be found in virtually any social area. Research inquiry begins by focusing on how individuals may make social sense of the chaos they experience. This sense-making is a phenomenon that varies significantly across social settings.

Nietzsche provided a perspective on the relationship between psychic chaos and criminal violence that he understood would be hard to accept. Based on the suggestions commonly made about the causes of school, workplace and other "rampage" shootings, his perspective remains elusive.[12] The critical insight is that the person in chaos is not just bouncing from one frustrated affiliation and embrace to the next but, while caught up in his disease, is thoroughly confused about its origins and causes. Obsessively seeking a way to make sense of the delamination that is the everyday reminder and ever renewed provocation of his disease, the actor seeks to embody what he experiences as emotional wildness in a form he can comprehend. There is no reason to think that his choice of explanatory narratives is any less wild than the chaos he lives with, or that he understands the way to make sense of his experience of chaos any better than do those trying to make sense of his destructive results after the fact.

In Nietzsche's example, the person-in-chaos does not kill in order to steal, although conventional thought prefers to believe in such instrumental motives for violence. That is, robbers do not use violence only because victim resistance makes violence situationally necessary to achieve theft. On the contrary, they rob in order to kill. In other words, they put themselves in circumstances that are likely to provoke interactions as wild as what they live with on an everyday basis. Some of the wild responses they provoke from their would-be victims will make their use of violence seem situationally rational.

Some assailants may be as terrified by their madness as their victims are. If they could embrace their madness, suicide might suffice. Instead they adopt an alternative, a dodge, a relatively comfortable way to live with chaos. They hide their self-afflicting turmoil under the cover of a practical justification for being violent. If robbery victims resist, than it is not so crazy to kill them. Violence is then a necessity for a logical, reasonable, communally understandable, if not acceptable, action. Likewise, if peers have humiliated the student or worker, righteous rage is a fitting response, not the cause of the rejections that have been suffered.

There is a strong correlation between intimate massacres, especially school shootings, and what is currently known as "red" social geography. School shootings have almost always occurred in small towns and suburbs, areas that are predominately white, with middle-class standards of living, where the incidence of extreme poverty is low and where residents embrace conservative religious practices and views on social issues. In short, school shootings are bunched in the sort of place that in contemporary US political life predictably votes Republican.

Noting this strong correlation, it seems natural to seek the aetiology of school shootings in the fabric of red-area social life. Perhaps there is too much suppression of non-conforming feelings. Perhaps there is too much social cohesion, inter-institutional integration, "collective efficacy", parental involvement in schools, communal monitoring of the lives of youngsters, such that those who are aware that they do not fit in cannot escape the pressure to fit in. Perhaps guns are too readily available or gun culture is too widely embraced.[13]

In a subtle way, the definition of the explanandum as "school shootings" sets up a circular reasoning that locates aetiology in the social conditions that distinguish "red" areas. The tautological nature of this reasoning becomes visible when we turn our attention to criminal violence by similar school-age males in "blue" areas – in particular, in the inner-city minority neighbourhoods which, for at least 50 years, have consistently produced much higher levels of peer homicide than the levels produced even by the rash of school shootings that began to attract intense media attention in the 1990s. "School shootings" has become a uniquely available trope for crystallising psychic chaos among young men in red areas.

Consider their counterparts in blue areas. What do young men in low-income, centralised urban neighbourhoods find as narrative vehicles in which they might embody emotional chaos? Everyday violence and contraband traffic around middle schools and high schools will often be well institutionalised in low-income, inner-city, minority ethnic/racial areas. With that ecological background, virtually any attack may be explicable as revenge, as peremptorily creating an image that has deterrent value or as a way to collect legally unenforceable debts. Individuals who do not have a personal basis for revenge, personal debts to collect or a specific plan to exploit a fearsome reputation may be in a gang, which can supply all of those sufficient reasons for otherwise "senseless" violence. Violence in blue areas also readily makes sense by virtue of conventional explanations for personal pathology that focus on parental absence because of imprisonment, the need to work long hours and multiple jobs or death from prior violence. Where violence is common in domestic life, peer violence among adolescents is a short extension from partner abuse among adults and inter-generational violence in child-rearing. Researchers have documented a deficiency of trust and cooperation among neighbours in low-income, minority, inner-city areas and argue that the lack of communal supervision of adolescents leads to high rates of violent crime.[14]

The social geography of intimate massacres is compatible with the view that psychic chaos in "red" areas is as prevalent as, or even much less prevalent than, in "blue" areas. In red areas, where collective efficacy is high, signs of deviant tendencies are routinely and generally picked up by adult authorities and either suppressed or used to guide youth-in-chaos into remedial or therapeutic settings. Contraband markets flourish in middle-class suburbs, but not in public life.[15] Youth culture celebrates nihilistic, savage and "dark" themes, whether in versions of Goth, skinhead or, ironically, "ghetto" culture. But peer interactions do not become organised into gang violence, violent enforcement of contraband market obligations or street robbery patterns. Similarly, in workplaces and in university-level education environments, there are no at-hand, long-standing, ubiquitous, publicly recognised patterns of male-to-male violence (at least, outside of contact sports teams). In such settings, chaos more commonly translates into suicide and solo risk-taking as expressed through drinking, drug use and high-speed driving. Public health figures indicate that fatal risk-taking is not confined to, or even greater among, inner-city youth.[16]

The eternal dance of explanans and explanandum

The discussion has circled back to the initial argument. How the explanandum is defined matters more than the literature on "school shootings" has acknowledged. Singling out school shootings for explanation leads to ignoring youth violence that takes other forms in other social geographies. Looking to the social ecology that is in the background of "school shootings", the researcher is hard pressed to locate any change that can be linked historically to the rise of school shootings. If instead we compare the social ontology of various forms of violence, we will define the explanandum as something like "intimate massacres", and we will appreciate the differences across social places in the narratives that are readily available for crystallising emotional chaos into strips of violent action.

Violence everywhere is appealing as a last course for glorifying and resolving tragic dramas. We should not be surprised that young men appreciate the satisfying narrative possibilities of sensational violence much as do playwrights and screenwriters, who often cannot find any way out other than through killing the hero of the drama. It is not that school shooters are provoked by media violence. The creators of media violence are responding to similar sense-making challenges as adolescent shooters.

Those who author the violent narratives that populate the mass entertainment media get a lot of help. Their projections are vetted, edited, repeatedly revised to satisfy the understandings of the large audiences whose anticipated interest justifies funding a collective narrative enterprise. Those performing intimate massacres are more or less working on their own, trying to bring off "one-off" productions, without the benefit of try-outs in secondary markets or rehearsals. Anxious about the success of their productions, appreciating that the narrative may well make sense to them in ways no others can fully appreciate, they find encouragement in staging the action where at least there is some audience familiarity with their personage.

But why should we find historical changes in the incidence of intimate massacres? In social settings where there are no other institutionalised narratives that make sense of youth violence, we should expect idiosyncratic creations of narratives that make sense of crystallising psychic chaos. With publicity given to some sensational attacks, onlookers can pick up and continue to elaborate the narrative threads much as they do when picking up music genres and sartorial styles. If we keep the inquiry on the side of the victims, it will seem intolerably insensitive to attribute intimate massacres to dynamics analogous to those affecting consumer fads. But seen from the other side, and with the reminder of the rarity of these events as well as of the enigmatic self-understandings of those who carry them out, we can at least offer the hypothesis.

Columbine-imitative narratives picked up by school shooters, claims of discrimination sometimes cited by workplace shooters and the political themes of an oppressive state quashing American traditions of individual liberty that have been offered by attackers on airports and government buildings should all be understood as alternative ways of grasping readily available explanatory motifs for crystallising personal chaos into sensational, identity-altering moments of violence. In social locations where there are at hand no other collectively recognised ways of making sense of interpersonal violence, there is always the violent imagery merchandised by the mass media. There is no convincing causal evidence attributing youth violence to the rise and geographical reach of violent motifs in films, popular music and computer games. Indeed, for 25 years media violence has continued to rise as rates of interpersonal youth violence have declined. The unique power of violent themes in culture is not to set wild emotions on the path towards violence but to penetrate social geographies everywhere, including outwardly sedate areas with low rates of violence in street or public life and, within them, the most densely private psychic recesses.

Notes

1. H. S. Becker (1964) *The Other Side: Perspectives on Deviance* (New York: Free Press of Glencoe).
2. An urban legend held that when The Beatles appeared on the *Ed Sullivan Show* in 1964, not a single hubcap was stolen in New York. Some 15 years later, the problem was riling Texas: J. Leahy (June 1977) "The Hottest Item on Wheels: Hubcap Theft", *D Magazine*, http://www.dmagazine.com/publications/d-magazine/1977/june/the-hottest-item-on-wheels-hubcap-theft.
3. Cf. M. O. Cameron (1964) *The Booster and the Snitch: Department Store Shoplifting* (New York: Free Press of Glencoe). Professional shoplifters do not randomly choose what they will steal or where, but the pricing established by the shop provides them with the results of market research so that they do not have to do it themselves. Price-tags allow them to pop up at any time and in any retail environment, confident of the value of the risk they run. Hubcap thieves do not enjoy that convenience.
4. J. Katz (1987) "What Makes Crime 'News'?", *Media, Culture and Society*, 9 (January), 47–75.
5. A dynamic concentration developed over the last generation among criminologists at the University of Missouri-St. Louis.
6. M. Spector and J. I. Kitsuse (2001) *Constructing Social Problems* (New Brunswick, NJ: Transaction Publishers). I recall the advice given by Sheldon Messinger in a session at the American Sociological Association's annual meetings in the early 1970s: a good bet for research on deviance would be to start a study on the development of smoking as deviant. And indeed smoking increasingly became defined as virtually criminal (as space-based prohibitions have emerged, smoking has become a misdemeanour) and as (psychologically) sick. These used to be alternative categories: V. Aubert and S. Messinger (1958) "The Criminal and the Sick", *Inquiry: An Interdisciplinary Journal of Philosophy*, 1(1–4), 137–160.
7. I watched this happen in real time as a research agenda was developed on white-collar crime. The top sociology journals were publishing articles that the researchers knew were misleading readers by, for example, coding "conspiracy" as a white-collar offence on the basis that it did not refer to violence or theft. The researchers were not so lost in the statistics or so superficial in their investigations that they did not know that the bulk of conspiracy indictments were devices with which prosecutors could attack the pre-eminently violent worlds of international contraband (then heroin and cocaine) drug-dealing. Such writings are not isolated events. They establish careers in academia, committing an intellectual lifetime and millions of dollars of professorial and research grant support to the refusal to take on what would be required to study crime from "the other side".
8. Analytic induction is a rhetoric for thinking through any research strategy in the sciences or the humanities that seeks a perfect alignment of explanans and explanandum as a way to locate and represent the essence of a phenomenon, which may be a line of social action, the definition of an animal species, the distinctive spirit of a historical era or the unique perspective used by an artist in producing her paintings. J. Katz (2001) "Analytic Induction",

in N. J. Smelser and P. B. Baltes (eds.) *International Encyclopedia of the Social and Behavioral Sciences,* Vol. 1 (Oxford: Elsevier), pp. 480–484. For an extensive demonstration of how analytic induction may be used to explain racial and ethnic perspectives in a work context, see J. Katz (2015) "Situational Evidence: Strategies for Causal Reasoning from Observational Field Notes", *Sociological Methods & Research*, 44(1), 108–144.

9. As Stefan Timmermans reminds me, one person's "terrorist" is another's "freedom fighter". Were this a writing aimed at explaining the motivation of "terrorists", it is likely that it would be necessary to transform the discussion so that the explanandum for the violence roughly indicated by "terrorist attack" would require new terminology that would more clearly hone in on action designed to provoke immediate fear and ongoing anxiety on a mass basis as a contribution to a long-term, ideologically embraced strategy. Here again we must distinguish the meaning of action from the victims' side and the motivating meanings from the aggressor's side. Violence will often engender mass fear and anxiety on the part of bystanders and onlookers even when the attacker's objective was laboriously, if unsuccessfully, structured to be confined to destroying the targets physically attacked. In trying to advance the research agenda on "intimate massacres" through comparative analysis, I am inevitably invoking as yet unrefined conceptions of various other forms of violence.
10. K. Newman and C. Fox (2009) "Repeat Tragedy: Rampage Shootings in American High School and College Settings, 2002–2008", *American Behavioral Scientist*, 52 (May), 1286–1308.
11. It is too complex a matter to work through here, but the sensual/aesthetic nature of social action, while experienced as a firm environment at the time, is not necessarily a tangible reality outside of the acting moment. "Symbolic" interaction is a corporeal reality, in a way that Blumer and others working in the tradition never grasped, because people have an endlessly rich capacity to make symbolic worlds their lived environment. In conversation, for example, one perceives and jumps into a gap, or pushes off from a correspondent's last expression, or hits a wall in attempting to get one's point of view across to others or rises in humour above the dominant line of meaning in the interaction, in recognition that there is a second meaning floating above that is available to be grasped, thus undermining the footing of the others who, if they "get it", shake in laughter. These figures of speech are in the first instance embodied grounds and means of expression in social interaction.
12. I first applied Nietzsche's unique understanding of criminal violence in J. Katz (1988) *Seductions of Crime: Moral and Sensual Attractions in Doing Evil* (New York: Basic Books), especially Chapter 8. In my reading of social science/criminology, the sentimentality that Nietzsche identified as blocking cultural and political acceptance of his understanding remains dominant. One way to put the resistance is: crime is much too valuable a resource for promoting policies for researchers, funders and commentators to sacrifice the opportunity to turn communal concerns against social conditions offered as aetiological. Nietzsche's resistance to what he called the righteous blindness of bourgeois interpretation (his figure of "the red judge") would today take another rhetorical form, perhaps: the opportunity costs of not

using crime as a form of symbolic capital for advancing favoured political/policy responses always is appreciated as significantly greater than the opportunity costs of not keeping description, analysis and explanation close to the phenomenology of violence.

13. The best single collection of studies of school shootings is the result of a project that grew out of Congressional funding supported by many "red"-area politicians who, while often resistant to social science research, were pressed by constituents to understand why their jurisdictions uniquely produce Columbine-like tragedies. M. H. Moore, C. V. Petrie, A. A. Braga and B. L. McLaughlin (eds.) (2003) *Deadly Lessons: Understanding Lethal School Violence* (Washington, DC: The National Academies Press).
14. R. J. Sampson, S. W. Raudenbush and F. Earls (1997) "Neighborhood and Violent Crime: A Multivariate Study of Collective Efficacy", *Science*, 277(5328), 918–924.
15. S. Jacques and R. Wright (2015) *Code of the Suburb: Inside the World of Young Middle-Class Drug Dealers* (Chicago, IL: The University of Chicago Press).
16. I have several times had to refer disbelieving readers to the documentation for the relative similarity of mortality rates for white and black teenagers – car accidents predominating for the former, "homicide and legal intervention" for the latter – which I first made based on mid-1980s' data, when crime rates were nearing all-time highs among urban black males; Katz, 1988, p. 335.

Part II
Discourse and Imagination

8

German Rampage: Social Discourse and the Emergence of a Disturbing Phenomenon

Jörn Ahrens

When, on 26 April 2002, the first school massacre with an enormous bloodcount of 17 people killed (including the offender) hit Germany, the shock and astonishment were enormous. Nobody thought that such a deed could possibly happen within German society, broadly peaceful since World War II and owing to the structures of the modern welfare state. Symptomatically, Germany's leading newspaper, *Frankfurter Allgemeine Zeitung* (*FAZ*), stated the following day: "Previously we have only seen images like this in reports from America."[1] In what is today, in cultural terms, a massively Americanised German society one thing still seems to be the trademark of America: the obvious problem of public violence. Thus the phenomenon of rampage and/or school shootings in Germany could generate questions that address both the lasting presence of violence within the social realm and the seemingly ubiquitous representation of violence through cultural artefacts. In this chapter I will focus on these two problems by examining German media coverage following the two most disturbing school shootings in Germany within the last decade: the Erfurt massacre of 2002 and the Winnenden massacre of 2009. This work is part of my research about rampages in Germany and the United States, which is still in its early stages. Therefore I will focus on two newspapers only – *FAZ* and Germany's leading weekly news magazine, *Der Spiegel*. The data involved in the final project will be much broader in scale.

In this chapter I will first give an overview of the two case studies of German school shootings dealt with here: Erfurt in 2002 and Winnenden in 2009. The special significance of the German use of the term "amok" will be described in the second section. The third section

presents and analyses the media coverage in *FAZ* and *Der Spiegel*. Here I focus on interfaces and differences in the reporting and demonstrate the extent to which this media coverage is part of a discourse formation as both a narrative of what has happened and a meta-social negotiation about the status of violence. On this basis, the fourth section discusses the notion of evil in the phenomenon of the rampage, focusing on the question of evil in a (post-)modern society.

1. Case studies: Erfurt and Winnenden

When the first school shooting atrocity in post-war Germany was committed, in April 2002, it was not that the country had no previous experience of such acts of rampage. Germany had seen such events time after time. However, the body count had always been clear and the events were not ostentatiously militarised. In the aftermath of the 1999 massacre at Columbine High School in Littleton, Colorado, what happened in Erfurt was seen as the extension to Germany of a, by then, seemingly American culture of violence. In that sense also it was possible to talk about a globalisation of rampage. The city of Erfurt has a population of 203,500, beautifully located in the Thuringia region, with its forests and little mountains, and is the capital of the Free State of Thuringia, one of the five eastern German states. The city is the urban centre of Thuringia, despite being in close proximity to the lively but smaller cities of Weimar and Jena. But Erfurt is still not huge and is regarded as pleasant and peaceful. On 26 April 2002 the 19-year-old Robert Steinhäuser entered his former school, the Johann Gutenberg High School, an old *Jugendstil* building from 1910, at about 10.45 a.m. Inside the school building he changed his clothes, dressing in black from head to toe, including a black mask. He was equipped with a Glock 17 (9 mm Parabellum) pistol and a pump-action shotgun. Calmly and methodically he then roamed the four-storey building. Within about 20 minutes Steinhäuser had killed 16 people, most of them teachers (12 teachers, two students, one secretary and one police officer). Finally, after taking off his mask, Steinhäuser met his former history teacher, Rainer Heise, who confronted him directly with the words "Robert, you can shoot me now." To which Steinhäuser replied: "For today I've had enough, Mr Heise." Heise then pushed him into a room and locked the door. There, still holding his gun, Steinhäuser shot himself. Until that day Robert Steinhäuser had not been in any way remarkable. However, because of some forged documents he had used at school, he was expelled in October 2001. He systematically hid this fact from

his family and friends. The day he started his rampage was the day his former schoolmates were taking their high school examinations. Steinhäuser was member of a local gun club; he was a passionate gamer on Counter-Strike and fond of heavy metal music.

Some seven years later, on 11 March 2009, the 17-year-old Tim Kretschmer committed a similar shooting at his former school, Albertville Middle School in Winnenden, a town of 27,000 near Stuttgart, in Germany's wealthy state of Baden-Württemberg. Although definitely not quite urban, Winnenden is not exactly rural either: its population of nearly 30,000 is about average for a German small town. Kretschmer entered the school building at about 9.30 a.m., armed with a Beretta 92. Within a few minutes he had shot several students in two classrooms. When the police arrived after three minutes he fled, taking hostage a car driver with whom he began a nearly 100-kilometre odyssey, until the driver managed to escape from the car. Kretschmer then fled into a car showroom in Wendlingen am Neckar, where he killed more people. After being wounded by the police, he finally shot himself. The video of his death, taken on a mobile phone, can still be downloaded from YouTube. In all, Tim Kretschmer killed 15 people, plus himself, and wounded 11.

Kretschmer left Albertville Middle School in 2008. His father was member of a local gun club and owned 15 guns, and frequently took his son to shooting training sessions. Kretschmer took the gun and ammunition that he used from his father's bedroom. Kretschmer has been described as unremarkable; his parents denied reports that he had received psychiatric treatment. The father himself was accused of being an accessory to murder because he failed to store his weapons and ammunition safely; in February 2013 he was sentenced to 21 months on parole.

2. Running amok

Both of these school shootings generated massive media coverage plus a broad public debate, which is why an analysis of such discourse may produce an insight into the relationship between society and violence in general – and, in particular, sudden and dramatic outbreaks of violence in public. Regarding the phenomenon of such shootings, it is noteworthy that the German language does not have a term for "school shooting". It was only after the Winnenden massacre that the term slowly became accepted, in academic discourse and in public debate. Influenced from the US-American discourse, German culture adopted

the English terminology – there is still no German word for such events. Instead, Germans like to use a terminology that is as exotic as it is problematic when speaking about cases of people "running amok". Anyone who goes on the rampage in public is referred to as running amok [Amokläufer]. Although it is used less today with regard to school shootings, the notion of running amok is still highly influential, and the phrase is the one most frequently used in the public discourse, by politicians and the media.

The core problem that the notion of running amok inherits is its semiotic and symbolic communication, setting a distinct understanding of what has happened in such an event. Running amok implies a personal state of bewilderment and of being out of control. Anyone running amok is considered to be not themselves while they commit their crimes; they only return to consciousness afterwards – like an awakening – or kill themselves straight away. The notion of running amok itself is bound to an epistemology of cultural meaning and has been borrowed from the Malaysian word "amuk" ("mad, berserk"). It has come to Germany via European travel writings, most of them colonial, from the 13th century onwards and is thus the result of exotic curiosity and communication.[2] In the 16th century the Portuguese produced the first reports of people running amok, describing it as grotesque form of unpunished murder.[3] The term then has an interesting career. First it is seen as a specific Malaysian military practice – elite warriors storming their enemies without any thought of their own life are thought to have screamed "amuk!" This eventually stopped because of colonialism and the arrival of Christian missionaries, and the term "amok" came to denote a form of religious bewilderment.

Eventually, in the 19th century, the modern notion of "amok" came to be used in a medical context. Now it signifies a state of mental absence, someone who is out of their mind and suddenly goes on the rampage, killing anybody near by. The first German dictionary to include "running amok" [Amuklaufen] is from 1912, and describes it as referring to a form of homicidal madness that occurring out of the blue and can last for hours or even days.[4] Thus the medical and cultural dictionaries rather follow the early travel writings but still obviously incorporate this epistemological heritage. From an ethno-behaviouristic viewpoint Carr defined the phenomenon of running amok as "an acute outburst of unrestrained violence associated with homicidal attack, preceded by a period of brooding, and ending with exhaustion and amnesia".[5] Thus he is, interestingly, reproducing the medical and psychological image of running amok that had been established in the 19th

century, which had been given the seal of scientific approval. Although Carr considers the idea of running amok to be "indigenous to the Malay peoples of Southeast Asia"[6] and a strictly "culture-bound syndrome"[7] that "will be found prevalent only among people who share Malay conceptualisations and behavioural norms",[8] he still operates within an inherited epistemological and discursive framework. This is intriguing, because it is rather the "recent ethnological, sociological, and psychiatric knowledge that equipped Malaysian amok with its abrupt and disturbing characteristics, or, vice versa, it was such knowledge that proved to be amenable for the causeless, inexplicable, and spontaneous aspect of these offenders".[9] With this background it is not the case of amok as Malaysian "culture-bound syndrome"[10] that is of interest for an analysis of contemporary culture or, at least, somehow relevant to modernity. In fact the concept of amok must be understood as an "issue of our knowledge, a subject by which, moreover, our societies negotiate themselves".[11]

The peculiarity of even our contemporary German understanding of "amok" with regard to this epistemological history is that cases of running amok are not considered to be motivated by any rational cause. Instead, the notion of running amok throws up a wide range of possible associations, involving the role of the other, of irrationality and of madness. And, again in a manner similar to the early reports about Malaysian instances, cases of people running amok nowadays only appear as reports or as news items. The mediality of running amok is decisive: it is a phenomenon that very few people have ever experienced but which, as everybody knows, is in the world as a permanent potential danger, especially because of the modern mass media and modern violent video games. Thus, its fantastical characteristics are decisive for the phenomenon of running amok. Cases of running amok, although real, are notable for their imaginative element. While the notion of running amok points to a specific fantasy in cultural discourse, the idea of school shootings is meant to establish a reality-bound subject. Remarkably, amok is still used as a term in the social sciences, although declared to be incorrect. For example, one of the leading German experts in school shootings, the criminologist Britta Bannenberg, explains: "The word amok is a false labelling for planned, tried, or committed multiple homicide [Mehrfachtötungen] with a dubious motive."[12] Thus she resolutely points out that any such deeds labelled as instances of someone running amok do not show any of those characteristics usually linked with that term. Nevertheless, she continues to use the term "amok" because it is so well established in German cultural symbolic discourse.

So it is again remarkable when Bannenberg claims that such "cultural contemplations" on amok, considering the phenomenon's epistemological, discursive and cultural historical implications, were "today only of historical interest" and not to be pursued any further.[13] In fact, still using the term "amok" despite herself, Bannenberg makes clear how unavoidable and symbolically influential the term still is in German debate and culture.

3. Media coverage by *FAZ* and *Der Spiegel*

The first cover of weekly magazine *Der Spiegel* after the 2002 Erfurt massacre shows two girls, obviously students, hugging each other; they might be 12–15 years old (Figure 8.1). The one on the left has her face turned to the viewer, eyes closed, her face half-buried in the other girl's shoulder. The one on the right has her back to the viewer. Both girls are blonde, with their hair in a ponytail. And both are also wearing black clothes; the one on the left even has a black hair-tie. The arm of the girl on the right shows on her left wrist a black, silver-riveted bangle. Above the image, immediately below the red *Spiegel* frame, is the caption "Death at School" [Tod in der Schule]. Below the image is written "Running Amok in Erfurt" [Der Amoklauf von Erfurt]. If the general reaction to this event is one of shock, then this cover image offers the perfect illustration of that by depicting this scene of mourning in the wake of the massacre. These two girls on the cover of the magazine convey silence and trepidation. No room is left for arousal or enragement. The image functions like a *pietà*, which it also partially quotes, and as a frozen moment of mourning distributed over the whole country via the magazine cover. Thus the *Spiegel* cover represents the majority of (print) media coverage, which in this case is clearly determined by the experience of an event that has not only put a whole society into a state of shock but which is also seen as absolutely exceptional. Even if similar events have happened before – albeit not on quite the same scale – the general perception is that this is the first time such a terrible crime had happened, and that it will probably never be repeated.

However, page 1 of the cover story presents quite a different use of images. Two-thirds of the page is taken up with a huge picture of the now dead culprit, 19-year-old Robert Steinhäuser (Figure 8.2). The photograph shows a huge boy of indeterminate age sitting on a chair and turning his face to the viewer. His face looks swollen, with a strong, prominent chin. The eyes are turned to his right, which might be where the photographer is standing; his mouth is shut. All in all, Steinhäuser's

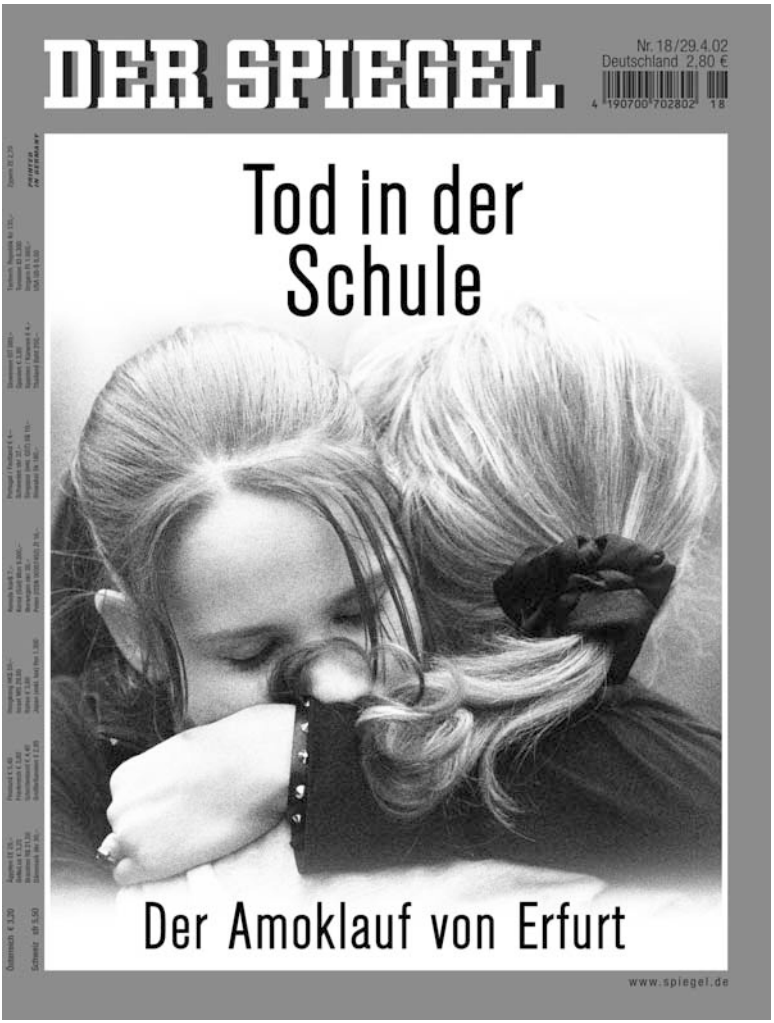

Figure 8.1 *Der Spiegel*, cover, 18/2002

face appears expressionless; he looks like a big, clumsy fellow. The caption below the picture says: "School shooter Steinhäuser: One day I want to be famous" [Amokläufer Steinhäuser: "Ich möchte, dass ich einmal berühmt bin"]; the heading to the article below the picture is "Murderous Departure" [Mörderischer Abgang]. All that the picture shows is the blank face of an adolescent. However, just because it is blank, it

Amokläufer Steinhäuser: *„Ich möchte, dass ich einmal berühmt bin"*

Mörderischer Abgang

Er war ein Einzelgänger, seine Welt bestand aus brutalen Computerspielen, Heavy Metal und Waffen: Am vergangenen Freitag drehte ein Erfurter Ex-Schüler durch, ermordete an seinem alten Gymnasium 16 Menschen und erschoss sich dann selbst.

Der Schriftsteller Georg Christoph Lichtenberg war ein weiser Mann. „Mehr als das Gold", sagte er, „hat das Blei die Welt verändert."

Dieser Satz war damals, vor über 200 Jahren, anders gemeint, weil er sich auf die Kunst des Buchdrucks bezog; der Satz sollte eine Hymne sein auf den Erfinder der Druckerpresse, Johannes Gutenberg.

Aber am vergangenen Freitag, gegen 11 Uhr, wurde er auf eine beängstigende, brutale, ja bestialische Weise wahr.

Um 11.00 Uhr stand ein Mädchen im Erdgeschoss des Erfurter Gutenberg-Gymnasiums ziemlich verträumt im Flur herum. Die Kleine aus der sechsten Klasse sah, wie sich die Tür der Herrentoilette öffnete und wie ein Mann, ganz in Schwarz und

Figure 8.2 Der Spiegel, cover story, 18/2002

is infinitely interpretable. Combined with the article heading and the reader's pre-existing knowledge, the message is clear: this is the face of a nasty character. The act of mourning shown on the cover is thus now supplemented by a strategy that attaches the offender's face to the event, thus providing it with an identity. In the context, the message conveyed by the second picture is obviously that the person depicted was a vicious character with few feelings, to whom the use of extreme violence was nothing special. A week later, *Der Spiegel* opens with a sort of intimate story about the attacker's private life: "The Life and Killing of Robert S." [Das Leben und Töten des Robert S.] (Figure 8.3).[14] Most of the caption is set in black typeface at the bottom of the cover; only the words "and killing" are in red. Above this is a collage of pictures from Robert Steinhäuser's life, giving him a more rounded personality, already compiled on the magazine cover, including shots from his infancy through to not long before his rampage. The photograph that had been used in *Der Spiegel* 18/2002 is also part of the collage, set relatively prominently at top left. In the centre we see a shot of Steinhäuser that reminds of a heist movie. Wearing a black leather jacket, he is sitting at a table; lying on the table in front of him is a small handgun, next to which something like a golden necklace and a blue wallet can be made out. Steinhäuser rests with his elbows on the table, his chin in his hands; he also has a beard, which makes him look older. So even if this collage includes clear hints of Steinhäuser's final destiny and possibly violent nature, it also shows a child playing, a gawky teenager at the seaside, a boy smiling. As a result, the reader's perception cannot but be challenged. The young man who had committed this hideous crime is now given depth, complexity and biographical development. This is clearly underlined by the caption. Steinhäuser was not merely – or at least not always – a killer.

The interplay of these three images used by *Der Spiegel* is broadly typical of the way the case and the murderer were treated in the media. The shock at the tragic event was huge and obviously affected every part of society. While politicians, for example, gave an almost automatic reaction to similar subsequent events, with the Erfurt case it was clear that most of them were struggling to find the right words, and that the sense of outrage at the first public massacre in post-war Germany was truly troubling and had affected every area of social practice and every institutional process. However, what is most interesting is how the media deal with the offender himself. Although time and again he is depicted as a madman, his mind set on the school shooting that will make him "famous", from the beginning articles use the term "revenge" to

Figure 8.3 *Der Spiegel*, cover, 19/2002

describe Steinhäuser's possible motivation – revenge for being expelled from school with no qualifications and therefore with almost no future in today's extremely competitive job market.[15] On the other hand, a more complex attempt to understand him is articulated. In this sense not only is Steinhäuser given a back-story, exploring his path to mass

murder, but constant efforts are made to uncover this young man as a complex and failed personality.

Der Spiegel as well as *FAZ* put a lot of effort into this archaeology of a dead person, although the leading German pop-intellectual Diedrich Diederichsen tried to blame *Der Spiegel* for its superficial reporting, driven by sheer ignorance towards the meaning of cultural and media symbolisations.[16] However, an analysis of both journals cannot confirm this opinion. Naturally *Der Spiegel* employs a very different literary style in its articles, but the way the two papers deal with the depiction of the offender is actually remarkably similar. No blame is attached to Steinhäuser's family. Instead, they are described as "intact" and evoke a lot of empathy[17] for they, too, have to cope with shock and trauma, and have communicated their distress and grief for the victims in an open letter. In general, the debate that emerges in the aftermath of the massacre revolves around four points. The first is the problem of school violence in general and, in particular, of violence against teachers – because most of the victims were teachers. Steinhäuser was deliberately killing teachers; the student body count was obviously not intended and must be regarded as a sort of collateral damage in the offender's view. Being the first massacre committed by an adolescent using guns, the question of gun law also played a massive role in the public debate. Various politicians of all parties were quick to demand much tougher gun laws. However, in the end, only minor changes were made. Also the role of traditional German gun clubs was discussed, as a channel for distributing information about how to handle guns and as a means of access to them. Finally, something that played a major role in the debate straight away was media violence, as Robert Steinhäuser was quickly identified as being fond of playing video games such as Counter-Strike. Such games were seen as partly to blame for the massacre because they had functioned as a sort of training ground (Steinhäuser executed most of his victims by shooting them in the head, as characters often do in such video games).[18] Interestingly enough, a round table on media violence, set up by Chancellor Gerhard Schröder, dealt not with violence in video games but with violence on TV. Eventually, a formal process was begun to put Counter-Strike on the German index of dangerous artefacts. In effect, this would have meant that the game would have been banned – but it was not successful.[19]

The media coverage in the second case, the Winnenden massacre of 2009, interestingly looks different, although, again, there is not much difference between the two media reactions examined here. What is different is the way the case itself is dealt with and, especially, the way the

offender and his family are treated. One gets the impression that in 2009 a formula has been established of how to approach such events and the people involved. Even if a shooting with a body count of 16 still produces shock in German society, the amount of repetition in the reports is astonishing. People, or at least the media, seem to have developed a set routine in how they react to acts of extreme violence. Politicians, as well, are much calmer this time. Whereas in 2002 everybody demanded stricter regulations of existing gun laws, in 2009, only three days after the massacre, Wolfgang Schäuble, Minister of the Interior, is warning against "hasty legal initiatives".[20] This time *Der Spiegel* begins its first issue after the massacre with a photograph of the offender, Tim Kretschmer, standing outdoors somewhere, shirt outside his trousers, hands in pockets. Looking directly into the camera, he looks young and childish. Nearly half-way up the page the caption says: "Tim K. Runs Amok: When Kids become Killers."[21] The white letters are reversed out on a black background that overshadows the picture of Tim Kretschmer; the word "killers" is picked out in red (Figure 8.4).

At first sight, the way Kretschmer is depicted in the media seems to be quite similar to the way Steinhäuser was approached some seven years ago: a lot of effort is given over to the reconstruction of his personality and the archaeology of possible motives. However, the key difference is that now there is no sympathy left for the offender. In contrast to the picture of Steinhäuser, Kretschmer is not allowed to display any complexity. On the contrary, any information that comes to light seems to point to his going on the rampage. What the media quickly knows about Kretschmer is that he seemingly suffered from depression (which his family denies) and that he was fond of guns, a loner and rejected by girls.[22] Naturally, Kretschmer also played violent video games (called "Killerspiele" or "Ego-Shooter" in Germany), and the police found some pornographic material on the hard drive of his computer. Thus he seems pre-destined for a one-way path to school killer. While Robert Steinhäuser aimed at teachers, Kretschmer hunted girls. Almost all the victims he shot before escaping from his former school were girls. However, apart from Germany's feminist pioneer Alice Schwarzer, who in her magazine *Emma* called this the first "pogrom against women", this was not an intensely debated issue in public discourse – in obvious contrast to the Erfurt teachers. Instead, the main issue was the easy access that children and adolescents had to guns, since Kretschmer had taken both the gun and the ammunition from his father's bedroom, where it was, in legal terms, inadequately stored. Consequently the second magazine cover of *Der Spiegel* after the Winnenden massacre shows a German flag

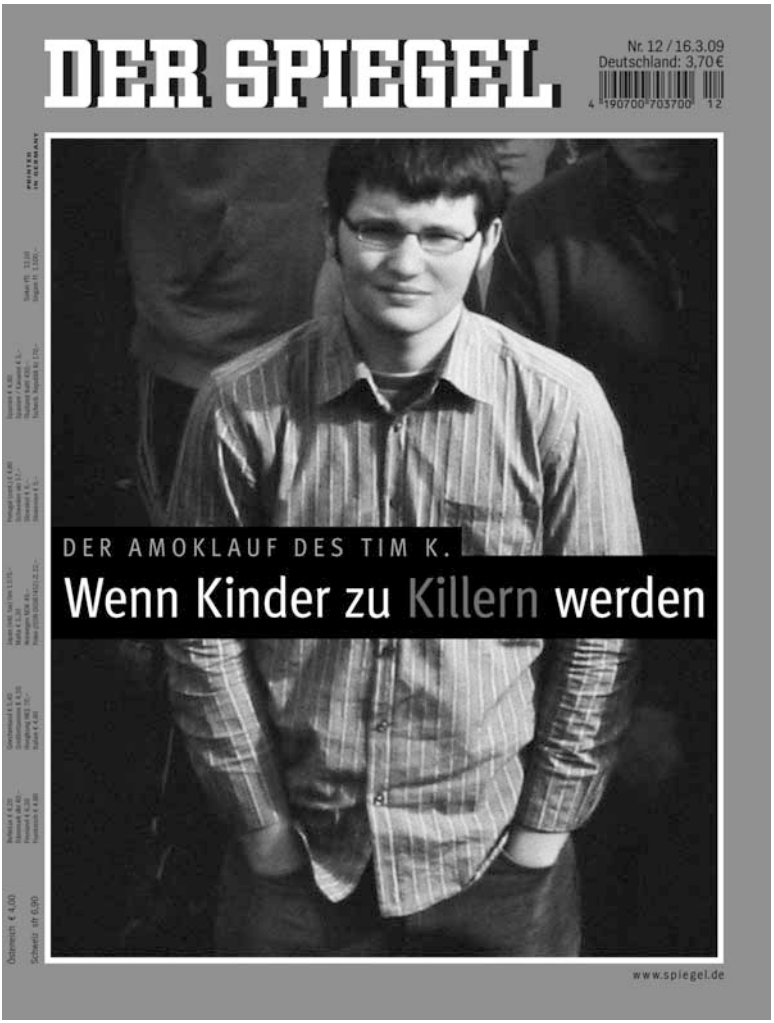

Figure 8.4 *Der Spiegel*, cover, 12/2009

under which a handgun is buried, saying: "Armed Republic of Germany: The Perilous Stupidity of Private Guns"[23] (Figure 8.5). Again, traditional gun clubs came into focus, because Kretschmer's father was member of one such club and often took his son there for training. This time there is no sympathy at all for the offender's family. On the contrary, since the father had stored his gun carelessly, the family was blamed from

Figure 8.5 *Der Spiegel*, cover, 13/2009

the beginning. Baden-Württemberg's Prime Minister Günther Oettinger said the parents bore the main responsibility for what happened.[24] The father was later accused for complicity in murder and finally sentenced in 2013 to 21 months on parole.

The media reports outlined above do show a specific discourse formation in two respects. First, they formulate a narrative of what has

happened, and to whom. Thus the media discourse includes an evidently performative aspect. The most striking aspect is that the incident as a particular event of rampage – or, more specifically, of someone running amok in Germany – only unfolds by definition via its perception in the media. This means that the idea of a rampage is essentially a phenomenon of perception. Whether any violent public event is to be labelled as a rampage very much depends on the social discourse in which it is described. Far from every incident of extreme violence, even in the public realm, is perceived as an act of rampage. In fact, such labelling is the result of a process of negotiation, which happens mainly in the media, as the most important form of communication within the structures and procedures of present-day societies. To a greater extent than most other disturbing events in the public realm, rampage turns out to be the effect of a negotiation of cultural patterns. Therefore one of the main tasks of media coverage seems to be the collection of evidence that might give proof for the event to be labelled as a rampage. Over the past 15 years this has become much more difficult, because since the Columbine massacre in 1999 the committers of acts of rampage and school shootings are also supposed to commit suicide. Thus, following the psychologist Carl Menninger and the categories he outlined for a clinical diagnosis of suicide in 1936, the rampage is often described as an "extended suicide".[25] However, with the offender dead, the most important witness is lacking; the motive for the crime is thus left to public speculation, following the clues and leads that he (or occasionally she) has left.

The first task of media coverage, then, is to attempt such a reconstruction of the offender's motives and intentions, for which reason he apparently dominates media coverage and public interest. Not without reason, any media coverage following such incidents starts with two attempts of reconstruction: first, the chronological reconstruction of the incident itself; second, the reconstruction of the offender as a person with a history, an intention and, if possible, a serious problem or psychological disorder that made him act in such a shockingly violent and apparently irrational way. In both cases under examination here (and as such paradigmatically), detailed articles about the offender can be found quite quickly, derived from statements made by acquaintances, neighbours, teachers or relatives, or from his background as documented in diaries, internet blogs or internet platforms as much as from the expertise given by the police or psychologists. For example, *Der Spiegel* begins its cover story about the Winnenden school shooting like a novel, painting the daily routine of a normal day at school

supplemented by an average-looking but deadly boy approaching the school building. The article's headline decisively focuses on the attempt to frame the massacre narration: "What has to happen for a young man to run amok? What can parents do; is there any protection? Tim Kretschmer, 17, was fond of weapons and video games – and started an orgy of violence, a series of executions. He killed 15 people and ended up shooting himself."[26] *FAZ* writes much more explicitly after the Erfurt school massacre:

> But insanity was equipped with methodology. Already various leads can be found. Robert Steinhäuser, a 19-year-old student, is unremarkable, calm, and has only a few friends, in fact only superficial acquaintances. Robert Steinhäuser is scarcely interested in school, and the girls are obviously scarcely interested in him. Even more he is fascinated by competitive shooting, which he undertook in two gun clubs.[27]

The offender is posthumously provided with a personality and an intention, both serving the social rationalisation of what appears to elude any rational framing. Such a personality will necessarily not match the personality that the offender himself presented and produced while he was alive, but it does respond to the social need to find the reason for any human behaviour.

However, such reconstruction always intermingles the archaeology of evidence, the capacity for empathy and psychological alongside criminological elements – which make the result appear as a cultural artefact, including a huge amount of invention and imagination. The rampage as a social reality is necessarily an event in which social reality and cultural imagination have become indistinguishable. Within the context of a ubiquitous proliferation of meaning, media coverage thus engages in two activities: first, it serves as a sort of documentation of a social reality that also comprises the imagination; second, it acts as a form of cultural analysis in the sense of Mieke Bal. Following Bal, cultural analysis always stems from the presence of cultural objects, or artefacts, including objects that come down to us from the past, because any cultural object offers up its real meaning in the very presence of that cultural and social situation in which it is perceived:

> Such visibility, such presence paradoxically facilitates information about the object which is inapplicable; the discrepancy between "object" and "symbol" is exactly what makes the symbol necessary

> and useful. (…) In the realm between object and statement [about the object] the narrative discourse one is among others that creep in. The narration is the discourse of affirmation and myth, that of storytelling and fiction, that of seduction and a willing suspension of disbelief.[28]

The first functionality of discourse formation concerning events of rampage is thus the production of a particular narrative. By that process, what has happened is integrated into both an individual biography that eventually leads to mass murder and the continuity of social life and normality which has been severely disturbed by this phenomenon. The literary scholar Wolfgang Iser states that acts of feigning as cultural practice (may it be works of literature, other works of art, or media products) are meant to evoke the return of a lifeworld-bound reality within the text.[29] Quite similarly, the practice of reconstruction in the wake of a rampage manages to generate a socially accepted reality through the production of information based on what is declared as facts and knowledge, but only finally completed by the addition of imagination. By the production of social narration security about the temporal continuity and normative stability of social order and its regulation is provided. When a rampage, among other things, means a serious violation of the patterns of social order, experienced as ubiquitous normality, then the technique of media storytelling is one cultural practice to reinstall such a normalised order of the social.

In this perspective, the second task of media coverage and its emerging discourse formation following the particular event of rampage must be regarded as negotiation on a meta-societal level about the social presence of violence in general. Violence can be seen as the paradox phenomenon par excellence within modern (and post-modern) culture and societies. While, on the one hand, such societies are characterised by the ongoing attempt to erase and exclude both the practice and the representation of violence from their social reality, violence itself keeps coming back. It does so in two forms: as violent acts in the social realm, whether within the bounds of social regulation or not; and as representations of violence in cultural artefacts from the classic arts to today's video games, which means in the symbolic dimension. However, whereas the former, at least in the form of non-legitimate violence, produces huge social shock and anxiety, the latter, for the most part, generates excitement and fascination. However, as the cultural philosopher Hartmut Böhme puts it, today violence is the only phenomenon left that still tests the limits of culture and is the "rather unresolved problem of

our societies".[30] Owing especially to this ambivalence of violence, as a force that undoubtedly is part of human agency and which also poses a permanent threat to the rules of social order, the problem of a presence of violence in the cultural realm has to be permanently negotiated.

Thus modern societies are discourse societies in a strictly Foucauldian sense. Such discourse is necessarily bound to the categories of desire and of power.[31] A discourse is in any case set up to create a certain understanding of truthful reality. Itself an agent of power structures, the discourse is massively engaged in the generation and stabilisation of power relations. Obviously, the debates about the presence and practices of violence in modern societies follow a discourse regime regulating the symbolic understanding of violence and its normative framing even if its practices might dissent. Even so, social order points to a signifier of reality. The discourse itself is vastly subordinated to this signifier's order. Within such a frame, what Foucault called the "normalisation society" emerges.[32] The power of discourse as specific type of power and knowledge now enforces a discipline-led regime of normalisation as a new form of sovereignty. Therefore a certain concept of truth must be imposed upon society as such, which is to be communicated to everybody.[33] The discourse formation implemented via media coverage representing and commenting on events that happen in the social realm is the real means by which modern societies and their systems of mass communication negotiate the range of particular power regimes and symbolic orders. This is a requirement permanently carried out in society about a multitude of subjects. However, the negotiation of violence is extraordinary, since here questions of self-preservation and physical integrity intermingle with, while transgressing into, questions of ethical integrity and the legitimation of the social order in general.

4. The notion of evil

What is striking in the public dealing with cases of rampage is that the violence acted out here is regularly perceived as a manifestation of evil. Although violence in general is ethically and normatively rejected, it is interesting that it is not any violence, but a particular form of violence, which is associated with the symbolic form of being evil. Violence in general might be regarded as being bad according to the moral standards of modern, secularised societies. The violence of rampage, however, is quickly addressed not just as being bad but as something beyond that; here evil itself seems to be manifesting itself in the world. What is it, then, that distinguishes ordinary bad violence from

violence representing evil? This is not necessarily articulated by the direct denomination of acts of rampage as figurations of evil. In the two cases examined here, the term "evil" was not used either by the media or by politicians. However, in media coverage in general the notion of evil is present, even if it is not explicitly mentioned. It is generated when this particular violent deed, in contrast to other cases of violence, is declared as being exceptional.

Rampage is one of the exceptions from the amount of violence society is willing to tolerate as a part of its social reality. Even if not explicitly welcomed, modern society has at its disposal a sensorium for which phenomena will never be expelled from their symbolic as much as physical topography, and violence is obviously one of these. From the beginning sociology has made use of that which is unwelcome and defiant. For example, Durkheim declares that *anomie* is necessary for the moral self-understanding of social norms. Rampage, however, transgresses the boundaries of what society is willing to tolerate as presence of that which is bad. Rampage – and some other sorts of violence – contains a surplus of violent quality that clearly goes beyond a social understanding of what bad actions might produce. In that sense Ernesto Laclau declares that the possibility of a definition of evil is connected to a perspective on society as totality. "Only when society is regarded as an intact whole, separated from its exterior by an absolute boundary, is it possible to speak rather of the experience of radical evil. That which is evil is radical and antagonistic alterity."[34] This is exactly what is communicated by the media when reporting on cases of rampage. Such actions are not considered to be part of any social routine, but are clearly located beyond any accepted state of normality. This is the case when, after the Erfurt massacre, it is stated in *Der Spiegel* that this case was a new form of crime:

> April 26, 2002, became the day of a crime which had never happened before, not even in America, and of course not in Germany, and not carried out by an offender that young. This campaign for revenge was an incomprehensible deed, committed by an elusive mass murderer – a young man who made his teachers despair and his parents as well.[35]

Although evil is defined as transgression of an absolute line of rejection, Laclau also argues that evil, even if evidently part of any social topography, is not stable but is in permanent transformation. "We cannot live without evil, but we are also not able to ban it into enduring forms. That means that what is regarded as evil in a society will always

be unstable and in need of new negotiation."[36] Thus what can be stated, first, is that the category of evil is still productive, even in secularised modern societies. It hints at a severe transgression of those ethical or normative standards for social regulation that are normally regarded as non-negotiable and long-lastingly institutionalised patterns of an order of social things. In that case evil needs to be identified. In terms of societalisation, terminology alone is not sufficient; it rather needs to be transferred and to be reflected in the sensitivity of practices and physical manifestations.

Interestingly, the first subjects addressed in the debate about the massacres in Germany after the Erfurt massacre were exactly two such objects: video games (or, as they are called in Germany, "killer games") as catalysts for violent culture, and traditional gun clubs in combination with German gun laws. Quite quickly these two adversaries were identified and marked as subjects in the public debate as much as agents in the wider discourse about violence emerging in the public realm of culture and society. Two days after the Erfurt rampage the *FAZ* Sunday edition, *Frankfurter Allgemeine Sonntagszeitung* (*FAS*), published an article headlined "The software for the massacre".[37] Although short, the article is richly illustrated with stills from violent video games and focuses on the video game Counter-Strike, which is held to be to blame for the outburst of extreme violence at the Erfurt High School:

> And the game in which one has to shoot anybody, from police officers (even GSG 9 [German Special Forces, J.A.]) to pedestrians to schoolgirls, provides a blueprint for the Erfurt massacre; it is the most played video game in the world. Precisely as in the game, where the gamer is equipped with a primary and a secondary weapon, gun and pistol, the 19-year-old chose a pump-action shotgun and revolver and an enormous amount of ammunition. His masked camouflage was copied from the game's characters.[38]

Shortly afterwards *Der Spiegel* also included a paragraph along similar lines in a portrait of Robert Steinhäuser. Here playing video games is described as a "training camp" that was nowhere "as perfect as in cyber epic 'Medal of Honor'. [...] This was a sort of blueprint for April 26. The perfect training camp."[39] Here the line of argument had been made clear and would dominate any response to massacres in Germany from then on. The game as a cultural artefact is thus held personally responsible for criminal action.

What is systematically neglected here is the complex figuration in which cultural practices and techniques evolve and how they are

symbolically as much as socially framed. The conclusion that in his rampage Robert Steinhäuser was simply following the media example outlined by and practised in Counter-Strike seems to be too simplistic. The one-way instruction of how to become a mass murderer is evidently too easy in its quick solutions: "Robert Steinhäuser took the recommendation to think of people one doesn't like when shooting VIPs in the game too literally."[40] If so, Steinhäuser would not have been able to distinguish between game and reality before running amok. To him, then, committing his massacre at Erfurt's Gutenberg High School would only have been the prolongation of an imaginary gamer's universe into a reality that would not have represented a material reality any more, but would have been a fantastic realm itself. The failure in such a thesis is not just the severe blurring of reality and imagination such that Steinhäuser, then, would not have been able to distinguish between them any more. The article ends by raising a legal question: "It's up to psychologists to examine whether mass murder was a game to him or the game was to him murder already. However, the fixtures of the hate industry become more real day by day."[41] "Hate industry" is the decisive word here when it makes it possible to identify an aggressor that has not disappeared – as the dead Robert Steinhäuser has. Among the German public, the argument was quite successful and a legal process was quickly begun to ban Counter-Strike. On 16 May 2002 the Bundesprüfstelle für jugendgefährdende Medien [Federal Department for Media Harmful to Young Persons] decided not to ban Counter-Strike: interceding on the game's behalf in that process was a gamer who was a police officer by profession. Apart from giving that context, what can also be said about this kind of media debate is that, although an obvious and easily assessable culprit is apparently absent, it is not just producing a supplement for presenting such a culprit. Moreover, an ultimate cause for this excessive or extreme violence was sought and found not in identifiable individuals but in cultural artefacts such as video games and gun clubs and in the formal structure of law enforcement on legal weapons. The question here is to find the point within cultural topography and its symbolical forms and practices from which practices of violence emerge, especially practices that question the implicitness of ubiquitous social order. Video games and gun clubs, however, provide quite useful objects in this matter, much more than people, as has been proved within the last 12 years.

In his reflection on the status of violence in contemporary society, the French sociologist Michel Wieviorka states that today the media hold not the position of order or of the state, but that of morality.[42] If this were the case, then the example examined here quite interestingly

shows such positioning in two directions. Concerning acts of rampage, the media, then, would hold the position of morality, because it is they who decisively negotiate public concerns of morality, such as which acts of violence are to be regarded as absolutely intolerable, when at the same time it is the modern media above all that are blamed for the production of such violent acts of rampage. The media seem to represent the formation of a discourse regime that is concerned with framing acts of excessive violence, such as massacres, that threaten the stability of the symbolical social order and with the menacing media themselves, which actively represent the symbolic iconography and performativity of violence as well as its active capacities which quickly evolve from imagination into deadly reality.

Notes

1. *Frankfurter Allgemeine Zeitung*, 27 April 2002.
2. H. Christians (2008) *Amok: Geschichte einer Ausbreitung* (Bielefeld: Aisthesis), p. 60.
3. Christians, 2008, p. 76.
4. Christians, 2008, p. 62.
5. J. E. Carr (1978) "Ethno-Behaviorism and the Culture-Bound Syndromes: The Case of Amok", *Culture, Medicine and Psychiatry*, 2, 269–293, here p. 270.
6. Carr, 1978, p. 270.
7. Carr, 1978, p. 289.
8. Carr, 1978, p. 290.
9. J. Vogl (2000) "Gesetze des Amok: Über monströse Gewöhnlichkeiten", *Neue Rundschau*, 4, 77–90, here p. 82.
10. Carr, 1978.
11. Vogl, 2000, p. 81.
12. B. Bannenberg (2010) *Amok: Ursachen erkennen – Warnsignale verstehen – Katastrophen verhindern* (Gütersloh: Gütersloher Verlagshaus), p. 11. Quotations from the German original are translated by the author.
13. Bannenberg, 2010, p. 27.
14. "Das Leben und Töten des Robert S." (2002) *Der Spiegel*, no. 19.
15. K. Brinkbäumer, Annette Bruhns, Uwe Buse, Jürgen Dahlkamp, Carsten Holm, Ulrich Jaeger, Ansbert Kneip, Felix Kurz, Beate Lakotta, Jürgen Leinemann, Udo Ludwig, Cordula Meyer, Sven Röbel, Andrea Stuppe, Barbara Supp, Andreas Wassermann and Steffen Winter (2002a) "Mörderischer Abgang", *Der Spiegel*, no. 18, p. 81 ff. and *Frankfurter Allgemeine Zeitung*, 27 April 2002.
16. *Frankfurter Allgemeine Zeitung*, 12 May 2002.
17. K. Brinkbäumer, Dominik Cziesche, Ralf Hoppe, Felix Kurz, Cordula Meyer, Irina Repke, Sven Röbel, Alexander Smoltczyk, Andreas Wassermannand Steffen Winter. (2002b) "Das Spiel seines Lebens", *Der Spiegel*, no. 19, p. 119 and *Frankfurter Allgemeine Zeitung*, 29 April 2002.

18. *Frankfurter Allgemeine Zeitung*, 28 April 2002 and Brinkbäumer et al., 2002b, p. 131.
19. *Frankfurter Allgemeine Zeitung*, 17 May 2002.
20. *Frankfurter Allgemeine* Zeitung, 15 March 2009.
21. "Der Amoklauf des Tim K.: Wenn Kinder zu Killern werden", *Der Spiegel*, no. 12, 2009.
22. Petra Bornhöft, Klaus Brinkbäumer, Ulrike Demmer, Wiebke Hollersen, Simone Kaiser, Sebastian Knauer, Ansbert Kneip, Sven Röbel, Samiha Shafy, Holger Stark and Katja Thimm (2009) "113 Kugeln kalte Wut", *Der Spiegel*, no. 12, p. 34, and *Frankfurter Allgemeine Zeitung*, 13 March 2009.
23. "Bewaffnete Republik Deutschland: Vom lebensgefährlichen Unsinn privater Schusswaffen", *Der Spiegel*, no. 13, 2009.
24. *Frankfurter Allgemeine Zeitung*, 18 March 2009.
25. K. Menninger (1938) *Man against Himself* (New York: Harcourt).
26. P. Bornhöft et al., 2009, p. 30.
27. *Frankfurter Allgemeine Zeitung*, 29 April 2002.
28. M. Bal (2006) *Kulturanalyse* (Frankfurt am Main: Suhrkamp), p. 37.
29. W. Iser (1983) "Akte des Fingierens oder Was ist das Fiktive im fiktionalen Text?" in D. Henrich and W. Iser (eds.) *Funktionen des Fiktiven. Poetik und Hermeneutik X* (Munich: Fink), pp. 121–151, here p. 122.
30. H. Böhme (2012) "Das Archaische und das Soziale. Entgrenzung und Einhegung von Gewalt im gegenwärtigen Film und im Mythos", *Imago: Interdisziplinäres Jahrbuch für Psychoanalyse und Ästhetik*, 1, 9–32, here p. 10.
31. M. Foucault (1991) *Die Ordnung des Diskurses* (Frankfurt am Main: Fischer), p. 17.
32. Normalisierungsgesellschaft; M. Foucault (1999) *In Verteidigung der Gesellschaft: Vorlesungen am Collège de France (1975–76)* (Frankfurt am Main: Suhrkamp), p. 49.
33. M. Foucault (1996) *Diskurs und Wahrheit: Berkeley-Vorlesungen 1983* (Berlin: Merve), p. 124.
34. E. Laclau (1995) "Leere Signifikanten und die diskursive Konstruktion des Bösen", in Kunst- und Ausstellungshalle der Bundesrepublik Deutschland (ed.) *Das Böse* (Göttingen: Steidl), pp. 182–192, here p. 182.
35. Brinkbäumer et al., 2002b, p. 119.
36. Laclau, 1995, p. 192.
37. *Frankfurter Allgemeine Sonntagszeitung*, 28 April 2002.
38. *Frankfurter Allgemeine Sonntagszeitung*, 28 April 2002.
39. Brinkbäumer et al., 2002b, p. 131.
40. *Frankfurter Allgemeine Sonntagszeitung*, 28 April 2002.
41. *Frankfurter Allgemeine Sonntagszeitung*, 28 April 2002.
42. M. Wieviorka (2006) *Die Gewalt* (Hamburg: Hamburger Edition), p. 97.

9

Amok: Framing Discourses on Political Violence by Means of Symbolic Logic

Peter Klimczak and Christer Petersen

After the then 32-year-old Anders Behring Breivik placed a car bomb outside the office of Norwegian Prime Minister Jens Stoltenberg, he proceeded to the nearby island of Utøya armed with a hunting rifle and a pistol. There, over the course of an hour in the early evening of 22 July 2011, he shot at the mainly young participants at a summer camp of the ruling Labour Party. Shortly beforehand, he had sent an English-language manifesto with the title "2083: A European Declaration of Independence" to roughly a thousand email addresses. In the 1,500-page screed, which Breivik had patched together from various ideologies and in parts simply copied from the internet, he sets out the abstruse motives for his attack and disseminates a world-view that is every bit as self-contradictory as it is radical.[1]

On 16 April 2012 Breivik's trial began before the district court in Oslo. He was charged with terrorism and multiple counts of premeditated murder. From the very outset, the question of Breivik's criminal liability was at issue. While forensic psychiatric assessments came to different conclusions about Breivik's mental condition,[2] the prosecutor pleaded for criminal insanity and called for the committal of the assassin to a secure psychiatric hospital. By contrast, the defence sought a finding of sanity for their client. Breivik saw himself as a "political activist" and wanted to be treated as such before the court. He repeatedly denied being insane, which he described as "a fate worse than death".[3]

At the start of the trial, Breivik confessed to having killed 77 people, but declared himself not guilty and appealed to "emergency law".[4] He argued that he, as a "Knight Templar" and "liberator of mankind", had to defend Europe against Islamic infiltration and Norway against

"multiculturalism" and "the cultural Marxism" of the social democratic government of Jens Stoltenberg.[5] Counter to the request of the public prosecutor's office, Breivik was ultimately declared not criminally insane on 24 August 2012, and sentenced to 21 years in prison and subsequent preventive detention for the murder of 77 people. The verdict was unanimous. Breivik filed no appeal, but rejected the authority of the court. All of this – the course of events of the crime, the contents of Breivik's pamphlet, the progress of the trial – was reported to the public in Western media over weeks and months. Breivik's terrifying act was unanimously condemned, and Breivik himself judged to be either a terrorist and a confused political extremist or a pathological violent criminal and insane "amok-runner".[6]

1. Proto-definitions

However, let us begin not with the amok-runner but with the terrorist, or rather with the concept of the terrorist, from which – as will be shown – the concept of the amok-runner can also be derived.[7] Especially since 9/11, "terrorist" is not only a loaded term in politics and the media but also one that is used at will by anyone against virtually anyone, as soon as he or she becomes violently politically active. Particularly in the context of hegemonic discourses as they have been conducted time and again since 9/11, seizing discursive authority seems sufficient in order to deem someone a terrorist. Reasons appear to be irrelevant, definitions obsolete: a terrorist is a terrorist merely because he or she has been referred to as such.

If, however, one wants to move beyond the level of tautological statements that would define a terrorist solely on the basis that he or she is a terrorist, thus in the form $T(x) \leftrightarrow T(x)$,[8] then the terrorist must be defined by a characteristic that is precisely not that of being a terrorist. An approach here is offered by the term itself: with respect to its etymological origins, the term "terrorist" is derived from the Latin "terrere" (to terrify).[9] We take this as an opportunity to define "terrorist" as "terrifier", albeit in a (grammatically) transitive sense as the terrifier of someone. Thus it becomes possible to make the term relational and to define it as a binary predicate, formally as $T(x) \leftrightarrow E(y,x)$: "x is a terrorist if and only if y feels terrified by x". We expressly do not distinguish here between feeling and being: both "feeling terrified" and "being terrified" are understood as synonymous.[10] In the relational determination "y feels terrified by x" or "y is terrified by x", E(y,x), x expresses the quantity of terrifiers and y the quantity of those terrified, the latter referring

to either the world or a regional population. Analogously, a freedom fighter can be identified as the liberator of someone and accordingly defined as $F(x) \leftrightarrow B(y,x)$: x is thus only a freedom fighter if y is or feels liberated by x. In the relational determination "y is liberated by x", B(y,x), x now expresses the quantity of liberators and y the quantity of those liberated, the latter again referring either to the world or to a regional population.

However, the above still does not provide an adequate definition of "terrorist" and "freedom fighter". "To terrify" and "to liberate" are both, in the context of a discourse on terrorists or freedom fighters, tied to acts of violence – more accurately, to acts of politically motivated violence. Therefore, the use of force should also be formally considered so that both predicates are distinguished as ternary predicates.[11] As such, "y is terrified of x by means of z" applies for the terrifier relation, and, accordingly, "y is liberated by x by means of z" applies for the freedom-fighter relation. This in turn results in the following statement forms: for the terrorist, $T(x,z) \leftrightarrow E(y,x,z)$ – i.e., "x is a terrorist and z is an attack if and only if y feels terrified by x by means of z" – and for the freedom fighter, $F(x,z) \leftrightarrow B(y,x,z)$ – i.e., "x is a freedom fighter and z is a liberating blow if and only if y feels liberated by x by means of z."

If we apply these definitions to specific cases, we obtain statements whose truth is verifiable. For example: the attempted bombing assassination of Adolf Hitler by Claus Schenk, Graf von Stauffenberg on 20 July 1944 sets the variables x and z such that Stauffenberg is the committer of the violence and the bombing is the act of violence. With that alone, however, it has not yet been determined whether Stauffenberg is a terrorist or a freedom fighter. Stauffenberg becomes a terrorist or freedom fighter only when y is also determined. If y feels terrified, then Stauffenberg is a terrorist; if y feels liberated by his act, then Stauffenberg is a freedom fighter. But who or what is this y? Obviously, it is no single individual, or else Stauffenberg would be alternatively a terrorist or a freedom fighter depending on whom one asks. Thus, it seems only sensible not to ask specific individuals or specific groups of individuals but rather all individuals, or at least all individuals affected.[12]

To be sure, it seems at first contradictory to intuitive legal or moral sensibilities to claim that the committers of violence and the acts of violence are not in themselves terroristic, but that they only become so if one understands them in the context of a terrifier relation or liberator relation. However, the whole premise becomes plausible once one places the circumstance against the specific background of resistance during World War II: today, Stauffenberg's attempt to assassinate Hitler

in July 1944 is naturally *not* deemed an act of terrorism, but is seen as rather a liberating blow. Whether it also qualified as a liberating blow in Germany in 1944, however, is in question, as the reference group of evaluators today is a completely different one from in 1944. The deciding factor, therefore, is the evaluation of the act and the committer of the act, not the act itself: even if Stauffenberg's bomb had been better placed or contained a greater explosive force and had killed Hitler as planned, the violent act would still be regarded today as a liberating blow and Stauffenberg as a liberator or freedom fighter.

Based on the group of people affected by the violence, one can now generally determine who is a freedom fighter by means of quantification: a freedom fighter is one whose act of political violence causes the majority to feel liberated. Conversely, a terrorist is defined by the fact that the majority is terrified by his or her violence: to be a terrorist or a freedom fighter, then, means no more and no less than to be deemed by the majority to be a "terrifier" or a "liberator". The "legal concept" thus becomes a relative one and the decision-making process a democratic one. We move from a definition established by the authority of individuals to one decided on by the (democratic) majority.

By then quantifying those terrified and liberated from the group of evaluators with regard to majorities, the following formal definitions of politically motivated violence and those who commit it emerge:

1 $F(x,z) \leftrightarrow \boldsymbol{W}(y)\ B(y,x,z)$[13/14]
Someone carries out a liberating blow as a freedom fighter $=_{df}$
The majority feels liberated by the committer/act of violence.

2 $T(x,z) \leftrightarrow \boldsymbol{W}(y)\ E(y,x,z)$
Someone commits an attack as a terrorist $=_{df}$
The majority feels terrified by the committer/act of violence.

Against the background that the majority includes "all" as a special case,[15] one can additionally derive the definition of a hero and an amok-runner: while the number of those liberated is nearly everybody in the case of a hero, the number of those terrified is nearly everybody in the case of someone running amok. Almost all the evaluators feel terrified by the rampage or liberated by the heroic deed:[16]

3 $H(x,z) \leftrightarrow \forall(y)\ B(y,x,z)$[17]
Someone commits a heroic act as a hero $=_{df}$
Almost everyone feels liberated by the committer/act of violence.

4 $A(x,z) \leftrightarrow \forall(y)\ E(y,x,z)$[18]
Someone goes on a rampage as an amok-runner $=_{df}$
Almost everyone feels terrified by the committer/act of violence.

A historical example of a freedom fighter is given in a textbook from the German Democratic Republic. In reference to events in Havana on 8 January 1959, this states: "The people received their liberators with indescribable enthusiasm."[19] Indeed, Fidel Castro and the approximately 1,500 rebels with whom he reached the Cuban capital can be regarded on this day and in regard to the Cuban people as freedom fighters and their acts of violence as acts of liberation. That Castro and his revolution would, no doubt, be judged differently by a different reference group or at another time does not change this fact.

If things were as described in a *Spiegel* headline of 29 May 2009, which refers to Iran's President Mahmoud Ahmadinejad as "The man the world fears", then one would actually have in Ahmadinejad a candidate for the definition of a globally perceived amok-runner. However, the headline ultimately says more about how the press and mass media in general function than about the status of Ahmadinejad. As such, journalistic media do not just simply present events as accurately as possible. Rather, the media also construct media events by means of the rhetoric of images and text. In this case, we are dealing with a non-actual mode of expression based on the trope of a generalising synecdoche and a hyperbole. It is precisely not "the world" – i.e., the sum total of all human beings – that is terrified or afraid, but rather, if anything, the majority of people: the text rhetorically generalises and exaggerates. In fact, it seems here to be a matter of merely a terrorist, whose current and future acts of violence are feared by the world.

Only if Ahmadinejad had actually also used the atomic bomb, as is implied, among other things, by the *Spiegel*, would this satisfy our definition of a rampage and our definition of an amok-runner who terrifies (almost) everyone, hence "the world", with his violent actions. What is merely ascribed to Ahmadinejad, Anders Breivik can lay genuine claim to for himself. Breivik's attack can be regarded as a rampage and Breivik himself as an amok-runner for the very reason that his murder of 77 mostly young adults terrified the entire world, or at least the entire Western world.

Despite the examples given above for amok-runners, terrorists and freedom fighters (the hero has yet to be discussed), we are not dealing thus far with complete definitions, but rather only with

proto-definitions, insofar as the relationship between "to terrify" and "to liberate" has yet to be determined. Only in the following will this relationship be formulated in the context of three modellings: contradictory modelling, contrary modelling and contingency modelling.

2. Contradictory Modelling

In addition to the possibility of feeling liberated or terrified, the situation can arise of someone reporting neither feeling, or reporting both feelings at the same time. However, in these cases – and exactly that is the basis of the first modelling – the evaluator will be regarded as *un*decided. The following considerations are therefore based exclusively on either/or choices. Leaving the group of undecideds out of consideration can be justified by drawing an analogy to a voting decision. In an election I can also not decide to vote – i.e., I can abstain – or alternatively spoil my ballot paper by voting for all the candidates at the same time and, in so doing, likewise not decide. Thus, the others ultimately decide for me, and the result of the election is determined exclusively by the deciders.

With the exclusion of the group of undecided or non-deciders, the relationship of feeling terrified and feeling liberated is contradictory, so that in the following, the attributes "feeling liberated" and "not feeling terrified" and, by association, "feeling terrified" and "not feeling liberated" are treated as semantically synonymous and formal-logically equivalent. Formally, $\forall(y)\ [B(y,x,z) \leftrightarrow \neg E(y,x,z)]$ as well as $\forall(y)\ [E(y,x,z) \leftrightarrow \neg B(y,x,z)]$ apply.[20] On the basis of contradiction, then, terrifiers can be defined qua negation as liberators and liberators qua negation as terrifiers. For the terrorist, then, in addition to the above definition (2), the following also applies:

2' $T(x,z) \leftrightarrow \boldsymbol{W}(y)\ \neg B(y,x,z)$
Someone commits an attack as a terrorist $=_{df}$
The majority do *not* feel *liberated* by the violent act/perpetrator.

An example of this is a speech that Helmut Schmidt directed at the Red Army Faction on 8 September 1977. Among other things, he said: "You regard yourselves to be a small, chosen elite, destined, so you write, to liberate [*sic*] the masses. You are mistaken. The masses are against you."[21] If "the masses" is understood as the majority of the population of the Federal Republic of Germany, then the assessment (which forms

the basis of Schmidt's speech) of the violent acts of the Red Army Faction as attacks and of their perpetrators as terrorists was perfectly true, even if the Red Army Faction members wanted to see themselves as freedom fighters.

Also, the fact that Western media refer to Anders Breivik variously as a terrorist and as an amok-runner does not run contrary to our determination of Breivik, insofar as an amok-runner is always, *per definitionem*, a terrorist: the terrifying of everybody always implies the terrifying of the majority. However, what is gained with the definition of the amok-runner is the following: counter to the usual discourses, amok-runners can now be described completely independently of motives, triggers and predispositions. In order to identify such cases, namely those of political amok-runners, it is no longer necessary to diagnose insanity or a prehistory and disposition that have caused their acts of madness.[22] All (remote) diagnoses by professionals and populist media can certainly have, ideally, an aetiological function for the purpose of preventing future killing sprees; nevertheless, aetiology is irrelevant for the identification of the amok-runner as such. The violence of the amok-runner is "crazy" because and only because of the fact that it terrifies (almost) everyone.

Usually, however, it is assumed, at least implicitly if not explicitly, that being an amok-runner and being a terrorist are mutually exclusive, and thus that the relationship is at least a contrary one: a political motivation is not ascribed to amok-runners, since they are insane, whereas a political motivation and thus, implicitly, not insanity is ascribed to terrorists. Precisely this was the explicit issue at Breivik's trial. Different assessments were given of Breivik's mental condition, which varyingly attested to his responsibility or diminished capacity, ergo insanity. The latter finding would have had the consequence that he could not have been charged – especially in the legal sense – with an act of terrorism and thus with a politically motivated act of violence.

This ultimately explains why Breivik himself insisted on being classified as legally sane: he needed to be considered sane in order to be regarded as the political assassin that he also held himself to be. However, according to the quantitative determination of a terrorist as amok-runner, precisely this differentiation is irrelevant. Breivik can as such be seen as both terrorist and amok-runner: that is to say, as an amok-runner and simultaneously also as a terrorist, who is mad because he terrifies nearly everybody with his politically motivated act. Conversely, the public prosecutor's office had to plead to the very end for Breivik's legal insanity (in the context of the conventional definition),

in order to deny his violent acts any political status. The impulse was to regard this mad action not as a political one and, therefore, it had to be considered insane, or regarded as something else – i.e., something neither insane nor political – which apparently was also not a desirable option. One could not, however, view Breivik's action as political and insane at the same time.[23]

This becomes possible only with the new definition of the amok-runner as an almost limitless terrifier. Breivik is now insane simply by virtue of the fact that his act terrified almost everyone, and not only, say, because he regards his actions, contradictorily, as terrifying and liberating at the same time. This contradiction is in any case only the result of a contradictory or contrary modelling of "to terrify" and "to liberate": a contradictory or contrary relation between "to terrify" and "to liberate" is precisely the precondition for such a contradiction. Therefore, it will be shown that with contingency modelling this very condition is rendered invalid.

If one again considers the political amok-runner defined here in comparison with a political hero, yet another phenomenon arises: in actual fact, and in contrast to amok-runners, terrorists and freedom fighters, no real examples can be found for politically motivated heroes. Politically motivated heroes and heroic deeds seem to exist only in the form of fictionalising narratives. This phenomenon can be described, however, only on the basis of a contrary modelling.

3. Contrary Modelling

The contrariety between "to terrify" and "to liberate" means that one can now also choose to feel neither terrified nor liberated. At the same time, one still cannot feel simultaneously liberated and terrified. Formally, the following applies: $\forall(y)\ [B(y,x,z) \rightarrow \neg E(y,x,z)]$ and $\forall(y)\ [E(y,x,z) \rightarrow \neg B(y,x,z)]$.[24] With this, we have for the first time a concept of the freedom fighter as one who must be not only a non-terrifier but also a liberator: while the characteristic of being terrifying continues to be sufficient to define a terrorist, the quality of being non-terrifying is not sufficient to define a freedom fighter. For while "to terrify" continues to imply "to not liberate", "to not terrify" now (unlike under contradictory modelling) no longer implies "to liberate". Conversely, although "to liberate" still implies "to not terrify", "to not liberate" no longer implies "to terrify". The synonymy that exists within the framework of contradictory modelling is thus nullified, so that we achieve a more nuanced concept of the liberator in relation to the terrifier and vice versa.

If one describes the contrariety between "to terrify" and "to liberate" again by means of the voting analogy, this would entail that those who decide in a contradictory manner for all-of-the-above candidates, in this case "liberator" and "terrifier", continue to be discounted (as void). However, those who remain undecided, who feel thus neither terrified nor unterrified, are counted now as non-voters. This has the consequence that a majority of undecideds can also form, and conversely – as was the case under contradictory modelling – a majority of terrified or liberated need not materialise; thus it follows from the contradictory modelling that every act of violence must necessarily be classified as an act of terrorism/rampage or a liberating blow/heroic deed, while in the context of a contrary relationship the status of the committer of violence can remain open. As such, contrary modelling of "to liberate" and "to terrify" ultimately makes possible a sort of scepticism,[25] not in the sense of being undecided between "terrified" and "not terrified" or "liberated" and "not liberated", but as a decision against a compelled definition of oneself either as "liberated" or as "terrified".[26]

It may not, in the context of an election, sound very plausible to factor in non-deciders and thus non-voters, precisely because this could entail the idea that even all the parties put together might not attain a majority, since this would actually be held by the undecideds. However, in the discourse around decisions relating to politically motivated violence and those who commit it, majorities comprised of undecideds indeed make sense. When one bears in mind what consequences are entailed by declaring someone to be a terrorist, the argument in favour of contrary modelling and against contradictory modelling is clear: under contradictory modelling, if one cannot or does not want to classify someone as a liberator, then one has to automatically classify him or her as a terrorist. Yet the decision to classify someone as a terrorist or amok-runner has far-reaching implications for action – prosecution, retaliation, violence, war and death – further-reaching implications, in any event, than the decision to classify someone as a freedom fighter or hero.

However, if one again considers the difference between heroes and amok-runners on the basis of the concept of the freedom fighter as differentiated from the concept of the terrifier, the following becomes apparent: a heroic act that liberates almost everyone differs from a rampage that terrifies almost everyone in that the latter represents an "instantaneously possible event": i.e., one that can occur virtually immediately. This is due to the fact that amok-runners do not change the world, but rather simply terrify almost everyone. However, in the

case of the hero, the situation is different. Because the number of those liberated by the heroic act is nearly everybody, we are dealing here with a "revolutionary event" in a broader sense and a "meta-event" in a stricter sense in the spirit of Jurij Lotman's structural text analysis.[27] This means that in the course of the meta-event initiated by the hero, the world represented in a text is restructured: "boundaries are shifted, are reconstituted, and new, different orders are established."[28]

It is precisely this, however, that banishes the concept of the hero to the fictional realm. However often it may appear in fictional texts, the meta-event of a heroic deed is, in the reality of its time, improbable: as a rule, acts of violence do not change the world from one moment to the next and by unanimous consensus. A consensus must first be narratively produced and made possible historically: "heroic history" is written only in retrospect, and heroes almost never exist in actuality, but rather primarily in the fictional texts of propaganda and political utopia, for the very reason that their stories claim correspondence to a nearly impossible event. If, on the other hand, heroic deeds are to exist in reality, these must be preceded by a very special structure of the world and society, a structure that allows (almost) everybody to experience the violent act of the hero immediately as a liberation. This, in turn, can only happen, if (almost) everybody has regarded themselves previously as unfree.

Thus, when Breivik justifies his killing spree by claiming, among other things, to be the "liberator of mankind", he may be a hero in his own eyes. However, this has little to do with reality, precisely because not (nearly) everyone regarded themselves as unfree, at least not in Norway, the Western world and probably also not in the rest of the world. Thus, Breivik is apparently living completely in his own world and for this very reason was deemed – completely correctly – insane.[29] Breivik can, though, also be deemed insane because he sees himself not only as a liberator but also as a terrifier, for example when he realistically observes: "I know that it was cruel, that I have inflicted indescribable grief."[30] Here he produces an obvious contradiction that, if you will, again verifies his insanity. However, this contradiction is valid only in the context of a contrary and contradictory relation between "to terrify" and "to liberate".

4. Contingency Modelling

In the framework of a contingency modelling, it is quite possible for "terrifying" and "liberating" to exist simultaneously: in addition to the

possibility of feeling liberated or terrified and the state of feeling neither, now the state can arise of someone feeling both at the same time. Despite the contingent relation between "to liberate" and "to terrify", the concepts of liberating and terrifying themselves will not become random or arbitrary, as is sometimes implied by the use of the term "contingency" in cultural studies. On the contrary, it will continue to be impossible for one to be simultaneously liberated and not liberated or terrified and not terrified. Formally, the following applies: $\forall(y) \neg[B(y,x,z) \wedge \neg B(y,x,z)]$ and $\forall(y) \neg[E(y,x,z) \wedge \neg E(y,x,z)]$, which, in turn, results from the law of non-contradiction, the basic axiom of bivalent logic, generally expressed as $\neg(p \wedge \neg p)$: "p and not-p simultaneously are not true."

In the context of our voting analogy, contingency modelling admittedly appears nonsensical. In addition to the undecideds, one would now also consider those who decide in favour of not only one candidate but also simultaneously for one or the other opposition candidates. This, finally, reduces the election to absurdity. Against the background of decisions regarding politically motivated violence and those who commit it, it can nevertheless make sense to consider those who feel terrified and liberated at the same time. When, for example, Nicolae Ceauşescu, the neo-Stalinist dictator of Romania, and his wife, Elena, were sentenced to death by a military court and summarily shot by Ionel Boero and two of his men on 25 December 1989, Romania was at civil war.[31] While units of the Romanian army and the state police were quelling riots and demonstrations by shooting at the people, parts of the army had already sided with the incensed populace. Only with the execution of Nicolae and Elena Ceauşescu did the regular troops and state police at last switch sides to join the people. The regime changed, and the civil war ended. Thus the execution of Ceauşescu definitively led to the liberation of the Romanian people from Ceauşescu and his oppressive neo-Stalinist regime, as well as to the abrupt end of the civil war. However, this was simultaneously accompanied by horror at the execution itself: a majority of people, and perhaps even the general public, in Romania and in the Western world felt *liberated* by the politically motivated act of violence, the shooting of the Ceauşescus; however, they were at the same time *not also not terrified* by the act.

We are dealing, therefore, with a state of affairs that would be excluded under a contrary modelling, but which nonetheless existed. Even 25 years later, Western observers are scarcely able to look upon the Ceauşescu shooting and the "executioners" without dismay – for example when one hears Ionel Boero recount in an interview: "There were

three of us and we shot from the hip, from a distance of about seven metres. Each of us had 30 bullets, so 90 bullets in total"; or when Boero speaks of Elena Ceauşescu: "She stank like a beggar-woman and had seemingly soiled her pants out of fear. During the court martial I had to admonish her several times to calm down. I put my hand on her thigh and told her to stop behaving like a gypsy."[32]

While it may be quite useful to allow for simultaneous liberation and terror qua modelling, this becomes questionable as soon as one undertakes to quantify those terrified and liberated, so on the level of classifying freedom fighters/heroes or terrorists/amok-runners. Within the proto-definitions of *majorities* of terrified or liberated, concepts of terrorists, freedom fighters, amok-runners and heroes would emerge which would define a committer of violence simultaneously as a terrorist and freedom fighter, even simultaneously as a hero and madman running amok. However, this is not only a problem peculiar to the underlying proto-definitions. Such a definition of politically motivated committers of violence, which is based on a contingency modelling, ultimately contradicts every (conventional) understanding of freedom fighter and hero – i.e., certainly not as something that is at the same time also a terrorist and amok-runner – and vice versa. Instead, the one group is differentiated from the other, and it is precisely upon this distinction that the proto-definition is genetically constructed.

All this seems to argue emphatically against a contingency modelling of "to terrify" and "to liberate". On the basis of contingency modelling, one could, for example, no longer ascribe to Breivik a contradiction or, as such, insanity, when he declares he is a liberator and terrifier at the same time, and that he is, from his perspective, a hero, while from ours he is a madman. Nevertheless, Breivik, as an all-terrifying amok-runner and a non-liberating "liberator", would remain a madman.

5. Evaluation

While it is quite apparent that no ideal modelling exists, we can, by again comparing the three modelling experiments, identify one modelling as the most adequate: contradictory modelling, in contrast to the other two, does not make possible an explication of the fictionality of the heroic concept – in the context of politically motivated violence. Other heroes, such as those in sports or, as is common in "real existing socialism", "heroes of labour", are not dealt with here. Not only can these exist; in fact, they did and do exist in great numbers.

In addition, contradictory modelling compels from the outset a decision about committers of politically motivated violence as either terrorists or freedom fighters, while both contrary and contingent relations leave room for indeterminacy and scepticism between "to terrify" and "to liberate". And yet what neither a contrary nor a contradictory relation can capture is the potential of a liberating blow to be terrifying. This only becomes possible with a contingency modelling. However – and this is at first glance a clear argument against it – this modelling results in completely counterintuitive and, if you will, counter-conventional concepts of terrorists, freedom fighters, amok-runners and heroes of politically motivated violence. And yet, since a contingency modelling – in contrast to a contradictory modelling – shares the advantages of contrary modelling, it is worthwhile concluding by again considering both of these from a comparative perspective.

In doing so, it becomes evident that a contingency modelling seems useful at the level of individual decisions on being terrified and liberated. On the other hand, a contrary modelling seems necessary at the level of majority decisions and thus for the classification of politically motivated violence and those who commit it as terrorists/amok-runners or freedom fighters/heroes. Nonetheless, the advantages of both modellings can also be realised by a contingency modelling with an additional condition, namely that the majority cannot at the same time be liberated and terrified, or formally $\boldsymbol{W}(y)\ \neg[E(y,x,z) \wedge B(y,x,z)]$.

On closer inspection, though, the additional condition is nothing more than a relationship that was already implicitly given in contradictory and contrary modellings of "to terrify" and "to liberate". As such, the following applies: $\forall(y)\ [E(y,x,z) \rightarrow \neg B(y,x,z)] \rightarrow \neg\boldsymbol{W}(y)\ [E(y,x,z) \wedge B(y,x,z)]$.[33] By applying this additional condition to our original example, Breivik, as someone who simultaneously terrifies and liberates, would continue to be not necessarily insane. Breivik would, however, as someone who simultaneously terrifies and liberates *the majority*, hence as hero and amok-runner, be contradictory and therefore be once again potentially insane. Furthermore, as an amok-runner and a "liberator" who liberates no one, he remains a madman.

While a conditional contingency modelling can, on the basis of a comparison of the modelling approaches, be identified as the most adequate modelling, the modelling experiments demonstrated above and their simultaneous self-reflexive analysis harbour yet another, completely different potential. The real potential of such a formal discourse analysis lies not in the determination and construction of concepts of politically motivated violence and those who commit it, but in the

criticism and deconstruction of discourses about politically motivated violence that can be found particularly in the mass media as an articulation, but also as a propagandistic steering, of public opinion.[34] To this end, formal discourse analysis enables us not only to critically scrutinise existing concepts in their arbitrariness and conventionality, as discursive axioms or *dispositifs*.[35] In the framework of such a method, actual discourses (as systems of concepts) can now be critically assessed in their intrinsic consistency and ultimately in their justification – particularly, but not only, discourses of politically motivated violence. Owing to the performative force that discourses about politically motivated violence can and usually do generate in the public discourse, an analysis and criticism of such terms and the positing of terms is not only highly useful or valuable but also, if the public discourse is to remain self-aware, ultimately unavoidable.

Notes

1. For more on Breivik's manifesto, see BBC (24 July 2011) "'Breivik Manifesto' Details Chilling Attack Preparation", BBC, http://www.bbc.co.uk/news/world-europe-14267007.
2. B. Schulz and S. Utler (16 April 2012) "Breivik beruft sich auf Notwehr", *Spiegel Online*, http://www.spiegel.de/panorama/justiz/staatsanwaelte-zeichnen-anders-breiviks-weg-zum-attentaeter-nach-a-827757.html.
3. Focus Online (17 April 2012) "Prozess gegen Massenmörder in Oslo: Die krude Gedankenwelt des Anders Behring Breivik", *Focus Online*, http://www.focus.de/politik/ausland/terror-in-norwegen/prozess-gegen-massenmoerder-in-oslo-die-krude-gedankenwelt-des-anders-behring-breivik_aid_738917.html. This and all following quotations have been translated from German.
4. G. Traufetter and E. A. Eik (22 June 2012) "Plädoyer im Massenmörder-Prozess: Verteidiger fordert Freispruch für Breivik", *Spiegel Online*, http://www.spiegel.de/panorama/justiz/massenmoerder-breivik-verteidigung-fordert-im-prozess-freispruch-a-840313.html.
5. S. Krause, D. Seher and S. Klatt (25 July 2011) "Der Massenmord in Norwegen Aufruf eines 'Tempelritters' ", *WAZ Online*, http://www.derwesten.de/politik/aufruf-eines-tempelritters-id4907368.html; B. Menke (17 April 2012) "Gerichtspsychiater: 'Es ist besser, man lässt Breivik ausreden' ", *Spiegel Online*, http://www.spiegel.de/panorama/justiz/attentaeter-anders-breivik-lobt-al-qaida-vor-gericht-a-828140.html; K. Haimerl (25 July 2011) "Abgründe des Abendlandes", *sueddeutsche.de*, http://www.sueddeutsche.de/politik/norwegen-das-manifest-des-anders-behring-breivik-abgruende-des-abendlandes-1.1124360.
6. In the following, "amok-runner" is preferred to more colloquially common English terms, such as "spree killer" or "rampage killer", both for the sake of terminological consistency and due to its proximity to the German term "Amokläufer", which in its etymology and widespread usage in the media forms the basis of the present deliberations.

7. As a preliminary study to the present article, please see Christer Petersen (2015) *Terror und Propaganda: Prolegomena zu einer Analytischen Medienwissenschaft* (Bielefeld: Transcript).
8. Rendered in full: "Someone (x) is a terrorist (T), if and only if he is a terrorist", whereby "if and only if" represents in normal language the equivalence operator (↔). See, for example, Irving M. Copi (1982) *Introduction to Logic*, 6th edn (New York: Macmillan), p. 315.
9. For the etymology of the term see, for example, Renate Hau (1986) *Globalwörterbuch Lateinisch-Deutsch* (Stuttgart: Klett), pp. 1035–1036, or Gerhardt Köbler (1995) *Deutsches Etymologisches Wörterbuch*, www .koeblergerhard.de/ derwbhin.html.
10. One can apply here George Berkeley's "esse est percipi", albeit not in general, but rather with respect to being "terrified" or "liberated" and the perception or feeling of being "terrified" or "liberated". See George Berkeley (2002) *A Treatise Concerning the Principles of Human Knowledge*, David R. Wilkins (ed.), http://www.maths.tcd.ie/~dwilkins/Berkeley /HumanKnowledge/1734/HumKno.pdf.
11. Violence does not, however, have to be formally considered, as the definitions of freedom fighter and terrorist are explicitly situated in the context of politically motivated violence.
12. The reference group of evaluators is fundamentally always defined variably with the group of those affected by political violence. One must question, on a case-by-case basis, the plausibility of the underlying reference group of y and in doing so identify the respective group of those affected, hence the evaluators.
13. $F(x,z) =_{df}$ (is defined as) "x is a freedom fighter and z is a liberating blow"; $E(y,x,z) =_{df}$ "y feels terrified by x and z".
14. $\boldsymbol{W}(x)$ quantifies the number of all evaluators with regard to the majority (*W* from the Polish *Większość*). The majority is understood here as 50 per cent plus one individual, up to 100 per cent. The minority (*K,* from the Hungarian *Kisebbség*) is, by contrast, understood as the range between 0 und 50 per cent, symbolised by $\boldsymbol{K}(x)$. For the relation between majority and minority, it follows from this that: (1) If the property μ applies for the majority, then the property $\neg\mu$ applies for the minority, in symbols: $\boldsymbol{W}(x)\ \mu(x) \rightarrow \boldsymbol{K}(x)\ \neg\mu(x)$; (2) If the property μ applies for the majority, then the property μ does *not* apply for the minority, in symbols: $\boldsymbol{W}(x)\ \mu(x) \rightarrow \neg\boldsymbol{K}(x)\ \mu(x)$; and (3) If the property μ does *not* apply for the majority, then the property μ applies for the minority, in symbols: $\neg\boldsymbol{W}(x)\ \mu(x) \rightarrow \boldsymbol{K}(x)\ \mu(x)$. Accordingly, a contrary relation exists between $\boldsymbol{W}(y)\ \mu(y)$ and $\boldsymbol{W}(y)\ \neg\mu(x)$ and a subcontrary relation exists between $\boldsymbol{K}(x)\ \mu(x)$ und $\boldsymbol{K}(x)\ \neg\mu(x)$.
15. Formally, $\forall(x)\ \mu(x) \rightarrow \boldsymbol{W}(x)\ \mu(x)$ applies. "All" also always implies the majority, so that the majority, in turn, may not formally imply "all", but also does not preclude it. Precisely this circumstance renders "all" a special case of the majority.
16. It is of no consequence that "almost" is not formally represented here by means of the universal quantifier, as this has no influence on the metalinguistically described object range; at the same time, this allows for modelling by means of predicate logic.
17. $H(x,z) =_{df}$ "x is a hero and z is a heroic deed."

18. $A(x,z) =_{df}$ "x is an amok-runner and z is a rampage."
19. Liselotte Kramer-Kaske (1980) *Illustrierte historische Hefte 21: Die kubanische Volksrevolution 1953–1962: Herausgegeben vom Zentralinstitut für Geschichte der Akademie der Wissenschaften der DDR* (Berlin: VEB Deutscher Verlag der Wissenschaften), p. 36.
20. The universal quantifier (∀) serves to generalise, that is to say, to universally quantify, the statements. $\forall(y)\ [B(y,x,z) \leftrightarrow \neg E(y,x,z)]$ would therefore read in full: "It applies for *all* evaluators that they are liberated by the committer of violence/the act of violence, if and only if they do not feel terrified by the committer of violence/the act of violence."
21. Cited in the documentary *Die RAF, Teil 1: Der Krieg der Bürgerkinder*, first broadcast on 9 October 2007 on ARD.
22. Within the context of a different discursive framing, the following could prove productive for amok-runners in general. Here, though, we are only concerned with politically motivated acts of violence and those who commit them.
23. As such, the implicit relationship between terrorist and amok-runner was apparently not only a contrary one but also a contradictory one.
24. A relation of implication, $p \rightarrow q$, differs from a relation of equivalence, $p \leftrightarrow q$, precisely in that the following only applies for the latter: $(p \leftrightarrow q) \leftrightarrow (p \rightarrow q) \wedge (q \rightarrow p)$; if two statements p and q are equivalent, then p implies q and, simultaneously, q implies p.
25. Owing to the above definition of majority and minority, there exists even with contradictory modelling the (rare) possibility that neither a majority of terrified nor a majority of non-terrified emerges. This is precisely the case when the number of terrified is exactly equal to the number of non-terrified (50 per cent terrified and 50 per cent non-terrified). In this case, both the terrified and the non-terrified are in the minority (sub-contrary relation of $\boldsymbol{K}(y)\ E(y,x,z)$ and $\boldsymbol{K}(y)\ E(y,x,z)$). This may initially seem counter-intuitive, but if one again enlists the election analogy, namely with regard to the distribution of seats in a parliament, it becomes clear that this circumstance is entirely possible. However, with sufficiently large numbers of deciders (in terms not of parliamentarians, but rather of voters), such a state of affairs can be regarded as a negligible outlier: with an increasing number of deciders, the probability of a stalemate declines.
26. By deciding in favour of a contrary modelling of "to terrify" and "to liberate" and the accompanying possibility ($\boldsymbol{M}$) of a sceptical position, $\boldsymbol{M}\{\exists(y)\ [\neg E(y,x,z) \wedge \neg B(y,x,z)]\}$, one has automatically decided against a subcontrary modelling of "to terrify" and "to liberate". This would require that one necessarily ($\boldsymbol{N}$) feels terrified or liberated by any given violent act, $\boldsymbol{N}\{\forall(y)\ [E(y,x,z) \vee B(y,x,z)]\}$. Conversely, a decision in favour of a subcontrary modelling is one against contrary modelling and, as such, against scepticism: $\boldsymbol{N}\{\forall(y)\ [E(y,x,z) \vee B(y,x,z)]\} \leftrightarrow \neg\boldsymbol{M}\{\exists(y)\ [\neg E(y,x,z) \wedge \neg B(y,x,z)]\}$. Analogously, a decision in favour of a contradictory modelling of "to terrify" and "to liberate" as described further above is automatically a decision against both subaltern modellings and thus against a (conceptually impossible) equivalence of "to terrify" and "to liberate".
27. Jurij M. Lotman (1972) *Die Struktur literarischer Texte* (Munich: Fink); also exhaustively and on the basis of formal logic in Peter Klimczak and

Christer Petersen (2015) "Ordnung und Abweichung. Jurij M. Lotmans Grenzüberschreitungstheorie aus modallogischer Perspektive", *Journal of Literary Theory*, 9(1), 134–158, and Peter Klimczak (2015) *Formale Subtextanalyse: Modallogische Grundlegung der Grenzüberschreitungstheorie Jurij M. Lotmans* (Münster: Mentis).

28. Hans Krah (2006) *Einführung in die Literaturwissenschaft/Textanalyse* (Kiel: Ludwig), p. 310.
29. For example, in a *Spiegel* interview about Breivik with the Austrian forensic psychiatrist Reinhard Haller, one could read the following: *Spiegel Online*: "Where does the difference lie between fanaticism and delusion?" *Haller*: "In the case of fanaticism, the ideas still bear a trace of reality. What the fanatic thinks and says could still be valid in some way. But when one claims to be the King of Norway and the liberator of mankind, the above does not apply." Again, see Menke, 2012.
30. P. Hinrichs "Breivik: 'Ich weiß, dass es grausam war' ", *Abendblatt.de*, http://www.abendblatt.de/politik/ausland/article2250276/Breivik-Ich-weiss-dass-es-grausam-war.html, date accessed 25 November 2014.
31. M. Schepp (20 October 2005) "Ceausescus Scharfrichter: Der Diktator und sein Henker", *Stern.de*, http://www.stern.de/politik/ausland/ceausescus-scharfrichter-der-diktator-und-sein-henker-547930.html.
32. Again, see Schepp, 2005.
33. In particular, the following applies: $\forall(y)\ [E(y,x,z) \rightarrow \neg B(y,x,z)] \rightarrow_{[1]} \boldsymbol{W}(y)\ [E(y,x,z) \rightarrow \neg B(y,x,z)] \rightarrow_{[2]} \boldsymbol{W}(y)\ [\neg E(y,x,z) \vee \neg B(y,x,z)] \rightarrow_{[3]} \boldsymbol{W}(y)\ \neg[E(y,x,z) \wedge B(y,x,z)]$. It follows from the contrary relation of "to terrify" and "to liberate" – i.e. from the circumstance – that all who are terrified are not liberated (1) that the same relation between "to terrify" and "to liberate" is valid also for the majority, as "all" implies the majority. In turn, it follows from this, using the inference rules of material implication (2) and De Morgan's laws (3), that the majority cannot simultaneously be terrified and liberated.
34. For more on the method of formal discourse analysis in the context of a new discipline of Analytic Media Studies, see again Petersen (2015).
35. An axiom is understood here to mean a determination or definition that is presupposed without any further reason or justification. As such, the term axiom is quite close to the Foucauldian term *dispositif*, but with at least the one distinction that axioms refer more to conscious/intentional positings, while *dispositifs* signify the assumptions in certain cultural discourses that are not or no longer questioned or perceived as positings. For more on the terms *dispositif* and "discourse", see, for example, Andrea Bührmann/Werner Schneider (2008) *Vom Diskurs zum Dispositiv: Eine Einführung in die Dispositivanalyse* (Bielefeld: Transcript), pp. 23–55.

10

Terrorism as Cultural Bricolage: The Case of Anders Behring Breivik

Sveinung Sandberg

1. Introduction

On 22 July 2011 two consecutive terrorist attacks took place in Norway.[1] The first was the detonation of a car bomb in Oslo in the vicinity of government buildings and the office of the Prime Minister. The second attack took place less than two hours later at a summer camp organised for the youth division of the ruling Norwegian Labour Party. Eight people died in the bomb explosion, and 69 people, mostly youths, were shot dead. The terrorist, Anders Behring Breivik, was an anti-Islamist critical of the government's policy of multiculturalism. His apparent targets were the government and the future political leadership of the Social Democratic Party.

Only hours before the attacks, Breivik emailed a 1,500-page manifesto in English to several thousand people. In it he explained his actions and described their planning in detail. Although misinformed, contradictory and dismissed even by most of his fellow anti-Islamists, the manifesto reveals Breivik's symbolic and semiotic universe. It also outlines his life story and self-narratives. The manifesto, titled "2083 A European Declaration of Independence", quotes, retells and reinterprets the rhetoric of an emerging anti-Islamic movement in Europe. It is a collection of texts from different sources. Some parts are written by others, such as 39 essays by a Norwegian blogger ("Fjordman"). Other parts, most notably the American Unabomber's manifesto, written in 1995, are plagiarised, with some minor changes such as replacing the word "leftism" with "cultural-Marxism". Finally, there are parts he has written himself, such as a diary that describes his preparation for the attacks in considerable

detail, as well as a self-interview about his preparations and reasons for committing the attacks.

The manifesto is a valuable resource for social scientists studying the political and cultural dimensions of crime. Breivik's manifesto provides extensive and detailed accounts of the offender's self-image as well as his life-story and rationale for carrying out his actions. Having before-the-fact data avoids many of the methodological concerns of after-the-fact interviews with offenders, such as rationalisations and retrospective adaptations of the narratives to fit new audiences. However, studying the manifesto has limitations as well: most importantly, it allows the perpetrator to control the perception and interpretation of events. The manifesto is a strategic story told by Breivik and should be treated as such by researchers.

This chapter applies cultural and narrative[2] criminology in an in-depth analysis of Breivik's manifesto and the events on the 22 July 2011. Three cultural references stand out in the terrorist attacks – anti-Islamic rhetoric, stories of political terrorism and previous school shootings – but there are also a multitude of other influences. Terrorism is not a clear-cut category, and perpetrators are frequently motivated by a combination of elements from, for example, mass killings, hate crime, street culture, conventional crime and political ideology when they perform their attacks. An analysis of Breivik's manifesto and attacks is used to argue that terrorism can be intertextual, representing a multitude of cultural references, and is therefore best understood as a bricolage.[3] Although excessive violence is sometimes described as unrestrained, it is best understood as emerging from a complex cultural universe of discourses, narratives, scripts and images.

2. Culture, narrative and bricolage

Breivik was early on defined as a solo or lone-wolf terrorist by the Norwegian Police Security Service. These offenders are characterised by their tendency to operate individually, rather than belonging to an organised group, and the fact that they are difficult for the authorities to detect. They are also frequently described as lacking social networks and having mental disorders and a tendency to "create their own ideologies".[4] The notion of lone wolves, however, is easy to misinterpret. Most importantly, the lone wolf metaphor evokes images of ideologically and socially unaffiliated individuals, and directs the attention away from cultural and political narratives. Narratives are by definition shared and emerge in social interaction. They are at the core of interest for both cultural and narrative criminology.

Cultural criminology "explores the many ways in which cultural forces interweave with the practice of crime and crime control in contemporary society"[5] and emphasises that "crime and deviance constitute more than the simple enactment of a static group culture".[6] With respect to the Norwegian perpetrator, cultural criminology offers several important insights. The *modus operandi* is "manifold, plural, and increasingly global",[7] and the violent attacks can only be understood by exploring the "representational hall of mirrors" that defines and constitutes crime.[8]

We understand, construct and deal with life through storytelling. Stories are forceful, persuasive and effective forms of communication, and also among the most important cultural elements that direct crime.[9] Narrative criminology "focuses on how people establish who they are – their identity work – by emplotting their experience", and "seeks to explain crime and other harmful action as a function of the stories that actors and bystanders tell about themselves".[10] Breivik, for example, was influenced by several stories when planning for and carrying out his actions.

The multitude of stories motivating terrorism can be described as intertextuality, dialogue, polyvocality and interdiscursivity, or just openness and ambiguity.[11] In this chapter I will describe this multitude of stories as the cultural bricolage of terrorism. Lévi-Strauss describes bricolage as a "heterogeneous repertoire which, even if extensive, is nevertheless limited".[12] He says that mythical thought is "a kind of intellectual 'bricolage' " but notes the following:

> The elements which the "bricoleur" collects and uses are "preconstrained" like the constitutive units of myth, the possible combinations of which are restricted by the fact that they are drawn from the language where they already possess a sense which sets a limit on their freedom of manoeuvre.[13]

The Norwegian terrorist attacks can be studied as a cultural bricolage that draws on a widely dispersed and heterogeneous repertoire. Breivik is the bricoleur who "addresses himself to a collection of oddments left over from human endeavours, that is, only a sub-set of the culture".[14] Studying terrorism in this way, it is possible to identify a wide variety of cultural influences both in the manifesto and in the actions themselves.

This chapter will first describe the primary voice or cultural influence of the manifesto. Then it will highlight four different narrative modes in the text, some of which break radically with the language of political radicalism. Narrative mode will refer to the narrative style, tone

and voice a writer or speaker uses to tell a story.[15] Finally, the chapter will identify the untold cultural reference of the 22/7 attacks – i.e., the school shootings. The aim is to present the complex cultural repertoire that inspired Breivik to carry out his actions, thereby challenging simple categorisations of harm.[16]

3. Inspiration from the anti-Islamic movement

Breivik was first and foremost inspired and motivated by anti-Islamic rhetoric, narratives and discourses emerging from a European anti-Islamic movement. He was reading and sometimes posting on anti-Islamic internet sites such as Gates of Vienna, New English Review, Brussels Journal, Stormfront and the Norwegian document.no. He copied and pasted large amounts of text from these websites into the manifesto, but also retold well-known stories from these. He shared his views of the current situation in Norway and Europe, the "Eurabia thesis" and the metaphors of "self-defence", "betrayals" and "traitors" with many others and more or less copied text from their "counter-jihadist" web pages.[17] For example, the title of the manifesto is taken from the text "Native Revolt: A European Declaration of Independence", written by "Fjordman" and published in the Brussels Journal.[18]

A closer study of this document reveals how Breivik retells narratives from anti-Islamic web pages, such as the political demands and narratives of "Fjordman":

> We demand that the ideology of multiculturalism should immediately be removed from all government policies and school curricula (...) We demand that all Muslim immigration in whatever form should be immediately and completely halted (...) We are sick and tired of feeling like strangers in our own lands, of being mugged, raped, stabbed, harassed and even killed by violent gangs of Muslim thugs.[19]

Many of the metaphors in the manifesto of "war", "colonisation", "invasion", "treason", the "Eurabia thesis" and the emotional call for action are also present in "Fjordman's" document:

> The wave of robberies the increasingly Muslim-dominated city of Malmö is witnessing is part of a "war against Swedes" (...) Europe is being targeted for deliberate colonisation by Muslim states, and with coordinated efforts aimed at our Islamisation and the elimination of

> our freedoms. We are being subject to a foreign invasion, and aiding and abetting a foreign invasion in any way constitutes treason. If non-Europeans have the right to resist colonisation and desire self-determination then Europeans have that right, too. And we intend to exercise it.[20]

In large parts the narratives and language in the manifesto are difficult to separate from the narratives and language of the anti-Islamic movement, and the similarities between the manifesto and a larger anti-Islamic movement are striking: stories of Muslims raping Europeans, violent young Muslim gang members, the Eurabia thesis, prophecies of a coming or ongoing civil war, idealisation of self-sacrifice and a call for action against the Islamisation of Europe. The most striking resemblance is between the manifesto and "counter-jihadist" blogs and web sites. In fact, the only real difference lies in the proposed political means or solutions to the "problem". Here the Norwegian terrorist differs from most, if not all, of his fellow anti-Islamists.[21]

Only days after the terrorist attacks Breivik was described as a lone wolf. This appellation sits well with the dominant academic understanding of lone-wolf terrorism: he operated individually, did not belong to an organised group, had a few social networks (although he was active on the internet) and even showed signs of mental problems.[22] However, although accurately describing the actions themselves, the metaphor of lone wolves does not reflect a sufficient understanding of the social character of the language and political narratives involved in acts of lone-wolf terrorism. Although Breivik operated alone, his ideology, world-view and narratives emerged from a large, sometimes radical and relatively new anti-Islamic social movement.[23] It is thus impossible to understand the Norwegian terrorist attacks without seeing how their rationale was embedded in anti-Islamic rhetoric. However, anti-Islamic rhetoric is not the only voice in the manifesto.

4. Narrative modes in the manifesto

Breivik's manifesto is characterised by being written in several different narrative modes.[24] These can in short be described as technical, emotional, pragmatic and social, and draw upon different literary styles. They differ radically from each other, and, combined with the frequent copy-and-pasting, they leave the reader with the impression of a collage rather than a coherent story.

4.1 The technical mode

In the manifesto, particularly in the "diary", Breivik pays great attention to the details of how to make a bomb. Technical jargon and the language of "the manual" dominate long passages. The notes for 13 July – "day 73" – serve as one example:

> I cleaned my 3M gas mask today. It was full of AL powder/smearing and the multifilters were full of AL dust. Unfortunately; these are my last multifilters (particle and vapour filter combined) so I can't replace them. I do have a couple of sets of particle filters but I believe they won't be of much use to filter the diesel fumes when mixing ANALFO.[25]

A large part of the diary seems to be written from the viewpoint of a chemist involved in an ongoing experiment. Breivik offers advice to others with an emphasis on technical details and how to avoid attracting attention. What can be described as the narrative mode of a technically skilled and professional revolutionary is evident in sections in which he describes the professionalism and determination needed to carry out terrorist attacks.

In parts of the Question and Answer section he similarly describes the role of the revolutionary from an organisational perspective. For example, he mentions seven traits that are important for a "cell operative". These are: "Ideological confidence, patience, the ability to motivate yourself, keeping sensitive information to yourself, resourcefulness, being pragmatical and insightfulness in your own psyche."[26] He also suggests that fellow "cultural conservatives" should become bloggers, infiltrate political parties, start a career in the military or in media organisations or the academia and have many children.[27]

What is striking about this narrative mode is that the cause seems secondary. The bomb he made was inspired by the Baader-Meinhof gang, and he recognises Al Qaida and quotes both Fidel Castro and George Bernard Shaw as sources of inspiration.[28] When Breivik writes in this narrative mode, the emphasis is on the skills necessary to become a terrorist and revolutionary, and the practical organisation of a revolution. The language and style of writing are similarly practical and technical, and without feelings or emotions. The narrative style in these parts of the manifesto is more like that of the technical manual.

4.2 The emotional mode

In contrast, other parts of the Question and Answer section are characterised by a rather emotional call for action against Islamisation of

Europe. This quote is typical of the way he addresses supporters and followers: "I salute every single brother and sister who contributes day in and day out! You are the true heroes of the conservative revolution! [...] I heard your calling and as a result I did my duty as many more will continue to do."[29]

In some passages he also draws historical analogies, which adds to the pathos: "For 465 years the Romans were occupying half of Britain: the brave British patriots never gave up resistance [...] Even if the situation looks grim now, it will never be too late. Never surrender!"[30] In this narrative mode, which can be described as emotional, religious or inspired by social movement rhetoric, he addresses his audience more explicitly than in other parts, and some parts can be read as imitating public speeches: "You may fight with the pen or with the sword, every effort counts!"[31] This emotional mode can be traced back to both social movement rhetoric and the religious genre, and these languages sometimes overlap in their call for collective action. What has been described within social movement literature as emotional "calls to arms" or "hot cognitions"[32] are used to motivate people to action. The emotional style of writing in the manifesto comes with bravado, appeals to feelings and has short, pompous sentences. It is also characterised by the use of exclamation marks, indicating an oral form of presentation.

Many parts of Breivik's manifesto are characterised by the use of prophetic and religious language. He describes his followers as "brothers and sisters" and emphasises that they are many.[33] He prophesies an Armageddon and uses a widespread religious narrative in which things will become worse before they get better.[34] He also emphasises the importance of self-sacrifice,[35] and depicts his followers as the "chosen people": "We have taken these thankless tasks upon ourselves because we possess these traits; the self-insight, the ideological and moral confidence and strength and we are willing to sacrifice our lives for our brothers and sisters, even though they will openly detest us."[36]

The religious influence is also evident when he describes his own "conversion": for example, in such passages as "When I was at the top of my game, I had everything. At least, I thought I had everything when in essence I had lost everything."[37] And "That's not the kind of person I used to be, but it's the type of person I have become."[38] Finally, many of the symbols he uses are inspired by religion: for example, when he describes how people in the future "will hold our banner and chant our hymns because they finally understand".[39] The "hymns" are inspired by a religious world-view, but the "banner" indicates that he also sees himself as part of a social movement.

The emotional narrative mode differs in many aspects from the technical mode: for example, in the appeal to feelings. While the technical mode is practical and down-to-earth, the religious language or movement rhetoric is emotional and draws large historical analogies. Yet there are similarities in the manifesto. Both modes are dedicated to an extreme cause that demands huge sacrifices. While the manual offers the technical advice necessary to carry out terrorist attacks, "evangelic" social movement rhetoric offers motivation.

4.3 The pragmatic mode

Other parts of the manifesto are less dystopian, more modest and sometimes read like the writing of a pragmatic and intellectual politician. Within what can be analysed as a third narrative mode, Breivik describes how he studied "all the major ideologies in depth, everything from Marxism, socialism, Islam, fascism, nationalism, capitalism" and was an extreme libertarian at one point but ended up being interested in cultural identity and "a more traditionalist conservative school of thought".[40] He also continually refers to his libertarian world-views and the importance of personal freedom. In some passages he mentions curious details of what he will prioritise when his regime takes over, such as spending 20 per cent of the state's budget on research.[41]

In this mode, he emphasises that he is not searching for revenge and is not driven by bitterness or hate: "In fact, if they [the cultural Marxists] against all odds renounced multiculturalism today, halted all Muslim immigration and started deportation of all Muslims I would forgive them for their past crimes."[42] He claims to respect Muslims: "I don't hate Muslims at all. I acknowledge that there are magnificent Muslim individuals in Europe. In fact, I have had several Muslim friends over the years, some of which I still respect."[43] He also describes himself as appreciative of diversity[44] and "a laid back type and quite tolerant on most issues".[45] The answer to his own question of whether he opposes all aspects of multiculturalism is also illustrative:

> No, I don't. I support the continued consolidation of non-Muslim Europe and an unconditional support to all Christian countries and societies (Israel included), in addition to continuing our good relationships with all Hindu and Buddhist countries. As such, I don't support the deportation of non-Muslims from Europe as long as they are fully assimilated (I'm a supporter of many of the Japanese/Taiwanese/South Korean policies/principles). However, we should take a break from mass immigration in general (as of 2008

> numbers). Any future immigration needs to be strictly controlled and exclusively non-Muslim. Emphasis should be on individuals who can greatly benefit Europe in some way.[46]

While the first two narrative modes can be combined, they contrast radically with this pragmatic mode. In this narrative mode Breivik appears to be a reasonable person with whom one could negotiate or even reach a compromise. He argues and tries to negotiate with opponents or convince them by making assurances that he is not an extremist: for example, by stating that he also sees value in diversity and in other cultures.

4.4 The social mode

The final narrative mode is a continuation of the pragmatic one, but it is expanded further into the private realm. Seen against the background of the acts he committed, this concern about being perceived as pragmatic, easy-going and social is the least expected. For example, in the Question and Answer section, Breivik asks questions such as: "Can you describe your childhood?" and "How would you describe yourself as a person". In the answers, he takes up an informal tone:[47]

> I have a good relationship with my four half siblings, . . . [names three siblings], but especially . . . [the fourth sibling]. We get together a couple of times a year . . . . [the fourth sibling] moved to Los Angeles 14 years ago and is now settled down with two kids, . . . and . . . [names the two children]. I talk to her once a month.[48]

He continues by describing his relation to a woman in the extended family: " . . . 's girlfriend though is a super-feminist and quite radical Marxist. We have had some very interesting conversations where she has almost physically strangled me:D"[49] Note that his way of talking could have been that of any ordinary person in the context of everyday social interaction. He is trying to be funny, and it is all informal and relaxed.

In other parts, he discusses friends and reveals details about his personal tastes and interests.[50] We learn, for example, that his favourite destination is Budapest, about his favourite drinks and that he thinks every country has an excellent cuisine. Both the Bible and the Quran are listed among his favourite books. He also describes a trip abroad: "We spent five days there partying and celebrating. I haven't consumed that many Absolute and Red bulls since I was in Las Vegas;)."[51] He

mentions several times that he enjoys partying and is social: "I've always been good at socialising, getting to know new people."[52]

In the extract below he describes, also in a very informal tone, how difficult it has been to hide the preparations of the terrorist attacks:

> A couple of my friends have their suspicions though. However, I have managed to channel these suspicions far away from relating to my political convictions. Instead they suspect that I am playing WoW[53] (and trying to hide it) and a couple of them believe that I have chosen semi-isolation because of some alleged homosexual relationship which they suspect I am trying to hide, LOL. Quite hilarious, as I am 100% hetero, but they may continue to believe what they want as it prevents them from asking more questions;))[54]

It seems important for him to be perceived as a heterosexual who knows a lot of people and is respected by his friends. He admits to being a little shy, but as for not having a girlfriend, he attributes that to the operation he is planning.

The social narrative mode is embedded in the informal language often used in text messages and chat programmes. He frequently uses symbols such as "LOL" (laughing out loud) and different types of "smileys" in these parts of the manifesto. Breivik also continually attempts to be funny and to present himself as easy-going. He realises that these are important social skills in everyday interaction. However, his rather narcissistic self-presentation as a normal and popular person resorts to the language of the new social media, which he seems to associate with normality and sociability. This is quite illustrative of the life Breivik was living in the last years before his attacks. His social life was lived mainly on the internet.

5. Ambiguity in the manifesto

Self-narratives and identities are usually fragmented, and texts are often intertextual.[55] Being consistent is easier when writing than talking but difficult nevertheless. A unified or coherent self-narrative will often be a product of a reductive analysis by the researcher as much as a reflection of the actual content of texts. Changing between different narrative modes can be done convincingly, and many narrators manage to leave the listener with the impression of a unified story, perhaps because a unified narrative is expected and thus most easily perceived. Sometimes, however, it is less convincing and clearly shows that textual bricolage

is not solely the product of strategic agency by a competent narrator. Cultural bricolage also reflects how text production is determined by a limited discursive repertoire or an order of discourse.[56]

This is an important way to read the frequent shifts between narrative modes in the manifesto. The language and narratives of the different discourses Breivik uses more or less structurally determine the text he is writing. Their convergence could have been more convincingly managed by a more competent narrator, but these shifts are the main reason that the manifesto is hard to read, chaotic and unintentionally comical; for example, when it suddenly shifts from pompous stories about self-sacrifice to preferences regarding clothes and Eau de Cologne. It also gives the text an unpredictable frightening aspect, shifting from pragmatic concerns and willingness to forgive to consequences for those who do not change their opinion: "We will eventually annihilate every single one of them."[57]

Breivik's major problem in terms of resonance and communication is the inability to combine the different narrative modes with the anti-Islamic social movement rhetoric, the main voice of the manifesto. While the emotional mode bears some similarities, the others radically break with the tone of the larger social movement. This can testify to his psychological problems or social isolation, or it can reveal how seemingly very different literary styles can be part of a larger story upholding, influencing and producing crime. We need to capture this cultural bricolage – not just the influence of political rhetoric – to get a full phenomenological understanding of terrorism. Acts of terrorism and excessive violence are generally embedded within this interdiscursive or dialogical combination of stories and narrative modes.

In Breivik's manifesto for example, the anti-Islamic rhetoric is only part of the picture. It cannot explain why he turned to terrorism, since this movement did not commit terrorist attacks in the past or generally support them. There is an internal dialogue within the manifesto, which illustrates the cultural bricolage of terrorism.[58] The pragmatic narrative mode, in particular, gives voice to the doubt Breivik seems to have had about the legitimacy of the attacks, but this voice gradually becomes less important in what seems to be a process of increasing radicalisation.[59] After starting out as relatively moderate in terms of means, he ends up ferociously advocating political violence. Still, the pragmatic political mode that offers democratic and non-violent means and solutions and never really disappears is just toned down, and the ambiguity in terms of choice of means remains until he commits the acts.

6. The link to school shootings

The cultural bricolage of Breivik's terrorism gets even more intricate when the cultural influences not recognised by the perpetrators are included. Having studied different self-narratives[60] and the link to the anti-Islamic movement[61] in the manifesto for years, we had a growing unease about all the research that was done "explaining" Breivik's actions and cultural influences based on his own self-presentation and storytelling.[62] Using the manifesto as a primary source of data had allowed Breivik to control the perception and interpretation of events. In a later study we therefore decided to parenthesise Breivik's own version and go more into detail on the cultural scripts of the actions themselves.[63]

It soon became obvious that Breivik's attacks, especially at Utøya, had several similarities to previous school shootings. His actions shared with them a target, goal, cultural consumption, preparation, cultural products and main objective.[64] The school shooters were deviant individuals with social and mental problems, the targets were innocent young people in an educational context, and the aim was to kill as many as possible, using firearms. Moreover, the preparations had a symbolic dimension: the perpetrators used first-person shooting video games as part of their preparation, and manifestos, videos and other cultural products were made prior to the attacks. Most importantly, the shooters primarily killed to gain notoriety.[65]

The similarity can be illustrated by some of the pictures he used. In addition to text and acts, images and films are an important part of the cultural bricolage that inspires terrorism. Breivik made a film and posted it on YouTube: it was basically a short version of the manifesto. When this film was later shown in court, it was the only time he cried during the trial, so apparently it was of great importance to him. He also took many pictures. A fine-grained analysis of these is an important part of a study of the bricolage of his terrorism. In this chapter, however, there is only space for a short illustration of such a visual analysis.

In the images Breivik managed to downplay the polyvocal cultural influences better than in the manifesto, but they still have many varying cultural references. In one picture Breivik took of himself (Figure 10.1) he poses in a diving suit, and the accessories seem to indicate the professionalism seen in his technical narrative mode.[66] His expression and gaze are firm, and he seems to want to communicate determination and willpower. In this picture Breivik aims with the gun just beyond the camera lens, similar in a way to how previous school shooters have

Figure 10.1 Self-portrait photograph by Anders Behring Breivik

posed before him. He aims slightly to the side, however, and not directly at it. The two Finnish school shooters Pekka-Eric Auvinen and Matti Juhani Saari took pictures of themselves in respectively 2007 and 2008 (Figure 10.2).[67] These pictures have become iconic for school shooters, aiming directly at the camera, indicating that anyone is a potential threat (click on the website and you're a potential "victim").

School shooters' pictures are different from those distributed by jihadist terrorists. In pictures of many terrorists, they pose with guns, but the pictures show groups of people, and the guns are at their sides, depicting strength and the potential for violence. One example can be seen in the most distributed picture of Mokhtar Belmokhtar, who was in charge of the terrorist attacks at the gas facility at In Amenas, Algeria (Figure 10.3).[68] The message seems to be: if you provoke us, we will take up our guns. While the terrorist has a relatively limited target (a

Figure 10.2 Self-portrait photographs by Pekka-Eric Auvinen and Matti Juhani Saari

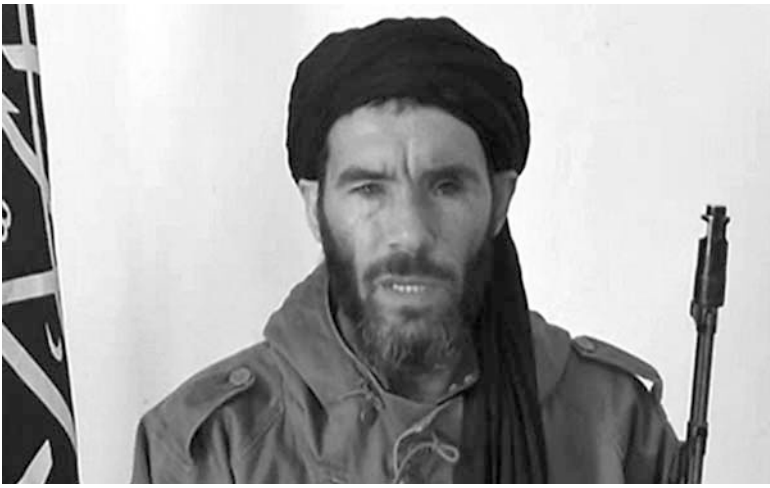

Figure 10.3 Self-portrait by Mokhtar Belmokhtar

particular group of people), the school shooter stands alone and attacks everyone. By aiming at the audience, the message is that no one should feel safe. There are no political or religious concessions that will mitigate the rage of the school shooter. Although Breivik viewed himself as a political terrorist, the cultural products he made, including self-portraits and texts, reveal a much more complex repertoire of cultural influences.

School shootings have been the most widely discussed rampage acts of the 1990s and 2000s, and their cultural impact has been wider than is commonly recognised. Breivik wanted to be part of a social movement and had much clearer political aims than most school shooters.[69] Illustratively, most of his manifesto describes his political ideology, and he had a history of engagement in political debates. He was also older than previous school shooters, did not target a group he had been involved with, did not commit suicide and left no explicit references to other school shooters. The latter characteristic has been a common factor in many of the more recent shootings. In these respects Breivik was not a typical school shooter, but he was not a typical lone-wolf terrorist either.

Research into lone-wolf terrorism has much to offer, but isolating this kind of terrorism as a clear-cut phenomenon and studying it within a limited field of research risks losing sight of the cultural bricolage of terrorism.[70] In the Norwegian terrorist attacks school shootings seem to be an important part of the complex cultural universe that inspired the act. The importance of the school shooting script can be demonstrated further by the fact that, although Breivik received little recognition as a political terrorist, he has been "celebrated" as a mass murderer. There are several marginal blogs idolising Breivik as a mass murderer, and there has been speculation that subsequent mass killings were inspired by Breivik's attacks.

7. Conclusion

Terrorism draws on a multitude of cultural sources and should be analysed as a cultural bricolage.[71] Moreover, the stories that inspire and shape terrorism include multiple voices.[72] This problematises distinctions between different types of harm. It is not always obvious what counts as terrorism, school shootings, massacres or any other sort of crime. Cultural and narrative criminology can help us to understand the subtleties of cultural influences on crime, and thus the nature of it. Cultural criminology regards offending as "reflected in a vast hall of

mirrors" and insists on reading crimes "in terms of the meanings they carry".[73] Narrative criminology studies narratives that promote action,[74] and it views narratives as "agency conditioned by culture and context, and as attempts at coherency and unity drawing on a wide variety of cultural narratives and discourses".[75]

Breivik was inspired by anti-Islamic ideology, stories of political terrorism and scripts of school shootings. The latter is not vocalised or made explicit in Breivik's own story, but is apparent in his actions. The cultural impact of school shootings is the untold story of the 2011 terrorist attacks in Norway. Uncritically reproducing offenders' stories is problematic, both methodologically and ethically. We fail in many respects if we only reproduce intentional and strategic narratives. This is particularly important when studying acts primarily staged for the mass media, such as terrorism and school shootings. The terrorist attacks in Norway call for a study of the intertextual and polyvocal character of criminogenic scripts and narratives, and of the complex role that the mass media and social media play in such acts.

There are many voices in the Norwegian terrorist attacks. Anti-Islamic rhetoric is the dominant one, but the narrative repertoire also includes "the manual", religious metaphors, rationale and phrases, pragmatic political discourse and the language style of new social media. All of these should be seen as being embedded in the Norwegian terrorist attacks. Approaching terrorism as a homologous cultural phenomenon has problematic consequences. For example, if we emphasise the influence from social movement rhetoric, it is easy to hold the movement accountable for the terrorist attacks. If we emphasise the technical mode, we can easily exaggerate Breivik's ability to think and act "rationally". If we emphasise the failed social mode of writing, it brings out the character of the social misfit, and psychiatric diagnosis becomes important. If we leave out the pragmatic narrative mode, we risk exaggerating how deliberate he was about his actions. The manifesto is a highly ambiguous text. Moreover, if we only study what Breivik himself wrote or said about the attacks, we risk missing the influence of other crimes.

What appears to be excessive and unrestrained violence is often embedded in a multifaceted cultural universe. It is thus restrained not in terms of moral codes but by cultural, ideological and political frames. Terrorism emerges from this complex web of discourses and narratives, which by definition are social. "Lone wolf" is therefore a potentially misleading concept, at least when it comes to motivation and cultural influences. To understand terrorism fully we need to study the many

voices of the perpetrator, as well as the stories that images and actions tell. Together they shape the cultural bricolage in which terrorism is embedded.

Notes

1. This chapter is based on three previously published articles: S. Sandberg (2013) "Are Self-Narratives Unified or Fragmented, Strategic or Determined? Reading Breivik's Manifesto in Light of Narrative Criminology", *Acta Sociologica*, 56(1), 65–79; L. E. Berntzen and S. Sandberg (2014) "The Collective Nature of Lone Wolf Terrorism: Anders Behring Breivik and the Anti-Islamic Social Movement", *Terrorism and Political Violence*, 26(5), 759–779; S. Sandberg, A. Oksanen, L. E. Berntzen and T. Kiilakoski (2014) "Stories in Action: The Cultural Influences of School Shootings on the Terrorist Attacks in Norway", *Critical Studies on Terrorism*, 7(2), 277–296. Thanks to my co-authors of these studies, and especially Lars Erik Berntzen for a year-long cooperation on these issues.
2. Cultural criminology is the study of the crime and its control in the context culture criminology; see J. Ferrell, K. Hayward and J. Young (2008) *Cultural Criminology: An Invitation* (London: Sage). Narrative criminology is inquiries based on the view of stories as instigating, sustaining or affecting desistance from harmful action; see L. Presser and S. Sandberg (eds.) (2015) *Narrative Criminology* (New York: New York University Press).
3. C. Lévi-Strauss (1966) *The Savage Mind* (Chicago, IL: Chicago University Press).
4. C. Hewitt (2003) *Understanding Terrorism in America: From the Klan to Al Qaeda* (London and New York: Routledge); R. Spaaij (2011) *Understanding Lone Wolf Terrorism: Global Patterns, Motivations and Prevention* (New York: Springer).
5. Ferrell et al., 2008, p. 2.
6. Ferrell et al., 2008, p. 3.
7. Ferrell et al., 2008, p. 6.
8. J. Ferrell (2007) "Cultural Criminology", in G. M. Ritzer (ed.) *The Blackwell Encyclopedia of Sociology,* 2 (Malden: MA: Blackwell), p. 2.
9. Presser and Sandberg, 2015.
10. Presser, 2012, pp. 5–6.
11. Bakhtin (1981) describes this as intertextuality and polyvocality, which has inspired Frank's (2012) dialogical narrative analysis. Polletta et al. (2011) similarly describes the openness and ambiguity of narratives, and Fairclough (1992) the interdiscursive characteristics of texts. [M. M. Bakhtin (1981) *The Dialogic Imagination* (Austin, TX: University of Texas Press); A. Frank (2012) "Practicing Dialogical Narrative Analysis", in J. A. Holstein and J. F. Gubrium (eds.) *Varieties of Narrative Analysis* (Los Angeles, CA: Sage), pp. 33–52; F. Polletta, P. C. B. Chenm, G. B. Gharrity and A. Motes (2011) "The Sociology of Storytelling", *Annual Review of Sociology*, 37, 109–130; N. Fairclough (1992) *Discourse and Social Change* (Cambridge: Polity Press).]
12. Lévi-Strauss, 1966, p. 17.
13. Lévi-Strauss, 1966, p. 19.
14. Lévi-Strauss, 1966, p. 19.

15. "Narrative mode" refers to style or method of writing and is used as a sensitising concept providing "directions along which to look" rather than fixed procedures to identify phenomena (H. G. Blumer (1969) *Symbolic Interactionism: Perspective and Method* (Upper Saddle River: NJ: Prentice-Hall), p. 148). In this chapter "narrative mode" is used interchangeably with "voice" (A. Frank (2010) *Letting Stories Breathe: A Socio-Narratology* (Chicago, IL: Chicago University Press)) and is in some ways similar to what McAdams (1993) describes as "narrative tone"; see D. P. McAdams (1993) *The Stories We Live By: Personal Myths and the Making of the Self* (New York: Guilford). For McAdams, however, the narrative tone is more coherent and individual, based on personal experiences, while Frank emphasises that every voice contains a multitude of voices. The latter argument is important for the analysis of Breivik's manifesto as cultural bricolage.
16. Those interested in the details of the links to the anti-Islamic movement should read Berntzen and Sandberg (2014); those interested in details about the different self-narratives can consult Sandberg (2013); and those interested in the similarities to school shooting can read Sandberg et al. (2014).
17. Bat Ye'or (2005) *Eurabia: The Euro-Arab Axis* (Madison, NJ: Fairleigh Dickinson University Press).
18. "Fjordman" (2007) "Native Revolt: A European Declaration of Independence", *The Brussels Journal – The Voice of Conservatism in Europe*, http://www.brusselsjournal.com/node/1980
19. "Fjordman", 2007.
20. "Fjordman", 2007.
21. Berntzen and Sandberg, 2014.
22. Hewitt, 2003 and Spaaij, 2011.
23. Berntzen and Sandberg, 2014.
24. The manifesto was accessed via the web site: http://breivikmanifest.com/. All page references refer to the document as presented on this web page. They are unedited and include grammatical errors, typographical errors, etc. Unless otherwise stated, page references are taken from the Question and Answer section of the manifesto.
25. Manifesto, p. 54.
26. Manifesto, p. 10.
27. Manifesto, p. 36.
28. Manifesto, pp. 36–37.
29. Manifesto, p. 35.
30. Manifesto, p. 9.
31. Manifesto, p. 27.
32. Benford and Snow (2000) refers to a "call for arms" and Gamson (1992) to "hot cognitions. [R. D. Benford and D. A. Snow (2000) "Framing Processes and Social Movements: An Overview and Assessment", *Annual Review of Sociology*, 26, 617; W. A. Gamson (1992) "The Social Psychology of Collective Action", in A. D. Morris and C. M. Mueller (eds.) *Frontiers in Social Movement Theory* (London: Yale University Press), pp. 53–76].
33. Manifesto, p. 35.
34. Manifesto, p. 35.
35. Manifesto, p. 27.

36. Manifesto, p. 8.
37. Manifesto, p. 26.
38. Manifesto, p. 27.
39. Manifesto, p. 8.
40. Manifesto, p. 21.
41. Manifesto, p. 10.
42. Manifesto, p. 6.
43. Manifesto, p. 7.
44. Manifesto, p. 7.
45. Manifesto, p. 11.
46. Manifesto, p. 8.
47. All the names have been removed from the extract below to preserve anonymity.
48. Manifesto, p. 11.
49. Manifesto, p. 11.
50. Manifesto, pp. 31–32.
51. Manifesto, p. 30.
52. Manifesto, p. 34.
53. World of Warcraft, a computer game.
54. Manifesto, p. 6.
55. Bakhtin, 1981.
56. M. Foucault (1972) *The Archaeology of Knowledge and the Discourse on Language* (New York: Pantheon Books).
57. Manifesto, p. 6.
58. Frank, 2012.
59. Berntzen and Sandberg, 2014, p. 11.
60. Sandberg, 2013.
61. Berntzen and Sandberg, 2014.
62. See also: E. Asprem (2011) "The Birth of Counterjihadist Terrorism: Reflections on Some Unspoken Dimensions of 22/7", *Pomegranate: The International Journal of Pagan Studies*, 13(1), 17–32; M. Andersson (2012) "The Debate about Multicultural Norway before and after 22 July 2011", *Identities: Global Studies in Culture and Power*, 19(4), 418–427; L. Fekete (2012) "The Muslim Conspiracy Theory and the Oslo Massacre", *Race & Class*, 53(3), 30–47; S. J. Walton (2012) "Anti-Feminism and Misogyny in Breivik's 'Manifesto' ", *Nordic Journal of Feminist and Gender Research*, 21(1), 4–11; M. Wiggen (2012) "Rethinking Anti-Immigration Rhetoric after the Oslo and Utøya Terror Attacks", *New Political Science*, 34(4), 586–604; M. Gardell (2014) "Crusaders Dream: Oslo 22/7, Islamophobia, and the Quest for a Monocultural Europe", *Terrorism and Political Violence*, 26, 129–155.
63. Sandberg et al., 2014.
64. For details see Sandberg et al., 2014.
65. R. W. Larkin (2009) "The Columbine Legacy: Rampage Shootings as Political Acts", *American Behavioral Scientist*, 52(9), 1309–1326.
66. This image was picked up by several news reports, including: http://www.dailymail.co.uk/news/article-2559528/Mass-murderer-Anders-Breivik-vows-hunger-strike-wants-PlayStation-2-upgraded-PlayStation-3-prison-cell.html, date accessed 20 March 2015.

67. This image was picked up by several news reports, including: http://www.telegraph.co.uk/news/worldnews/europe/finland/3080834/School-shootings-Finnish-gunmen-plotted-death-sprees-together-online.html, date accessed 20 March 2015.
68. This image was picked up by several news reports, including: http://www.telegraph.co.uk/news/worldnews/al-qaeda/10964077/Al-Qaeda-leader-Mokhtar-Belmokhtar-sparks-new-jihadi-terror-threat.html, date accessed 20 March 2015.
69. Berntzen and Sandberg, 2014.
70. J. Kaplan (1997) "Leaderless Resistance", *Terrorism and Political Violence*, 9(3), 80–95; S. Moskalenko and C. McCauley (2011) "The Psychology of Lone Wolf Terrorism", *Counseling Psychology Quarterly*, 24(2), 115–126; Spaaij, 2011; R. Pantucci (2011) *A Typology of Lone Wolves: Preliminary Analysis of Lone Islamist Terrorists* (London: The International Centre for the Study of Radicalisation and Political Violence).
71. Lévi-Strauss, 1966.
72. Frank, 2012.
73. K. J. Hayward and J. Young (2004) "Cultural Criminology: Some Notes on the Script", *Theoretical Criminology*, 8(3), 259.
74. L. Presser (2009) "The Narratives of Offenders", *Theoretical Criminology*, 13(2), 177–200.
75. Sandberg, 2013, pp. 80–81.

11

Tales of Abuse and Torture: The Narrative Framing of the Abu Ghraib Photographs

Werner Binder

Violence is a fundamental possibility in social interactions. In everyday life, it is not so much the actual use of violence as its latency that shapes and influences social relations. Violence can be used as a threat, it can certainly be used as means to certain ends, but it also may appear as an end in itself, seemingly without further purpose. Particularly excessive acts of violence seem to defy an instrumental understanding of violence – or even any kind of meaningful understanding. The aim of this chapter is to investigate how contemporary societies frame and cope with extreme acts of violence. An act of excessive violence is not just a transgression of the moral order but also creates a "void of meaning", which has to be filled by narratives and explanations.[1] Excessive acts of violence, such as school shootings or terrorist attacks, call not only for legal punishment and future prevention but also for collective sense-making. Excessive violence is first of all a hermeneutic problem – and only after that it does become an issue of social control.

This chapter argues that excessive violence is not just a matter of brute force but is also charged with symbolism and meaning. The recent beheadings in Iraq, executed by the Islamic State militia, bear witness to the symbolic dimension of violence. These decapitations were not only recorded and publicised: they were staged for a global audience and followed an elaborate script. The victims, for example, wore orange jumpsuits similar to those of the detainees at the American prison camp in Guantánamo Bay. This particular script appeared for the first time in the wake of the Abu Ghraib scandal, when a group of Iraqi insurgents captured and beheaded the American journalist Nicholas Berg in early

May 2004. The video of his decapitation, published online at 12 May, was accompanied by an Arab speech which framed the execution as retaliation for the prisoner abuse at Abu Ghraib documented by the shocking photographs broadcasted on American television two weeks before. However, in the American media discourse, the decapitation was portrayed as barbarous; it functioned as indexical sign, as a "proof" of the uncivilised and cruel nature of the enemy. This interpretative frame allowed the American public to shift its attention away from the innocent victims of Abu Ghraib and back to the cruel enemies in the ongoing war in Iraq.[2]

In the following, I try to develop a cultural sociological argument to deepen our understanding of the multiple meanings, but also the causes and effects of excessive violence. "Normal" social science does not offer a theoretical framework to render excessive violence comprehensible – or an appropriate methodological toolkit for empirical analysis. Extreme acts of violence tend not to feature in crime statistics, notwithstanding the fact that they can have a huge impact in our modern media societies. Furthermore, orthodox explanatory strategies are too focused on the individual actors committing violence, either on alleged interests or supposed pathologies. In this respect, the social psychological approach advocated by the famous Stanford Prison Experiment has been an important corrective, because it shifted the focus to the situational dynamics of violence and abuse.[3] In a similar vein, Randall Collins proposed a micro-sociological theory of violence that highlights the emotional dynamics of violent situations.[4] However, neither approach is capable of fully grasping the meanings of excessive violence. Instead, I would like to recall and follow some early insights of Collins, who once approached the problem of unrestrained violence from a more cultural point of view: "This distinctively human violence becomes symbolic; torture and mutilation are above all forms of communication usable as threats and supports for claims of complete domination."[5]

A cultural-sociological approach to violence is necessary to decipher the message of excessive violence and to understand the sense-making processes in contemporary societies. Furthermore, cultural sociology offers theoretical concepts and methodological tools to account for the various ways in which culture shapes the execution and perception of violent acts. In this chapter I will investigate the Abu Ghraib scandal that shocked the American public in 2004. I will discuss the interpretation and the narrative framing of the Abu Ghraib photographs from different social positions and political camps. Finally, I will conclude

with the brief outline of a cultural-sociological contribution to the explanation of the Abu Ghraib abuses.

1. Embodied meanings: Towards a cultural sociology of violence

An obvious starting-point when reconsidering the meanings of violence is the interpretative sociology of Max Weber, which highlights the meanings that actors attach to their actions.[6] According to Weber, "understanding an action" means being familiar with the motives behind that action. This does not necessarily exclude feelings that are recognised as motives in his typology of action. Understanding the motives of actors thus enables the "explanation of action". The attribution of understandable motives to violent acts – rationalisation – is one strategy for making sense of violence. Even violent acts happening out of affect are comprehensible, insofar as the feelings involved are familiar (for example, jealousy). However, excessive violence seems to be characterised by a mismatch between feelings and affective reaction, between violent means and rational ends. Even if motives, means and ends are in principle understandable, the excess of violence, the discrepancy between motives and actions, cannot simply be explained away. Thus, excessive violence appears to be pathological and meaningless. Here, a void of meaning meets the *horror vacui* of society. Excessive acts of violence such as school shootings and prisoner abuse call for explanations and narratives. Often the actors are portrayed as psychologically distorted, perverse or inhuman. Pathologisation is thus a second coping strategy, particularly suitable for extreme acts of violence. As we will see, the two strategies employ different kinds of narrative to make sense of excessive violence.

Nevertheless, reducing the meanings of violence to individual motives or pathologies would not do justice to its latent functions and symbolic meanings. A rich literature of anthropology and sociology has shown that violence can be an important element in rituals. Collectives inscribe themselves onto individual bodies through violent rites of passage as well as corporeal punishments. Foucault's discussion of public execution in the *ancien régime*, for example, highlights the communicative function of torture as a symbolic expression of sovereignty.[7] Even the instrumental use of violence involves techniques, meaningful and recognisable patterns, which not only enhance its effectiveness but also express certain styles.[8] The meanings of violence are not just in the heads of actors, but also manifest themselves through their bodies.

1.1 The symbolic dimension of violence

One of the most challenging approaches to violence in the social sciences was developed by Randall Collins.[9] According to Collins, violent acts should be explained not by motivation or personality but as a result of the emotional and interactional dynamics of particular situations. In his book *Interaction Ritual Chains*, he argues that social life is driven by interaction rituals, which are fuelled by emotional energy and produce emotionally charged symbols as emblems of group membership.[10] Violent situations, however, go against the grain of everyday social interactions – and of human nature.[11] Even though humans are prone to avoid violence, social groups are able to create the objective conditions and the emotional mood that allows a few members to engage in violent acts. Violent situations, characterised by an emotional field of fear and confrontational tension, are often followed by asymmetrical and excessive outbreaks of violence – a phenomenon called "forward panic".[12] Still, Collins neglects the importance of symbolism in his treatment of violence, probably owing to the precarious position of symbols as empty vessels of emotional energy in his general theory.

One of the most cultural research programmes in the social sciences, the "strong program" in cultural sociology, produced a remarkable amount of studies of various kinds of violence: the public framing of police violence, the construction of mass killings as cultural traumas, terrorist attacks as public performances, the symbolic mobilisation in wartime and the semiotics of corporal punishment.[13] In his book on the cultural logic of war,[14] Philip Smith states that liberal democracies facing the possibility of war are generally reluctant and not very belligerent – a societal condition comparable to the "confrontational tension" described by Collins.[15] Actors promoting the war have a cultural repertoire of symbols and narratives at their disposal to overcome this collective "confrontational tension". Smith concludes that apocalyptic narratives are particularly effective in mobilising public discourses as well as citizens for the upcoming war. And even after the military action starts, belligerent acts are narratively framed in public discourses in different ways, thus influencing the course of the war.

1.2 Genres of violence: The narrative framing of violent acts

In order to become meaningful, excessive acts of violence have to be embedded in narratives. Narratives play a crucial role on different levels: biographical narratives are indispensable for the construction of personal identities, and national myths give shape to collective identities. The latter often circle around violent events such as revolutions or wars.

Narrators have different narrative genres and rhetoric devices at their disposal. Here I would like to give a brief sketch of the theory of narrative genres employed in this chapter.

In his book *Anatomy of Criticism* the literary critic Northrop Frye distinguished four basic genres: comedy, romance, tragedy and satire/irony.[16] Each has its specific structure, set of characters and development of plot. The first category of Frye's theory concerns the "fictional mode", the way in which characters are represented.[17] Following Aristotle, he distinguishes between "low mimesis", which is used in comedy, and "high mimesis", which is employed in tragic narratives. In the low-mimetic mode, actors are portrayed with mundane motives and realistic or lower capacities for action; the story is mostly driven by coincidences and a collective logic. In contrast, high mimesis features strong characters, protagonists as well as antagonists, which highlights the individual agency as a driving force of the narrative. Smith's "apocalypse" is an extreme form of high mimesis characterised by global struggle, a tremendous moral polarisation between characters, sublime motives and extraordinary powers.[18] In his theory of myths,[19] Frye employs a second distinction referring to the sequential structure of narratives, which he also calls "ascending" and "descending" narratives.[20] If we combine these two distinctions, we get four genres (Table 11.1):

Table 11.1 Northrop Frye's theory of genres

Frye: Theory of genres	**Ascending**	**Descending**
High mimesis	Romance	Tragedy
Low mimesis	Comedy	Satire/Irony

In his treatise on historiography the historian and philosopher Hayden White applied this typology to non-fictional narratives.[21] Later, the cultural sociologists Ron Jacobs and Philip Smith used this framework in their studies of media discourses on violence.[22,23]

Not only literary works or public discourses but also social scientific explanations can be analysed using these genres. Rational choice explanations, for example, employ low-mimesis narratives of selfish actors whose actions can have aggregated effects – either comical (for example, Adam Smith's "invisible hand") or satirical/ironical (for example, "the prisoner's dilemma" or "free-rider problem"). Idealist theories of action prefer high-mimesis-narratives: value-driven actors correspond to the genre of romance, whereas norm-following actors play rather tragic roles. For the purpose of my study, I further would like to introduce

a distinction between micro-narratives, which have individual actors as protagonists, and macro-narratives, centred on collective actors such as classes, nations or simply "the people". The public accounts on the Abu Ghraib abuses had often a double reference: they told stories about individual soldiers but also constructed broader narratives featuring the government, the army or the nation as protagonist.

1.3 Embodied meanings: Violence, images and the body

In contrast to sequentially ordered narratives, images and pictures can be characterised as representations constituted by the simultaneous presence of visual elements. One of the most interesting methodological features of Randall Collins' micro-sociological approach is the extensive use of photographs,[24] particularly in his study of violence.[25] He interprets photographs and bodies as indicators of social situations and basic emotions. However, the medium itself, photography as symbolic form, becomes invisible in this process.

In this respect, cultural sociology has a more sophisticated understanding of representation. The "strong program", drawing on Saussure, focuses primarily on arbitrary or conventional signs.[26] Pictures, and the bodies they show, express not only "natural" meanings but also social meanings based on convention and discourse. Even indexical values are dependent on discourse – otherwise the authenticity of photographs could never be contested. Similarly, ascriptions of specific emotions to bodies are often disputable. Furthermore, actors are able to stage and even fake emotions. The point here is not so much the question of authenticity as the fact that voiceless body movements such as facial expressions and gestures also can function as communicative symbols, arbitrary signs with socially fixed meanings.

The case of Abu Ghraib demonstrates the limits of Collins' methodological approach beautifully. These photographs are not accidental snapshots but show staged scenes of violent abuse, deliberately produced symbols conveying a message. A cultural-sociological perspective highlights not only communicative features of images and bodies but also their interpretative openness.[27] Although the meaning of an image is not completely arbitrary, the meaning of visual signifiers can never be completely fixed. Rooted in different political camps or intellectual traditions, commentators offered diverging interpretations of the Abu Ghraib photographs.

Cultural sociology should take the symbolic dimension of photographs, bodies and violence seriously without abandoning their iconicity or indexicality. On the other hand, a cultural-sociologically

informed "indexical" account of expressive violence is not limited to "basic emotions" but is able to mobilise binary codes, classification systems and collective representations to provide compelling cultural explanations. In the case of Abu Ghraib such explanations were also offered by commentators and public intellectuals. However, cultural sociology can strive for value-neutrality and methodological precision.

Now we have set the stage for our case study: the abuse at the Abu Ghraib prison, the meaning of the infamous photographs and their framing in the public discourse. The rest of the argument follows roughly the structure of Victor Turner's "social drama", a social process with narrative form.[28] A social drama has four acts and begins typically with a breach of shared norms, which is followed by a social crisis characterised by competing social groups struggling for hegemony over the interpretation of the breach. In the third phase, redress, actors try to repair the breach and overcome the social crisis. If they are successful, there will be a reintegration in the fourth act; otherwise the social crisis will turn into a permanent schism.

2. The drama begins: Abu Ghraib as image breach

On 28 April 2004 CBS showed for the first time photographs documenting the abuse of Iraqi detainees in the American military prison in Abu Ghraib, a suburb of Baghdad.[29] The publication of the images marked the beginning of the scandal, a "breach" that led to a "social drama".[30] The photographs were taken by the perpetrators themselves and circulated among the stationed soldiers – till one of them, Joseph Darby, leaked a CD with hundreds of images to his superior.[31] The whistleblower Darby became a controversial figure in the wake of the scandal. Some called him a "rat" and accused him of betraying and endangering his fellow soldiers, but most commentators, particularly on the left, regarded him as a hero.[32] Zimbardo, for example, argued[33] that it needs a hero like Joe Darby to resist the corrupting dynamics of situations.[34] In Barack Obama's speech on patriotism preceding the presidential elections in 2008, Darby was used as an example of "true patriotism", upholding American ideals in the face of a corrupt reality.

Soon after the internal disclosure of the photographs, the military began an official investigation of the Abu Ghraib abuses in January 2004, only reported by a few newspapers. Two months later, the soldiers involved were officially brought in front of a military court. The *Philadelphia Inquirer* remarked that the charges were unusual as they included "indecent acts", which is defined in this context as behaviour

"to excite lust and deprave the morals with respect to sexual relations".[35] Despite these reports, American media didn't show much interest in the in the case – with the exception of Seymour Hersh, an icon of investigative journalism who became famous for his disclosure of the My Lai massacre during the Vietnam War. He started to investigate the allegations and soon received a set of photographs accompanied by a classified report from a source inside the military. At the same time, a relative of an accused soldier leaked some of the abuse photographs to CBS in early April. Still, the broadcasting of the material was delayed until the end of the month – complying with a request from the army.

One might object that the characterisation of the Abu Ghraib abuses as "excessive violence" is problematic. Indeed, the most iconic photographs do not show violence directly, just humiliating performances staged for the camera. Nevertheless, violence is implicitly present in all of the pictures; the compliance of the prisoners depended on the threat and exercise of violence. There are even less well-known photographs that show American soldiers beating prisoners. We also know of prisoners who were killed during interrogations in Abu Ghraib, though their deaths didn't receive much public attention. The army reports available give a detailed account of various acts of violence at the Abu Ghraib prison. During the infamous "night shift", for example, detainees were "stripped, pushed into a pile, and jumped on", "posed sexually, forced to masturbate, and 'ridden like animals'" and "forced [...] to hit each other". The military report continues: at least one detainee was "knocked [...] unconscious"; another was "punched [...] so hard in the chest that he couldn't breathe and a medic was summoned".[36] From another army report we know that soldiers were "sodomizing a detainee with chemical light and perhaps a broomstick".[37] Considering this evidence, the use of Abu Ghraib as an example for extreme acts of violence does not seem to be too far-fetched. Most important, however, is the fact that most Americans perceived these acts as extreme. In order to understand why the images were experienced as shocking, we have to take a closer look at the meaning they convey.

2.1 The icon of the scandal

The so-called "hooded figure" (Figure 11.1) was not only the first image shown on CBS but also became the undisputed "icon" of the scandal. It shows a hooded man covered by a cloak standing on a box with outstretched arms. The wires connected to his hands suggest that he has been threatened with electrocution. For several reasons, this photograph became iconic: the image was photographic proof of an

Figure 11.1 "Hooded Figure", 23:01, 4 November 2003, US military personnel on active duty

anonymous victim suffering helplessly, which encouraged both generalisation of and identification with the victim; furthermore, the image was symbolically overdetermined with multiple meanings referring to pictorial motifs such as the Crucifixion, the Ku-Klux-Klan and the electric chair.[38] Most importantly, however, the image posed puzzles that

required meaning-making. What is depicted in the photograph? Why is the prisoner wearing this macabre costume? What is his identity? Who did this to him? Or, more generally: "How did it come to this?"[39]

With some contextual knowledge the pose of the prisoner was easily decodable as "stress position", a standard operating procedure used for coercive interrogations. It nevertheless contains a symbolic surplus owing to its bizarre imagery. The prisoner is not only prepared for interrogation, but also photographed and ridiculed. As I have suggested elsewhere,[40] this photograph as well as many others from Abu Ghraib can be described as "grotesque", a primarily visual style closely related to the narrative genres of comedy and satire.[41] The picture stages the spectre of terrorism as a ridiculed enemy image. Nevertheless, the real protagonists of the tale of Abu Ghraib were absent from this picture. This is the reason why CBS anchorman Dan Rather commented "Americans did this to an Iraqi person", while the camera was zooming in on the hooded figure for the first time.[42]

2.2 Charles Graner and Sabrina Harman: The human pyramid

Most other scandal photographs depict American soldiers posing with Iraqi prisoners: in particular, the "human pyramid", a performative arrangement staged during the infamous "night shift", caused immense public outrage. The prison guards, Charles Graner and Sabrina Harman, posed with their victims, arranged into a pile of naked bodies evoking an "orgy", giving the camera a smile and thumbs-up (Figure 11.2).

The arrangement can be described as a violent ritual of humiliation that employs different kinds of symbolic binaries, such as individual/mass, clothed/naked and pure/impure, but also man/woman. To an American audience, the facial expressions (the "camera smile") and gestures ("thumbs-up") were familiar, but displaced. Susan Sontag, for example, described the perpetrators as American "tourists" and the photographs as "souvenirs", while drawing an uncanny parallel to American lynching photography.[43] The soldiers brazenly pose as heroes, tapping into the post-9/11 imaginary of the torturer as law-defying hero.[44] Interestingly, the communicative message of the photograph, "We are heroes and our enemies just scum", was completely subverted in the American public. The heroic self-staging of the soldiers appeared ridiculous and disgusting, while it was hard to recognise the enemy in the victims of the abuse.

2.3 Lynndie England: The dominatrix imagery

The photograph of Lynndie England holding a prisoner on the leash quickly became an icon too (Figure 11.3). This picture was widely

Figure 11.2 "Human Pyramid", 23:50, 7 November 2003, US military personnel on active duty

Figure 11.3 "Prisoner on the Leash", 20:16, 24 October 2003, US military personnel on active duty

interpreted by spectators as the sexual humiliation of an Arab man by an American woman. In the centre of the image we see a female soldier posing with a naked prisoner lying on the floor. He has a leash around his neck, which the soldier holds in her hands. A male soldier, Charles Graner, is standing on the left side, looking down at the prisoner, while England is smiling into the camera. This performance can be described as a ritual of humiliation employing symbolic binaries such as woman/man, clothed/naked and human/animal.

Susan Sontag highlighted the sexualised "dominatrix imagery" of this photograph and suggested that the Abu Ghraib images were essentially pornography.[45] From the opposite side of the political spectrum, the right-wing commentator Rush Limbaugh gave a similar characterisation of the images as "good old American pornography" and engaged actively in the sexualisation of the female perpetrators, calling them "babes".[46] Despite their common interpretation of those images as pornography, the two commentators tried to shift the narrative of Abu Ghraib in opposite directions. Sontag described the pornographic imagery as something deeply polluting and symptomatic for American culture, whereas Limbaugh, conceding that these images reflected the use of pornography in American (liberal) culture, used the motif to deflate the narrative. The broader public discourse did not buy into either argument and portrayed the images as perverse and isolated acts. In contrast to Sontag and Limbaugh, the audience seemed to be genuinely surprised and shocked to see American soldiers engaging in such acts.

Remarkable about the Abu Ghraib photographs, and this image in particular, was the fact that women appeared as perpetrators. Many commentators and readers regarded this fact as particularly shocking. Furthermore, the involvement of women in the Abu Ghraib scandal – from the female soldiers in the pictures up to General Janis Karpinski, who was in charge of the whole Iraqi prison system, questioned long-held feminist assumptions – destabilised the coupling of the binaries man/woman and perpetrator/victim and provoked a debate among feminists.[47]

3. The discourse unfolds: Abu Ghraib as identity crisis

The Abu Ghraib photographs caused a breach because they violated the expectations the American people had of their soldiers. As we already saw in the discussion of the last image, there was not only a widespread societal consensus about the breach but also conflicts about

the interpretation and framing of these images. The tales of Abu Ghraib differed with regard to the micro-narrative with the soldiers as protagonists, and even more regarding the macro-narrative, featuring the army or the nation as a protagonist.

3.1 Abu Ghraib as PR disaster and image problem: The conservative-hegemonic discourse

When Dan Rather from CBS portrayed the depicted acts as a shocking violation of the moral order, his interview partner, General Kimmit, seemed to agree. Nevertheless, the military spokesman was eager to assure his audience that these were the deeds of a few individuals and therefore not representative of the US Army in general: "Frankly, I think all of us are disappointed by the actions of the few. Every day, we love our soldiers, but frankly, some days we're not always proud of our soldiers."[48] Implicated in this response is also a temporal assessment of the crisis, which is supposed to fade away quickly without damaging public support for the army.

The official discourse, supported by military and government, attributed the blame for the abuses solemnly to the soldiers. Echoing the stance of the military, President Bush expressed his "deep disgust" regarding the publicised images, but insisted at the same time that the abuses were "un-American" and not representative for the army as such. Already the official designation of the incidents as "abuse" instead of "torture", which was to a large extent adopted by the American media, suggested that those acts were aberrant, not systematic.[49] The military and political leadership employed a strategy of pathologisation, and to a huge extent the public was willing to accept this explanation.

The official narrative became particularly dominant in the conservative discourse. This was not only due to the fact that the conservative government in power was supported by its followers, but also because the explanatory model employed appealed to the American conservative mindset. The cognitive scientist George Lakoff has argued that American conservatives favour explanations in terms of individual achievement and moral character (which explains why they are sceptical of affirmative action), whereas the liberals in the United States are more willing to accept social influence as a category.[50] According to Lakoff, the popular American saying "A rotten apple spoils the barrel" is symptomatic of the conservative mindset.[51]

The hegemonic explanation, which became known as "bad-apple narrative", draws on folk psychology and assumes character deficits on the

side of the soldiers. The perpetrators were described as morally corrupt, sadists, perverts and monsters – and not as regular folks. This narrative explanation uses the high-mimetic mode, portraying the perpetrators not just as misguided but as outright evil. The facial expressions, gestures and poses of the soldiers as well as the "indecency" of the acts were read as documents of moral corruption, as indicators of twisted souls. We can call this particular form of narrative a "dark romance" as there is not really a "good" counterpart to the evil perpetrators. There were some attempts to construe the whistle-blower Joe Darby as the hero of Abu Ghraib, but this narrative was contested, not hegemonic.

In order to be successful, a narrative has to fit not only with the collective representations in the cultural background,[52] but also with the perceived reality.[53] If one looks at the photographs of the scandal and the discourses accompanying them, it becomes clear that the images strongly supported the bad-apple hypothesis. Most liberals, who share some cultural background representations with the conservatives, condemned the perpetrators without hesitation. This explains why the official micro-narrative quickly became hegemonic. Rather than being an effect of political pressure or the "indexing" of the media,[54] it is a cultural effect of the images themselves. Even liberals inclined to think in terms of social forces came to the conclusion that this time the conservative reasoning was appropriate.

The micro-narrative follows the form of dark romance, but the official macro-narrative was, at least at the beginning, decidedly low-mimetic. The abuse was framed as an isolated act that will be taken care of legally, whereas the scandal was portrayed as transient, something that will go away in a matter of days. However, this "genre guess" by the military and the government, which was already an attempt to settle the "genre war" pre-emptively, turned out to be wrong.[55] The Abu Ghraib abuses dominated the news for about a month and caused various problems for the government and the army, at home as well as abroad.

The scandal resulted in a national image problem that required mechanisms of image repair.[56] In the course of the scandal, many members of the government gave public apologies, including, last but not least, Secretary of Defense Donald Rumsfeld and – in a very ambiguous way – President George W. Bush. When the President said "sorry" for Abu Ghraib, he added that he "was equally sorry that – that people um – have been seeing those pictures, didn't understand the true nature and heart of America".[57] In order to preserve the moral integrity of the nation, he shifted to a subgenre of tragedy. Not only would it be tragic if the United States were to stumble because of the deeds of a few corrupt

perpetrators, but such stumbling would be more the fault of a mischievous audience than of the collective hero. In this narrative, the United States are portrayed less as a tragic figure, which brought doom unknowingly upon itself, than as a "tragic hero" – misunderstood, but with a clear conscience.[58] The tragedy results not from the protagonist's own moral shortcomings as from the malicious world out there. In the official story, the dark romanticism in the micro-narrative is combined with self-righteous tragedy as macro-narrative. Liberals criticised the President for not going far enough and underestimating the consequences of the scandal: "Given the catastrophic impact that this scandal has had on the world community, how can the United States ever repair its credibility?"[59] The possible damage of the scandal is inflated to an apocalyptic threat, while the government is criticised for its handling of the scandal.

Not all members of the government shared this self-righteous attitude, and neither did the general public. In letters to editors, many Americans apologised for the wrongdoings of "their" soldiers. In contrast to the position of the President, who completely cut the ties between the accused soldiers and the national identity, many voices claimed that the moral authority of the United States was at stake and had to be reinstated by public apologies and thorough investigations. Abu Ghraib was framed as a hideous crime and tragic event for the country. However, unlike in the self-righteous tragedy, here the nation stumbled over its own flaws. The perpetrators were not completely excluded from the collective hero.

3.2 Abu Ghraib as policy failure and mirror image: The liberal-left counter-discourse

In contrast to conservative thinking, the liberal discourse highlights the role of social and cultural forces in the explanation of action (cf. Lakoff 2006). The liberal-left discourse shifted the emphasis from the soldiers in the photographs to a more systematic account of the abuses. They mobilised explanatory mechanisms such as institutional power, social forces or cultural influence, which shifted the responsibility for the acts to higher levels – the army, the government and sometimes even the nation itself.

Seymour Hersh's *Chain of Command*, which was published in August 2004, is a particularly representative and popular example of the liberal-left discourse on Abu Ghraib.[60] The book was based on extensive research into the shortcomings of the American government in the War on Terror as well as on more recent investigations on Abu Ghraib, which

were published in a series of articles in *The New Yorker*.[61] From a source inside the military, he received several Abu Ghraib photographs as well as the report of General Taguba, who suggested that abuse at Abu Ghraib was widespread, encouraged or even perpetrated by the military intelligence and by other government agencies such as the CIA, and ignored or even endorsed by many officers.[62] Hersh's narration of the Abu Ghraib abuses went even farther, drawing connections between the abuses and decisions at the highest political level. His narrative did not exculpate the soldiers, but spread the responsibility to the military and political leadership of the nation. The nation as such had no fault, but is painted as a tragic victim of incompetent leadership.

Philip Zimbardo, the director of the famous Stanford Prison Experiment, became involved in the Abu Ghraib scandal both as a liberal intellectual and as expert for the defence team of Ivan Frederick, the highest-ranked soldier charged for the prisoner abuse.[63] While looking at the photographs for the first time, he immediately noticed surprising similarities between the Abu Ghraib images and scenes from Stanford.[64] The iconic similarity led him to the conclusion that similar dynamics were at work in both cases. He argued against the hegemonic bad-apple narrative and claimed that no psychological predisposition is required to engage in abuse. Instead, situational factors were decisive: "good apples" are corrupted by a "bad barrel". His explanation of the abuses is decidedly low-mimetic: collective logic, not individual action, is the driving force. Consequently, he argued that those responsible for the situation at Abu Ghraib, the army and the government should also take political and legal responsibility for it. Still, there also is a moment of high mimesis in his story, when he discusses the whistle-blower Joe Darby as a hero who has resisted the corrupting situational forces.[65] There is a certain imbalance in his use of genres: "evil" is explained as outcome of situations, whereas "heroism" is attributed to the individual him- or herself.

Susan Sontag provided one of the strongest and most criticised interventions in the Abu Ghraib scandal on the liberal left. She not only argued that the abuses were representative of Bush's policies but also told her American audience: "The photographs are us."[66] She claims that the images are a product of an American culture of "pornography" and points out the similarity between the Abu Ghraib images and American lynching photographs. She does not excuse soldiers such as Zimbardo, but portrays them as "tourists", a "banality of evil" befitting a satire. In Sontag's macro-narrative we have a tragedy on a national level involving Aristotelian self-recognition. The protagonist, the United States,

should recognise itself in these very images. A similar argument was made by the European intellectual Slavoj Žižek, who argued that the Abu Ghraib photographs show the obscene underside of American culture: for example, the initiation rituals at American universities. In contrast to Sontag, Žižek chooses an ironic mode of storytelling, for example by describing the abuses as "initiations" into American culture.[67]

3.3 "Much Ado about Nothing": Rush Limbaugh and the far-right discourse

Although the majority of the American citizens were appalled and disgusted by the abuses at Abu Ghraib, 20 per cent of the respondents in a USA TODAY/CNN/Gallup poll stated that they were not bothered by the abuses at all.[68] This part of the American audience, probably situated on the far right, perceived the abuses as low-mimetic, either because they hadn't experienced the abuses as shocking or because they regarded them as comparatively mundane compared with the "evil" deeds of "the enemy".

The right-wing radio commentator Rush Limbaugh proposed a provocative reading of the photographs following the suggestion of a caller describing the "human pyramid" as a fraternity prank: "This is no different than what happens at the Skull and Bones initiation and we're going to ruin people's lives over it and we're going to hamper our military effort, and then we are going to really hammer them because they had a good time."[69] The images are characterised as familiar and unspectacular, as "good old American pornography". The soldiers are depicted as low-mimetic characters of a comedy who just wanted to have "a good time" and "blow some steam off". Defending the soldiers and ridiculing the entire scandal as liberal media hype, Limbaugh strays far right of the hegemonic discourse. He is afraid, however, that the scandal may become a tragedy not only for the soldiers involved but the entire nation. He interprets the outrage following the abuses as a symptom of the "feminization of this country",[70] which might weaken the stand of the United States in the War on Terror.

This claim was echoed later by Senator James Inhofe, who gave the far right a public voice by claiming that he was not the only one in the country who is "more outraged about the outrage" than about the abuses themselves.[71] Despite the fact that Inhofe was heavily criticised by fellow Republicans such as Senator John McCain, the right-wing criticism of the scandal gained momentum, particularly with the beheading of Nick Berg. After the decapitation of Berg, for a substantial part of the American public the binary coding of the War on Terror, "US vs. the

terrorist enemy", overshadowed the perpetrator/victim binary of the scandal again. And thus spoke Rush Limbaugh: "They are the ones who are subhuman. They are the ones who are human debris, not the United States of America and not our soldiers and not our prison guards."[72]

3.4 From "bad apples" to "weak leadership": A narrative shift in the hegemonic discourse

The hot phase of the scandal was characterised by waves of collective outrage, public apologies, senate hearings and disclosures lasting roughly a month. Despite new compromising materials, the government and army were able to maintain their narrative, which concentrated the blame on the soldiers while making sense of the images. In November 2004 President Bush was re-elected, with the democrats unable to use Abu Ghraib against him.[73]

After Bush's re-election and his controversial nomination of Alberto R. Gonzales as Attorney General, the situation changed. Senator McCain, unsatisfied with the nomination of Gonzales, who had been responsible for some of the so-called "torture memos", pushed for an amendment which intended to strengthen the rights of all prisoners in American custody. President Bush was not amused and threatened to veto the bill. Supporters, however, portrayed the "McCain Amendment" as a lesson to be drawn from Abu Ghraib.[74] McCain himself described the amendment as a matter of American values and identity: "This is not about terrorists. This is about who we are."[75] In the end, the amendment passed with an overwhelming majority from both houses, which the President was unable to veto. The question remains: why did McCain enjoy such support from the Republican Party and many conservative commentators?

We have seen that the bad-apple narrative quickly became the dominant frame of the Abu Ghraib abuses, partly because the scandal photographs lent credibility to the claim that these abuses were brought about by a few corrupt soldiers. Counter-narratives that stressed the responsibility of the government (Hersh) or the role of social forces (Zimbardo) had little resonance: Hersh failed to establish an indisputable link between the abuses and US policies, whereas Zimbardo seemed to exonerate the soldiers. In 2005, however, McCain provided an alternative framing of the abuses that resonated within the conservative cultural background. He claimed that the government was partially responsible for the abuses, because it allegedly failed to provide clear rules – according to Lakoff, a core responsibility for conservative

authorities.[76] In the "weak-leadership narrative" not only the soldiers but also the government is accused of dereliction of duty. The memos and reports published in the wake of the scandal were used to show how the administration blurred the boundary between torture and interrogation and how interrogation techniques from Guantánamo Bay were able to "migrate" to Iraq, where they were not approved. For conservative audiences, the weak-leadership narrative was more persuasive than other counter-narratives, because it appealed to the conservative mindset and was able to dispense with the problematic notion of an unbroken chain of command. The McCain Amendment fits perfectly with this narrative, because it was designed to provide regulations that were supposedly clear and valid everywhere. The success of the McCain Amendment, which was passed in October 2005 in both houses of Congress, has to be explained as the result of McCain's skilful narrative framing of the Abu Ghraib abuses.

4. Personal stories and legal drama: Micro-narratives and macro-redress

There were several important mechanisms of redress in the social drama of Abu Ghraib. Already mentioned were the public apologies of officials and citizens. Furthermore, the government responded to the scandal with an investigation conducted by the so called "Independent Panel" headed by the former Secretary of Defense James Schlesinger.[77] However, probably most important for the government and the army were the trials against the perpetrators of Abu Ghraib. Durkheim has argued that violations of the moral order need to be punished in order to satisfy collective feelings and re-establish the moral order.

The trials were already on the way, but the process needed to be speeded up once the scandal broke out. The defence counsels in these trials argued that the soldiers were only acting on orders. The soldiers claimed they were told to soften up prisoners for interrogation at Abu Ghraib and only did what they were told to do. The lawyers painted a picture of their clients as "scapegoats" taking the blame for the decisions of their superiors. The "just-following-orders narrative" starts decidedly low-mimetic before shifting to the personal tragedy of the soldiers wrongly accused. This is the tragedy not of a great hero who stumbles but of "regular folks" caught in a nightmare. This narrative was supported by General Karpinski, the military commander in charge of the American prison system in Iraq, who defended her soldiers and demanded a thorough investigation of the involvement in the abuses of

higher-ranked military officials, members of government agencies such as the CIA, and private contractors.

However, the prosecutors almost exclusively focused on the photographs from the so-called "night shift"; here the claim made by the defence, that the soldiers were only acting on orders, was almost untenable. The smiling faces and bizarre performances on the photographs suggested otherwise. After the photographs came out, there was strong political pressure on the prosecutors to speed up the process and punish at least some of the soldiers involved quickly. On 5 May Jeremy Sivits was charged with conspiracy, maltreatment and dereliction of duty. On 12 May these charges were dropped and replaced by misconduct. On 19 May Sivits received the maximum punishment for misconduct, one year of confinement, after agreeing to testify against his fellow soldiers. It quickly became clear that the prosecution had reached an agreement with Sivits to drop the more severe charges in exchange for his support in breaking the narrative of the defence.

Charles Graner, who quickly became the ringleader of the abuse in the eyes of the public, defended himself with the argument that they were acting on orders and saving the lives of fellow soldiers in Iraq. He stylised himself as a "tragic hero" brought down not by his own deed but by the wrong accusations and petty interests of other people. From 14 May on, Graner had to face severe charges and pleaded not guilty to all of them. He was the only soldier who refused to make a bargain with the prosecution throughout. On 15 January 2005 Graner was sentenced to ten years of prison. He was later released on parole after serving six and a half years.

Lynndie England, frequently called the "poster girl" of the abuse, became an icon of the scandal. Murals of the photograph with the prisoner on the leash could be seen in Tehran,[78] the Rolling Stones dedicated a song to her ("Dangerous Beauty", on the album *A Bigger Bang*) and one of her poses went viral as an internet meme.[79] How to account for her iconic status? First of all, England could be seen on many of the published photographs, several of which had a strong iconography. Second, it seems that England, as a young and innocent-looking girl from the countryside, embodied the inherent tension of the scandal perfectly: how could not only an American soldier, but an all-American girl from next door, do something like this? Her story got even more interesting when it became known that she was having an affair with Charles Graner, who was in relationship with another female soldier, and was pregnant by him at the time of her trial. Not only the tabloid press but also England and her defence team narrated her story as a melodrama:

how an innocent and young girl turned bad under the influence of an older man. Ultimately this strategy failed. The all-male jury read the affair not as a mitigating circumstance but as a normative transgression, as adultery.[80] In context of the bad-apple narrative, this could be taken as further evidence of her moral corruption. After pleading guilty to most of the charges, England was sentenced to three years' imprisonment in 2005, but was released on parole in 2007.

According to Caldwell and Mestrovic, the lawyers for Sabrina Harman chose a much better strategy than the team representing England.[81] Skilfully, they employed gender in portraying her as emotional, caring, but ultimately passive. Harman had to serve only six months in prison. In an interview for Errol Morris' documentary *Standard Operating Procedure* (2008), Harman gave her personal story yet another twist. Letters to her (female) partner are shown and read as evidence of her critical distance to the events at Abu Ghraib. Substantiated by the letters, she claims that she was taking the photographs to make them public later, to bear witness to what happened at Abu Ghraib. She projects the tragic story of a failed whistle-blower, of an innocent bystander caught up in the scandal and unjustly portrayed as one of the perpetrators.

5. Reintegration? The aftermath of the scandal

The Abu Ghraib scandal had not just one phase of reintegration but two. The first reintegration was achieved by the bad-apple narrative which dominated the months following the publication of the Abu Ghraib photographs. The re-election of George Bush confirmed the hegemony of the bad-apple narrative, and the scandal could have ended here. However, the nomination of Gonzales opened a window of opportunity and a public space to discuss matters that were considered to be closed: for example, the involvement of the Bush administration in the Abu Ghraib abuses. This time, the situation for critics of the government was much more favourable. Senator McCain was successful in reframing the abuses with his weak-leadership narrative in a way that appealed to broader audiences. Thus the McCain Amendment marks the shift from one hegemonic narrative to another.

In the last years of the Bush government the plausibility of the weak-leadership narrative grew with the criticism of the War on Terror and the Iraq War. McCain became a central figure for the Republican Party and ran against Obama in the presidential elections in 2008. After Obama's victory in December 2008, the Senate Armed Services Committee, led by McCain, released a bipartisan report that made the outgoing Bush

government directly responsible for the Abu Ghraib abuses. Thus the outgoing government served the nation once more – this time as a scapegoat, taking the blame for Abu Ghraib. The newly elected Obama administration decided not to reinvestigate the case and not to take legal steps against the former members of the government. Once more, the matter was considered to be closed and the social drama came to an end – despite loud protests among the liberal left.[82]

6. Notes on the cultural-sociological explanation of Abu Ghraib

The tales of Abu Ghraib not only gave the abuses a specific meaning but also tried to explain them. These explanations – situated at personal, situational, institutional or even cultural levels – employed different narrative genres which varied according to different political and cultural backgrounds. Of course, sociological explanations can also be politically biased and always depend on their theoretical background. The task is to provide a realistic explanation on the basis of the available evidence. Cultural sociology is not restricted to the reconstruction of media discourses as sources of meaning but can also investigate meanings through the analysis of other adequate data, such as the interpretation of photographs and the observation of bodies.

Situational explanations of Abu Ghraib did not pay enough attention to the importance of the symbolic elements, whereas most cultural explanations did not specify their use in social practices. Situational factors, social processes and symbolic elements have to be connected. As I have already argued elsewhere, the Abu Ghraib abuses are best described as violent rituals of humiliation.[83] Furthermore, military reports and documentary material on the Abu Ghraib abuses highlight the situational stress factors to which the soldiers were exposed: internal and external threats, confusion with regard to what rules applied and general cognitive disorientation. Mestrovic and Lorenzo employ Durkheim's concept of *anomie* to characterise the climate that fostered the abuse.[84] From a more cultural perspective, we can turn to Turner's conception of "antistructure", which connects the suspension of social structure with cultural creativity.[85] The abuses at Abu Ghraib were not just a self-escalating automatism, but were driven by creative actors who used their cultural repertoire to come up with new performances and arrangements that would impress their fellow soldiers. As Garfinkel has already argued with regard to degradation rituals, rituals of humiliation draw boundaries and naturalise differences – in this case between the

soldiers and prisoners – employing nakedness, animality and sexuality as symbolic markers of difference.[86] Furthermore, Abu Ghraib bears witness to the competitive dynamic of abuse. The soldiers searched for new symbols to express group membership, to confirm and enhance their status in the group.

Despite the importance of social dynamics and cultural performances, the category of personality should not be dismissed too easily. First of all, cultural performances depend very much on the skills and repertoires of the performer. Second, personalities can become powerful symbols of the group: for example, charismatic leaders. Connected to the latter is not only the fact that social groups create the emotional conditions for the few experts to engage in violence, as Randall Collins argues, but also the fact that certain personalities can effectively change the mood of a group.[87] In this respect, the importance of Charles Graner, who was described as charismatic by his fellow soldiers, should not be underestimated. Having been a prison guard in his civilian life, he was recognised by them as a professional authority too. Furthermore, he also had a history of domestic and prisoner abuse, which invited psychological explanations centred on his supposedly pathological personality. That a man like him was employed to take care of prisoners also raised doubts about organisational selection processes in the US Army. Last but not least, the personality of Graner led to cultural explanations among critics arguing that the Abu Ghraib abuses were in fact symptomatic of US prison culture.[88] We see that neither the level of personality nor the social dynamics of the situation should be disregarded in a cultural explanation of the Abu Ghraib abuses.

7. Conclusion

As I argued at the beginning of this chapter, the symbolic meanings of violence should be an essential part of the social scientific research agenda. The symbolic elements in the Abu Ghraib images were not only points of reference for the public narratives about Abu Ghraib but should also be taken into account in a sociological explanation of the abuses. Our analysis highlighted the importance of classification systems and symbols, but also the dynamics and creativity of group performances. It further showed that the public narratives were based on the photographs themselves: the reference to visual elements was used to establish and discredit specific readings of the Abu Ghraib abuses. Considering the diverse discourse on the Abu Ghraib images, Susan Sontag's statement that "the photographs are us" has a different ring:

the photographs should not be described as fixed mirror images of the American society, but as complex cultural objects that reflect the gaze and social position of the observer. Different audiences interpreted the images differently in accordance with their moral and political views. Similarly, social scientists investigating the Abu Ghraib photographs are grounded in their theoretical (and often political) background. This does not have to be a problem: narratives are always rooted in a specific cultural background and tap into a reservoir of symbols and concepts, whether they are popular ("bad apple", "pornography", etc.) or scientific ("anomie", "ritual", etc.). The challenge of scientific explanation is not to get rid of narratives but to craft better ones.

Notes

1. B. Giesen, W. Binder, M. Gerster and K. C. Meyer (2014) *Ungefähres: Gewalt, Mythos, Moral* (Weilerswist: Velbrück Wissenschaft).
2. W. Binder (2013) *Abu Ghraib und die Folgen: Ein Skandal als ikonische Wende im Krieg gegen den Terror* (Bielefeld: transcript Verlag), p. 390 ff.
3. C. Haney, C. Banks and P. G. Zimbardo (1973) "Interpersonal Dynamics in a Simulated Prison: A Methodological Analysis", *International Journal of Criminology and Penology*, 1(1), 69–97; P. G. Zimbardo (2007) *The Lucifer Effect: How Good People Turn Evil* (London: Rider).
4. R. Collins (2008) *Violence: A Micro-Sociological Theory* (Princeton, NJ: Princeton University Press).
5. R. Collins (1974) "Three Faces of Cruelty: Towards a Comparative Sociology of Violence", *Theory and Society*, 1(4), 415–440, here p. 422.
6. M. Weber (1978) *Economy and Society: Outline of an Interpretative Sociology* (Berkeley, CA: University of California Press), p. 3 ff.
7. M. Foucault (1979) *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books), p. 47 ff.
8. Cf. W. Binder (2010) "Ritual Dynamics of Torture: The Performance of Violence and Humiliation at the Abu Ghraib Prison", in M. Kitts, B. Schneidmüller, G. Schwedler, E. Tounta, H. Kulke and U. Skoda (eds.) *State, Power, and Violence* (Wiesbaden: Harrassowitz), pp. 75–104, here pp. 82–83.
9. Collins, 2008.
10. R. Collins (2004) *Interaction Ritual Chains* (Princeton, NJ: Princeton University Press).
11. Cf. Collins, 2008, pp. 25–29.
12. Collins, 2008, pp. 83–133.
13. J. C. Alexander and P. Smith (2001) "The Strong Program in Cultural Theory: Elements of a Structural Hermeneutics", in J. H. Turner (ed.) *Handbook of Sociological Theory* (Vienna and New York: Springer), pp. 135–150; R. N. Jacobs (1996) "Civil Society and Crisis: Culture, Discourse, and the Rodney King Beating", *American Journal of Sociology*, 101(5), 1238–1272; J. C. Alexander (2002) "On the Social Construction of Moral Universals: The 'Holocaust' from War Crime to Trauma Drama", *European Journal of Social Theory*, 5(1), 5–85; J. C. Alexander (2004) "From the Depths of Despair:

Performance, Counterperformance, and 'September 11' ", *Sociological Theory*, 22(1), 88–105; P. Smith (1991) "Codes and Conflict: Toward a Theory of War as a Ritual", *Theory and Society*, 20(1), 103–138; P. Smith (2005) *Why War? The Cultural Logic of Iraq, the Gulf War, and Suez* (Chicago, IL: University of Chicago Press); P. Smith (1996) "Executing Executions: Aesthetics, Identity, and the Problematic Narratives of Capital Punishment Ritual", *Theory and Society*, 25(2), 235–261; P. Smith (2008) *Punishment and Culture* (Chicago, IL: University of Chicago Press).

14. Smith, 2005.
15. Collins, 2008, pp. 39–82.
16. N. Frye (2006a) *Anatomy of Criticism: Four Essays* (New York: Atheneum).
17. Frye, 2006a, pp. 33–67.
18. Smith, 2005, p. 24.
19. Frye, 2006a, pp. 131–239.
20. N. Frye (2006b) *The Secular Scripture and Other Writings on Critical Theory, 1976–1991* (Toronto: University of Toronto Press).
21. H. V. White (1973) *Metahistory: The Historical Imagination in Nineteenth-Century Europe* (Baltimore, MD: The Johns Hopkins University Press).
22. Jacobs, 1996.
23. Smith, 2005.
24. Collins, 2004.
25. Cf. Collins, 2008, p. 4 ff.
26. Alexander and Smith, 2001.
27. W. Binder (2012) "The Emergence of Iconic Depth: Secular Icons in a Comparative Perspective", in J. C. Alexander, D. Bartmanski and B. Giesen (eds.) *Iconic Power: Materiality and Meaning in Social Life* (New York and Houndmills: Palgrave Macmillan), pp. 101–116.
28. V. W. Turner (1980) "Social Dramas and Stories about Them", *Critical Inquiry*, 7(1), 141–168.
29. R. Leung (27 April 2004) "Abuse of Iraqi POWs by GIs Probed", *CBS News 60 Minutes II*, http://www.cbsnews.com/news/abuse-of-iraqi-pows-by-gis-probed/, date accessed 9 January 2015.
30. Turner, 1980.
31. A selection of images, including but not limited to those scandal photographs shown and discussed in this article, were published at *salon.com*, http://www.salon.com/topic/the_abu_ghraib_files/, date accessed 22 January 2015.
32. H. Rosin (17 May 2004) "When Joseph Comes Marching Home: In a Western Maryland Town, Ambivalence about the Son Who Blew the Whistle at Abu Ghraib", *Washington Post*.
33. Zimbardo, 2007, pp. 330–331, 444–488.
34. What Zimbardo does not take into account is that Darby was never working closely with the prisoners. A low-mimetic explanation of Darby's "heroism" could simply point to the fact that he was not exposed to the normalisation of abuse in the prison. For this reason he could conceive of the images as "shocking", because they were not part of his everyday reality.
35. C. Rosenberg (22 March 2004) "Details Still Sketchy on Prisoner Abuse: Officials Are Withholding the Names of the Six U.S. Soldiers Arrested in Iraq", *Philadelphia Inquirer*.

36. G. F. Fay and A. R. Jones (2005/2004) "The Fay-Jones Report: Investigation of Intelligence Activities at Abu Ghraib", in K. J. Greenberg and J. L. Dratel (eds.) *The Torture Papers: The Road to Abu Ghraib* (Cambridge: Cambridge University Press), pp. 987–1131, here p. 1079.
37. A. M. Taguba (2005/2004) "The Taguba Report. Article 15–16 Investigation of the 800th Military Police Brigade", in K. J. Greenberg and J. L. Dratel (eds.) *The Torture Papers: The Road to Abu Ghraib* (Cambridge: Cambridge University Press), pp. 405–465, here p. 417.
38. Binder, 2012, p. 108 ff.
39. *Time Magazine* cover (23 May 2004).
40. Binder, 2010; S. C. Caton and B. Zacka (2010) "Abu Ghraib, the Security Apparatus, and the Performativity of Power", *American Ethnologist*, 37(2), 203–211.
41. M. Bakhtin (1984) *Rabelais and His World* (Bloomington, IN: Indiana University Press).
42. Leung, 2004.
43. S. Sontag (23 May 2004) "Regarding the Torture of Others", *New York Times*.
44. S. Holmes (2006) "Is Defiance of Law a Proof of Success? Magical Thinking in the War on Terror", in K. G. Greenberg (ed.) *The Torture Debate in America* (Cambridge: Cambridge University), pp. 118–135.
45. Sontag, 2004.
46. R. Limbaugh (3 May 2004) *The Rush Limbaugh Show*, http://mediamatters.org/research/2004/05/06/limbaugh-prisoner-abuse-brilliant/131119, date accessed 12 January 2015.
47. B. Ehrenreich (2004) "Feminism's Assumptions Upended", in M. Benvenisti (ed.) *Abu Ghraib: The Politics of Torture* (Berkeley, CA: North Atlantic Books), pp. 65–70; M. Richter-Montpetit (2007) "Empire, Desire and Violence", *International Feminist Journal of Politics*, 9(1), 38–59.
48. Leung, 2004.
49. W. L. Bennett, R. G. Lawrence and S. Livingston (2006) "None Dare Call It Torture: Indexing and the Limits of Press Independence in the Abu Ghraib Scandal", *Journal of Communication*, 56, 467–485.
50. G. Lakoff (2006) *Moral Politics: How Liberals and Conservatives Think* (Chicago, IL: University of Chicago Press).
51. Lakoff, 2006, p. 92.
52. Cf. Alexander, 2011, p. 57 ff.
53. Smith, 2005.
54. Bennett et al., 2006.
55. Smith, 2005, p. 27 ff.
56. Cf. E. Goffman (2005) *Interaction Ritual: Essays in Face-to-Face Behavior* (New Brunswick, NJ: Aldine Transaction).
57. *MSNBC* (6 May 2004) "Countdown" (20:00).
58. B. Giesen (2004) *Triumph and Trauma* (Boulder, CO: Paradigm).
59. Democrat representative Byrd in *CBS News Special Report* (7 May 2004) "Testimony before Senate Armed Services Committee on Iraqi Prison Abuse".
60. S. M. Hersh (2004) *Chain of Command: The Road from 9/11 to Abu Ghraib* (New York: HarperCollins).
61. S. M. Hersh (10 May 2004) "Torture at Abu Ghraib: American Soldiers Brutalized Iraqis. How Far Up does the Responsibility Go?", *The New*

Yorker; S. M. Hersh (17 May 2004) "Chain of Command", *The New Yorker*; S. M. Hersh (24 May 2004) "Grey Zone", *The New Yorker*.
62. Taguba, 2005/2004.
63. Haney et al., 1973.
64. Zimbardo, 2007, p. 328.
65. Zimbardo, 2007, pp. 330–331.
66. Sontag, 2004.
67. S. Žižek (3 June 2004) "Between Two Deaths: The Culture of Torture", *London Review of Books*.
68. W. Shapiro (12 May 2004) "For Senator, Outrage is More Outrageous than Abuse", *USA Today*.
69. Quoted from Sontag, 2004.
70. R. Limbaugh (5 May 2004) *The Rush Limbaugh Show*, http://mediamatters.org/research/2004/05/06/limbaugh-prisoner-abuse-brilliant/131119, date accessed 12 January 2015.
71. See Shapiro (2004).
72. S. Kinzer and J. Rutenberg (12 May 2004) "Grim Images Seem to Deepen Nation's Polarization on Iraq", *New York Times*.
73. Binder, 2013, p. 399 ff.
74. C. Lee and S. Coates (7 October 2005) "Nine Explain Interrogation Votes", *Washington Post*.
75. *USA Today* (5 August 2005) "Voice of Experience".
76. Lakoff, 2006.
77. J. Schlesinger (2005/2004) "Final Report of the Independent Panel to Review DoD Detention Operations (Schlesinger Report)", in K. J. Greenberg and J. L. Dratel (eds.) *The Torture Papers: The Road to Abu Ghraib* (Cambridge: Cambridge University Press), pp. 908–986.
78. D. Apel (2005) "Torture Culture: Lynching Photographs and the Images of Abu Ghraib", *Art Journal*, 64(2), 88–100.
79. http://knowyourmeme.com/memes/lynndie-england-pose; last accessed 11 June 2015.
80. R. A. Caldwell and S. G. Mestrovic (2008) "The Role of Gender in 'Expressive' Abuse at Abu Ghraib", *Cultural Sociology*, 2(3), 275–299.
81. Caldwell and Mestrovic, 2008.
82. D. McWhorter (11 February 2009) "Don't Punt on Torture: Obama is Uniquely Positioned to Restore America's Moral Standing on this Issue", *USA Today*, http://usatoday30.usatoday.com/printedition/news/20090211/column11_st.art.htm.
83. Binder, 2010, 2013.
84. Mestrovic and Lorenzo, 2008.
85. Turner, 2009.
86. H. Garfinkel (1956) "Conditions of Successful Degradation Ceremonies", *American Journal of Sociology*, 61(5), 420–424.
87. Collins, 2008.
88. F. Butterfield (8 May 2004) "Mistreatment of Prisoners is Called Routine in U.S.", *New York Times*; F. Butterfield (17 May 2004) "The Dark Side of America", *New York Times*.

12

The (Relative) Absence of Torture from Documentary Photography

Annette Vowinckel

The documentation of physical violence has been a major subject of photography from the very start. The Mexican-American War of 1846–1848 was the first war to be covered by a daguerreotypist, who would later also report on the Crimean War.[1] Many of these early daguerreotypes were stage images of soldiers; however, the victims of war soon became a subject of documentary photography – as, for example, in Alexander Gardner's picture showing the bodies of soldiers in the field in 1862 (Figure 12.1).[2] Military operations were covered both by independent photographers and, starting in World War I, by staff photographers of the respective armies.[3] Among the war pictures produced by different groups of photographers are some of the best-known pictures of the 20th century, including Robert Capa's pictures taken on D-Day (Capa was an accredited correspondent accompanying the Allied troops) and AP photographer Eddie Adams' *Execution of a Viet Cong*, taken in 1968.

To be sure, the documentation of violence in photographs was not restricted to the depiction of war and its victims. Subjects range from North American lynching scenes (Figure 12.2) and colonial violence to crimes committed in concentration camps, the violation of human rights and domestic violence. In fact, two-thirds of all World Press Photo Award winners depict violence in the broadest sense.[4] It is thus not surprising that theorists have therefore long sought to define the very specific relation between photography and violence.

Wolfgang Sofsky, for example, has argued that the relation between an act of violence and its depiction necessarily remains abstract: first, because the act itself is always past when we see the picture; second, because a picture cannot communicate pain; and third, because historical over-determination would anyway keep us from fully grasping the

Figure 12.1 Antietam, MD, Confederate dead by a fence on the Hagerstown road, 1862
Source: Library of Congress.

imaginative power of images.[5] On the other hand, Jean-Luc Nancy has argued that any depiction of violence is itself an act of violence in that the image leaves a scar, a trace, a form of evidence pointing to what has happened.[6] Other critics – most prominently Bernhard Waldenfels – have argued that in the case of photography we can hardly even distinguish between physical violence and its documentation because the act of taking pictures fundamentally changes the dual relation between victim and perpetrator by establishing a triangular relation: the uninvolved spectator enters the scene. In Waldenfels' view the act of taking a photograph adds a communicative dimension to what would otherwise remain a silent act of violence.[7] In a similar fashion Cornelia Brink and Jonas Wegerer have argued that images of violence have a social and political function in that they draw attention, shape memories and (re-)direct public debates on moral issues.[8]

This said, I would like to discuss an odd observation, which I made when starting to investigate the photographic coverage of torture as a very specific type of physical violence, namely that torture was almost

Figure 12.2 The lynching of John Heith at Tombstone, AZ, 1884
Source: US National Archives.

completely absent from documentary photography until the notorious torture pictures from the Iraqi prison of Abu Ghraib hit the news in November 2003. At first sight this seems peculiar – for torture was a subject of the visual arts for many centuries, starting in antiquity and lasting at least until the early modern period. It was very present in Christian iconography, especially in the depiction of saints and martyrs: for example, in images of the drawing and quartering of St Hippolytus and of the martyrdom of St Pantaleon, in various depictions of Judgement Day and later in pictures of the Inquisition or of witch hunts.

In contrast, very few photographs show the actual act of torture. Surely there are various very pragmatic reasons that may explain this absence. First, and most importantly, torture violates international law, while photography produces evidence and may thus help put torturers to court. Unlike the killing of a person, which is exempt from punishment at war or in the necessity of self-defence, torture was categorically banned by the Geneva Conventions of 1949 and by the United Nations Conventions Against Torture of 1984, which in Article 2 states: "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture."[9] Soldiers, almost by definition, run the risk of being killed at war, but they must at any cost be protected against extreme forms of violence such as torture, abuse and starvation in camps. Second, while battlefields have been more or less open to the public – as represented by accredited correspondents or photojournalists – torture has more often than not been exercised in prisons, camps and other "dark chambers". Witnesses are unwanted and may even risk their lives by secretly taking pictures. Photographers of war-related violence may chance upon their subjects; hardly anybody chances upon torture scenes.

As so often, the exception proves the rule. In the course of my investigation I found two sets of photographs depicting torture under very different, even opposing, circumstances. Swedish photojournalist Leo Lönnbrink managed to take some pictures of a torture scene in South Vietnam during the Diem government in 1963. He witnessed how the South Vietnamese secret police interrogated – and tortured – two suspected members of the Communist Viet Cong, and documented the scene using a hidden camera. This is what he reported:

> The questioning began slowly with a brass-knuckles paperweight lying prominently on the table between the sergeant and the manacled prisoner. Finally, on went the knuckle-dusters and I saw a

> scientific display of beating. Then came the third stage of the torture. His manacled hands behind him, one of the brothers was hung by his elbows from a roof beam and his shirt was unbuttoned down the front. A flesh wound was made in the stomach area. Not too deep; just enough to let the prisoner see his own blood dripping on the floor. This time, the knife must have cut too deep. Before I returned to base with the Americans, and some semblance of civilisation and sanity, they told me he had died. The other survived, but was crammed into the suffocating confines of a tiny prison compound. Its ceiling is so low that a man is prevented from walking upright.[10]

However, Lönnbrink was by no means invited to take pictures:

> The price of a ringside seat to gruesome torture that blossoms into bloody murder in Viet Nam is three packs of cigarettes. I know, I paid it. Had the tough, brutal, secret police inquisitors known I had a camera under my bush shirt, my remains might now be rotting in a rice paddy.[11]

Subsequently, Lönnbrink left the country and offered his film to the German illustrated magazine *Stern*, which in May 1963 ran a nine-page article featuring several colour photographs from Vietnam along with Lönnbrink's black-and-white torture pictures. The story even made it to the magazine's cover, yet the cover picture (Figure 12.3) showed a panorama of the Vietnamese sea with a fisherman's boat in romantic sunset light, contrasted by the less romantic headline: "Folter im Namen der Freiheit" ("Torture in the Name of Freedom" – a title that was later adapted by the *Minneapolis Sunday Tribune*).[12]

In the same year, Lönnbrink offered his photographs to picture editor John G. Morris, who at that time ran a photo agency named Independent Picture Service (IPS).[13] Morris again sold them to various newspapers and magazines – many of them minor publications like *The Louisville Times*, the *Minneapolis Sunday Tribune* and the Long Beach *Independent Press Telegram*.[14] On Sunday 27 October (more than five months after *Stern*) the *New York Herald Tribune* picked up on the story and published a full-page article featuring Lönnbrink's pictures.[15] Thus the picture of the Vietnamese torture scene may be known to many people in the field of photojournalism, yet it is far from being a photographic icon of the 20th century.

My second example is the notorious set of pictures taken by American soldiers in the prison of Abu Ghraib in November 2003. In contrast to

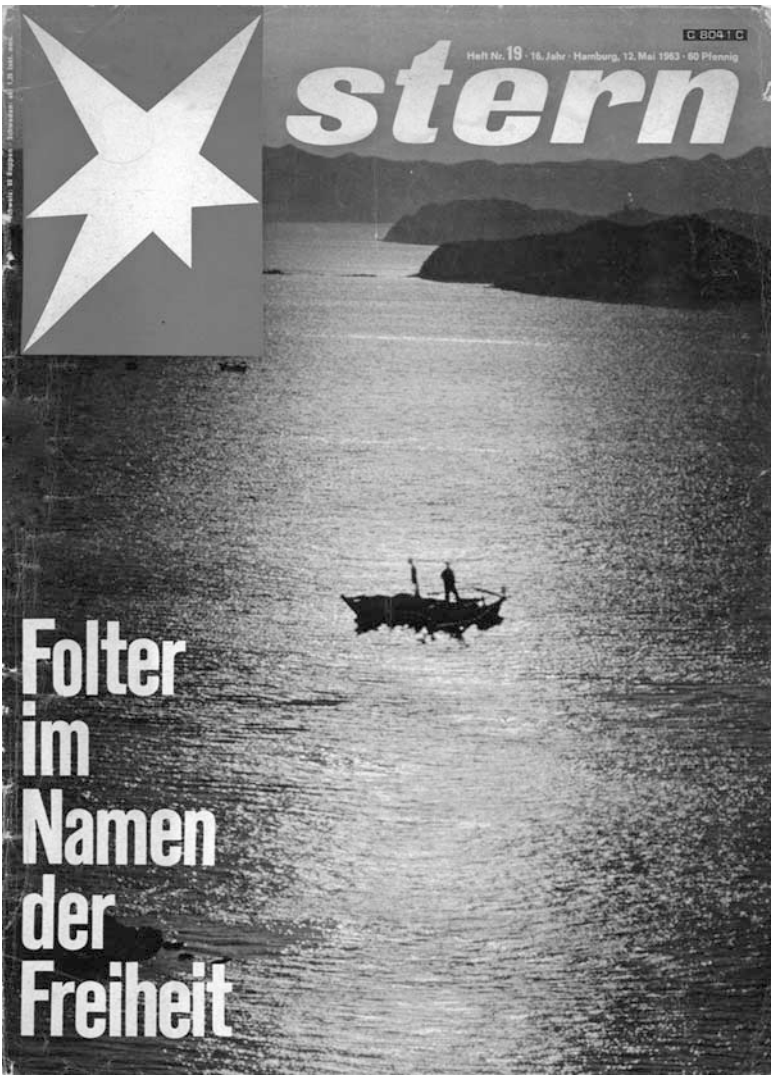

Figure 12.3 STERN cover, 19/1963. Used with permission of Gruner + Jahr GmbH & Co KG

Lönnbrink's secret photographs the Abu Ghraib pictures are the result of a voyeuristic and pornographic enterprise. As Mark Reinhardt has put it, "the faces of the tortured stare out at us in a moment not only of fear and pain but also of shame, as we, by looking, prolong the

shaming."[16] Taken in order to be shown around and to serve as "souvenirs", they do not accuse the torturers of doing wrong (as Lönnbrink's pictures clearly do) but cultivate an appetite for visual violence. Not only were the victims physically and mentally abused; in addition they were exposed to the limited public of the prison staff and subsequently to the world public via the press, television and the Internet. As is well known, the publication of the Abu Ghraib pictures triggered an enormous response – not only to what the pictures document but also to the fact that they were taken in the first place. (Donald Rumsfeld thus immediately banned cameras from the prison.[17]) Many scholars and critics, including Susan Sontag, W. J. T. Mitchell and Gerhard Paul, have argued that these pictures are weapons rather than snapshots – both in the hands of the perpetrators and in the hands of their opponents.[18] According to Christopher Hitchens, they mark a "moral Chernobyl" rather than individual misconduct, and Susan Sontag has pointed to the fact that here the actual scandal shifted into the realm of images: "The administration's initial response was to say that the president was shocked and disgusted by the photographs – as if the fault or horror lay in the images, not in what they depict."[19]

Aside from the two sets of torture pictures that I found, there are many photographs that show the "results" of torture – most recently in the context of the Syrian Civil War. Photographs of this sort usually do not allow to personally identify the victims – often their faces are blackened, covered or beyond the scope of the camera lens; some pictures show the person's back in order to conceal his or her identity.[20] Obviously, the aim is to protect the victims from public voyeurism and from being humiliated by unwillingly serving media spectacles. However, visual evidence of torture has been demanded (and provided) not only by voyeuristic onlookers but also by many victims. The Khmer Rouge torture centre of Tuol Sleng is a good case in point.[21] An exhibition set up in the former prison features photographs that were taken of every single victim before and after he or she was tortured, along with – in the absence of photographs – a variety of drawings and paintings depicting the actual instance of torture. Where documentary material is lacking, this is probably the most common way of visualising torture (as it was in pre-modern times).

Other forms of visualising torture are performances and re-enactments. While re-enactments of medieval torture in public festivals – for instance, at the village fair of Saurat in the Pyrenees[22] – contribute to the formation of a long-term cultural memory, re-enactments and performances on the street often function as a form of political

intervention. More than anything, they are meant to stir attention. The difference between the two thus resembles the difference between a souvenir and a public intervention. As early as December 2009 – and thus almost two years before the beginning of the ongoing Syrian Civil War – activists representing the Committee of Torture Victims in Syrian Prisons re-enacted a torture scene in the streets of Beirut and had their pictures taken by another AP photographer, Bilal Hussein.[23] Here an activist lies on the floor half-naked, his limbs strapped to pieces of wood. Next to him stands a man who seems to be whipping his back with a wooden stick. Injuries on the prisoner's back indicate that he has been hit several times – however, we do not know whether these injuries are the result of former torture, whether they were a collateral damage of the re-enactment or if they are cosmetic.

The same distinction between constituting a visual memory and generating political attention is at work in three-dimensional installations. In museums such as the Musée Grévin – one of the first wax museums, founded in Paris in 1882 – torture scenes remind us of a distant past; in contrast, the *War is a Crime* exhibition and international conference held in Kuala Lumpur, Malaysia, in November 2011 aimed at drawing public attention to a contemporary political issue.[24] The same applies to an exhibition dubbed "The Museum of Shame", which opened in Ankara in September 2010. As the caption of an AP photograph states, the exhibit displayed "torture devices as well as letters and photographs of comrades who died, went missing or were tortured" – and, we may add, three-dimensional installations featuring acts of torture executed during the Turkish military coup of 1980.[25] The Turkish leftist opposition put on this exhibition in order to remind their compatriots of the dangers of military dictatorship and to gain support for their political cause.

Efforts to visually preserve the memories of torture are more than understandable, yet there is one major problem: except from the Abu Ghraib pictures, there is not a single torture picture that has entered the visual canon of the 20th century. Lönnbrink's Vietnam picture was prominent at the time but did not become iconic. In fact, most of the pictures described in this chapter have the aesthetic qualities of amateur snapshots, even those taken by professional news photographers of AP. While, in theory, torture pictures are real scoops for the mass media, in practice they hardly survive selection on a picture editor's desk.

In order to overcome this deficit and give the problem of torture a visual home, Amnesty International launched a poster campaign in the context of the Beijing Olympics of 2008, featuring a series of very

powerful images. The first shows a female weightlifter chained to the very equipment that was supposed to guarantee her athletic success.[26] She is shown against the background of a changing room, which has turned into a dungeon. Another poster shows a scene in an Olympic swimming stadium that unmistakably evokes the procedure of water-boarding, again stating that "After the Olympic Games the Fight for Human Rights Must Go On."[27] In that it picks up on a particular form of torture that was practised in the United States under George W. Bush and later banned by Barack Obama, the message of the posters – designed by a French agency – is less closely connected to China and more directed at Western governments, particularly the US administration.

Of all the pictures that I looked at while writing this chapter, those illustrating the Amnesty International poster campaign are by far the most powerful. The posters are meant to shock, both visually and morally. They do so by applying the aesthetic language of a James Bond film rather than that of a political campaign. This observation dovetails Susan Sontag's suspicion that the depiction of violence has to serve the needs of the mass media just like any other issue in the public sphere. It is surely not the case that purely political and ethical considerations do not matter; but they need powerful images in order to arouse attention.

This would be a nice conclusion. However, the posters never made it into print.[28] The French branch of the TBWA advertising company submitted the posters for the prestigious Cannes Lions Awards and won a third prize in the "Public Awareness Messages" competition. As a result, the posters were widely circulated in the digital sphere. Nevertheless on 15 July 2008 AP published an article stating that the

> ad campaign denouncing human rights violations in China, commissioned by Amnesty International's French branch, was turned down after the group judged it too violent. [...] "We didn't feel comfortable with the proposed visuals, which were perhaps too violent", said Sylvie Haurat, spokeswoman for Amnesty International-France. "But the message – that the fight goes on – we support that 200 percent."[29]

On the face of it this is certainly convincing; however, the argument does not withstand critical reflection. First, the posters are no more violent than many war photographs appearing in newspapers and magazines every day. Neither did Amnesty International argue that a violent photograph is an act of complicity (after all, the pictures were), nor

did anybody show concern that the posters would inappropriately aestheticise violence.[30]

In my view, the withdrawal of the posters reflects the fact that there is no visual convention for the display of torture pictures, let alone an iconic frame other than the Abu Ghraib torture pictures. In order to support my argument I would like to draw attention to yet another Amnesty International poster, which was produced by an agency in New Zealand and which – unlike the posters mentioned above – appeared in print in June 2010.[31] This poster features an "ordinary" (staged) war scene in Afghanistan or Iraq.[32] Two men resembling Taliban fighters attack a civilian – with a crowd of Westerners turning their backs to the cruel scene. The text states in a general fashion that to "ignore us" (i.e., Amnesty International) is to "ignore Human Rights". This photograph is no less violent than the ones withdrawn, which means: while torture is taboo, violence is well accepted in the visual universe.

On the face of it one might think that torture pictures are regarded as unethical: they add to the victims' humiliation in that they give their mental and physical pain a timeless existence, and for the perpetrators they may be dangerous in that they can be held against them as evidence in a court – yet this is also true for other crimes. It thus seems to me that there is one more reason for the absence of torture in documentary photography, namely the lack of a visual reference and cultural framing. Whatever we see in early modern etchings and paintings is long past; and whatever we see in Bond movies like *Casino Royale* is clearly fictional and meant to entertain rather than to stir moral outrage. "Real" torture, in contrast, suspends the witness.

To conclude: photographic documentation of violence has a tradition as old as photography. While some politicians and media representatives argue that pictures of war and violence must be shown in order to stop war and violence, others have accused photographers of aestheticising the "pain of others" and accused the public of collaborating with the perpetrators. Just as it is acceptable to kill soldiers in war, so it is acceptable to take pictures of individuals who kill others or who are being killed. Likewise, as international law bans torture, visual conventions seem to ban photographing the victims of torture. It would be worthwhile seeing whether this coincidence is accidental or whether the visual absence of torture is merely due to the pragmatic obstacles mentioned above. My hypothesis is that there are limits to the presentability of violence, which correspond with the acceptance of violence in general. However, to support this argument a broader investigation would be required.

Ironically, the very lack of torture images has rendered the Abu Ghraib pictures iconic.[33] At last there is a visual platform for what has been on the agenda of human rights activists for decades – not because the pictures would teach us anything new about torture but because they manage to both be authentic and fit perfectly into an iconic tradition ranging from the Crucifixion to the Statue of Liberty and post-modern commercials.[34]

Notes

1. See M. A. Sandweiss, R. Steward and B. W. Huseman (eds.) (1989) *Eyewitness to War: Prints and Daguerreotypes of the Mexican War, 1846–1848* (Washington, DC: Smithsonian Institution Press).
2. For photography of the Civil War see G. Paul (2004) *Bilder des Krieges – Krieg der Bilder: Die Visualisierung des modernen Krieges* (Paderborn: Schöningh), pp. 65–68.
3. For the United States, see R. L. Eichberg and J. Quadow (1945) *Combat Photography* (Washington, DC: Signal Corps Historical Section); and G. R. Thompson and D. R. Harris (1991) *The Signal Corps: The Outcome (mid-1943 through 1945)* (Washington, DC: CMH), pp. 540–579; for Britain: F. McGlade (2010) *History of the British Army Film and Photographic Unit in the Second World War* (Solihull: Helion); for Nazi Germany: M. Y. Arani (2011) "Die Fotografien der Propagandakompanien der deutschen Wehrmacht als Quellen zu den Ereignissen im besetzten Polen, 1939–1945", *Zeitschrift für Ostmitteleuropa-Forschung*, 60(1), 1–49.
4. A. Godulla (9 February 2015) "Ein Jahr, ein Bild? Traditionslinien in der Wirklichkeitskonstruktion von World Press Photo", *visual-history.de*, http://www.visual-history.de/2015/02/09/ein-jahr-ein-bild/.
5. W. Sofsky (2011) *Todesarten: Über Bilder der Gewalt* (Berlin: Matthes & Seitz), pp. 18–21. For the difficulty of communicating pain see E. Scarry (1985) *The Body on Pain: The Making and Unmaking of the World* (Oxford: Oxford University Press).
6. C. Brink and J. Wegerer (2012), "Wie kommt die Gewalt ins Bild? Über den Zusammenhang von Gewaltakt, fotografischer Aufnahme und Bildwirkungen", *Fotogeschichte: Beiträge zur Geschichte und Ästhetik der Fotografie*, 32(125), 5–14, especially p. 7.
7. B. Waldenfels (2008) "Von der Wirkmacht und Wirkkraft der Bilder", in G. Boehm, Birgit Mersmann, Christian Spies. (eds.) *Movens Bild: Zwischen Evidenz und Affekt* (Munich: Fink), pp. 47–63; Brink and Wegerer draw on a passage on p. 52.
8. J. -L. Nancy (2007) "Bild und Gewalt", in D. Tyradellis and B. Wolf (eds.) *Die Szene der Gewalt: Bilder, Codes und Materialitäten* (Frankfurt am Main: Peter Lang), pp. 33–44.
9. UN "Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment", Part I, Article 2, http://www.hrweb.org/legal/cat.html. For the legal history of torture see J. T. Parry (2010) *Understanding Torture: Law, Violence, and Political Identity* (Ann Arbor, MI: University of Michigan Press).

10. Toronto Daily Star (2 October 1963) "Ringside Torture Seat – In the Land of Madame Nhu", *Toronto Daily Star*, p. 23.
11. *Toronto Daily Star*, 1963.
12. "Folter im Namen der Freiheit", *Stern* (12 May 1963), 19, pp. 24–29.
13. Morris worked as picture editor for *Life*, *Ladies' Home Journal*, Magnum Images, *Washington Post* and *New York Times*. See J. G. Morris (1998) *Get the Picture: A Personal History of Photojournalism* (New York: Random House).
14. L. Lönnbrink (1 November 1963) "Torture in 'Free' Vietnam", *Louisville Times*, p. 9; Independent Press Telegram (27 October 1963) "A Question of Life – and Death", *Independent Press Telegram*, A–3; Minneapolis Sunday Tribune (17 November 1963) "Torture in the Name of Freedom", *Minneapolis Sunday Tribune*, p. 29; *San Francisco Chronicle* (23 October 1963). Copies of these articles are in the John Morris Papers, Regenstein Library, University of Chicago, Box 25, file: IPS/Torture. Many thanks to Dana Vowinckel for sending me copies.
15. The New York Herald Tribune (27 October 1963) "Behind Diem's Big Parade", *The New York Herald Tribune*, p. 8.
16. M. Reinhardt (2007) "Picturing Violence: Aesthetics and the Anxiety of Critique", in M. Reinhardt, H. Edwards and E. Duganne (eds.) *Beautiful Suffering: Photography and the Traffic in Pain* (Williamstown and Chicago: Williams College Museum of Art, The University of Chicago Press), p. 21; F. Möller (2009) "The Looking/Not Looking Dilemma", *Review of International Studies*, 35(4), 781–794, p. 787.
17. See D. Apel (2005) "Torture Culture: Lynching Photographs and the Images of Abu Ghraib", *Art Journal*, 64(2), 88–100, here p. 91. See also J. Butler (2005) "Photography, War, Outrage", *Modern Language Association*, 120(3), 822–827, especially p. 825.
18. G. Paul (2014) "Der Kapuzenmann", in idem, *BilderMACHT: Studien zur Visual History des 20. und 21. Jahrhunderts* (Göttingen: Wallstein), pp. 601–627; W. J. T. Mitchell (27 June 2004) "Echoes of a Christian Symbol", *Chicago Tribune*, https://lucian.uchicago.edu/blogs/wjtmitchell/files/2014/11/wjtm_echoes-of-a-christian-symbol.pdf.
19. C. Hitchens (14 June 2004) "A Moral Chernobyl: Prepare for the Worst of Abu Ghraib", *slate*.com, http://www.slate.com/articles/news_and_politics/fighting_words/2004/06/a_moral_chernobyl.html; S. Sontag (23 May 2004) "Regarding the Torture of Others", *New York Times Magazine*, http://www.nytimes.com/2004/05/23/magazine/regarding-the-torture-of-others.html.
20. For a more recent example see M. Krever and S. Elwazer (3 February 2015) "Gruesome Syria Photos May Prove Torture by Assad Regime", *cnn.com*, http://edition.cnn.com/2014/01/20/world/syria-torture-photos-amanpour.
21. For the memory of Tuol Sleng see M. Roth (2001) "Obdurate History: Dinh Q. Leê, the Vietnam War, Photography", *Art Journal*, 60(2), 38–53.
22. J. Gaumy (1984) "Village Fair at Saurat, Ariège Department, Pyrenees Region", *magnumphotos.com*, http://www.magnumphotos.com/C.aspx?VP3=SearchResult&VBID=24PVHKU8U45OW&SMLS=1&RW=1280&RH=593.
23. Activists opposed to the Syrian government stage a torture scene in Beirut, Lebanon; B. Hussein (10 December 2009) *apimages.com*, ID 09121005215, http://www.apimages.com/metadata/Index/Lebanon-Syria-Prisons/b5160f47e66e41beb5f30ae8c625e0a3/8/0.

24. A visitor walks past a mannequin of a torture victim during the *War is a Crime* exhibition and international conference in Kuala Lumpur, Malaysia; L. S. Sin (18 November 2011) *apimages.com*, ID 111118116792, http://www.apimages.com/metadata/Index/Malaysia-War-Crimes/28e0517390844ee7be47a31bd9fae246/6/0.
25. B. Ozbilici (7 September 2010) "The Museum of Shame", Ankara, Turkey, *apimages.com*, ID 100907119273, http://www.apimages.com/metadata/Index/Turkey-Referendum/23e006055a0944b08a51514d66dead88/1/0.
26. Amnesty International (2008) "After the Games the Fight for Human Rights Must Go On", TBWA Paris Photographer: Marc Gouby (not published), http://theinspirationroom.com/daily/2008/amnesty-after-the-olympics/.
27. Amnesty International, 2008, http://theinspirationroom.com/daily/2008/amnesty-after-the-olympics/.
28. R. Spencer (16 July 2008) "Beijing Olympics 2008: Amnesty International Torture Ads Dropped", *The Telegraph*, http://www.telegraph.co.uk/news/worldnews/asia/2419191/Beijing-Olympics-2008-Amnesty-International-torture-ads-dropped.html.
29. TMC News (15 July 2008) "Brutal French Ad on Human Rights in China Wins Award – But Judged Too Violent for Broadcast", *tmcnet.com*, http://www.tmcnet.com/news/2008/07/15/3546870.htm.
30. For the problem of aestheticising violence see M. Reinhardt, H. Edwards and E. Duganne, 2007.
31. Advertolog (2010) "Amnesty International Adverts and Commercials Archive, 'Beating' ", *advertolog.com*, http://www.advertolog.com/amnesty-international/print-outdoor/beating-13745505/.
32. Amnesty International (2010) "Ignore Us Ignore Human Rights", New Zealand: Colenso BBDO, http://www.advertolog.com/amnesty-international/print-outdoor/beating-13745505/.
33. Strikingly, the Abu Ghraib photos are the only images mentioned by D. Taylor (2007) "Double-Blind: The Torture Case", *Critical Inquiry*, 33(4), 710–733.
34. Forkscrew Graphics (2004) "iRaq [Abu Ghraib Prisoner]", Courtesy of the Center for the Study of Political Graphics, http://www.reframingphotography.com/content/forkscrew-graphics.

13

Off Limits? International Law and the Excessive Use of Force

Jan Klabbers

1. Introduction

In an episode of the television show *Law & Order* recently broadcast in Finland, the setting was as follows: an African-American man snatches a taxi away from under the noses of two Caucasian men. The Caucasians hail another taxi, and order it to follow the first. After some 20 minutes, the first taxi stops, and its passenger gets out. Consequently, the other taxi stops as well, and one of the Caucasian men gets out (the other has gone home). The Caucasian approaches the black man and shoots him. Upon arrest, he claims to have acted out of racial hatred, and his lawyer argues before the court that his client should be in a mental institution because he seriously believes he is being persecuted by black people in general and thus is clearly delusional. The jury, however, finds the man sane and convicts him of murder in the second degree.

The episode, fictitious though it is, raises the interesting issue of how to deal with violence that is, actually or ostensibly, politically motivated. While the scriptwriters fail to make the most of it (somehow awkwardly coming up with the notion that for a long time homosexuality was also considered a mental disorder), nonetheless the main issue resonates: if someone adopts extreme political convictions, does that mean he is insane and cannot be held legally responsible for any resulting actions? How, in more general terms, should the law address politically motivated violence?

The issue is interesting because, of course, much violence is committed in the name of some higher political ideal.[1] Be it ethnic cleansing,

---

This chapter was originally published in *Theoretical Inquiries in Law* (2006) 7(1), 59–80. Reproduced with permission.

suicide bombings or the occupation of entire countries while toppling their regimes, much of this violence takes place in the name of a greater good. It takes place for what might be called political reasons, if by political reasons we mean the sort of reasons that have little to do with base motives of greed or sheer evil but are inspired instead by some form of idealism, however perverse the ideal at issue might be.[2] The white South African policeman who enthusiastically enforced apartheid's laws in the sincere belief that it helped protect his country against communism and prevented the erosion of a traditional way of life is just one example among many of a man who committed crimes not out of base motives but because he thought he was doing the right thing.[3]

There exists something of a consensus on the awkward circumstance that criminal law (or moral philosophy, for that matter), with its insistence on *mens rea* and individual responsibility, is ill equipped to address crimes committed within the framework of larger socio-political events that do not result from evil intentions.[4] Dana Villa puts it succinctly: "the great tradition of Western political thought is not much concerned with political evil – evil as policy – at all."[5]

In international law, this issue becomes particularly acute in the context of genocide, war crimes, crimes against humanity and gross human rights violations; in other words, what is sometimes referred to as international criminal law. The label is slightly misleading, perhaps, as international criminal law essentially aims to address "political" crimes (even crimes committed exclusively within a state's boundaries – the only justification for the label "international" is that the source of the law in many of such cases is international law), as opposed to "normal" crimes with an international dimension, such as drug trafficking, money laundering, counterfeiting or immigration fraud.[6] And it aims to deal with political crimes essentially by trying to ignore their political element and subjecting political crime to more or less standard criminal procedure.

What I aim to explore in this paper is the political aspect of the use of force: the suggestion that the righteousness of the cause makes it well nigh impossible to accept that there could be any limits to the use of force.[7] It may well be the case that the distinction between *jus ad bellum* and *jus in bello*[8] facilitates legal and moral analysis[9]; but the distinction would seem to owe a lot to the underlying assumption that war is not really about politics but is instead a technical, rather businesslike affair embedded within a clearly demarcated set of rules, not unlike a game of chess or cricket.[10] And while it is perfectly OK to strive for victory in

chess or cricket, to do so by bending, ignoring or flouting the rules is simply, er, well, not cricket.

2. Limits?

Ask international lawyers whether international law will place limits on the use of force, and they will probably answer in the affirmative, citing two main arguments. The first is that aggressive use of force is generally regarded as prohibited, no matter how intense that use of force may get. Thus, by prohibiting aggression, very intense aggression is prohibited as well. By the same token, as the use of some types of weapons is generally prohibited, so too is the excessive use of those weapons.

Second, while international law recognises a right to self-defence, and used to recognise belligerent reprisals (the latter are generally considered to be prohibited nowadays), both are or were subject to the idea of proportionality. Proportionality, in this context, signifies that one cannot use force to a greater extent than would be justifiable from a military point of view. Hence, proportionality functions as a ceiling on the acceptable use of force, and therewith on the liberties of states and other belligerents.

Yet those same international lawyers would probably also acknowledge that, should a state use force in a manner that exceeds the bounds of what seems to be proper, there is nothing much the law will have to say about it. This is so, not so much because, as the ancient adage states, *inter arma silent leges* (roughly translatable as "the law is silent when arms speak") as because, rather, the law cannot quite make up its mind how to handle what may seem like excessive use of force.[11] As William Fenrick (formerly a prosecutor with the International Criminal Tribunal for the Former Yugoslavia) observed:

> It is much easier to formulate the principle of proportionality in general terms than it is to apply it to a particular set of circumstances because the comparison is often between unlike quantities and values. How do you assess the value of innocent human lives as opposed to capturing a particular military objective?[12]

One of the more telling provisions in this respect is to be found in Article 22 of the Regulations Respecting the Laws and Customs of War on Land, annexed to the Fourth Hague Convention of 1907, which provides in wonderfully pithy terms that "[t]he right of belligerents to adopt means of injuring the enemy is not unlimited".[13] The very way this provision is

formulated suggests an ambivalence at its core: we sense that there must be limits, that mankind would like there to be limits but does not really know what these should be or how to impose them. Hence the right to adopt means of injuring the enemy is "not unlimited".[14]

Other provisions, too, focus not on the intensity of force but on the means and methods of using force. Thus, under Article 23 of the same regulations it is prohibited "[t]o employ arms, projectiles, or material calculated to cause unnecessary suffering".[15] Apart from all sorts of interpretive problems surrounding a verb such as "calculated", this is not so much a limit on excessive use of force as a limit on the sort of weapons that can be used.

Many provisions in the law of armed conflict aim to spare the civilian population from the scourge of war, so much so that the International Court of Justice, in 1996, held that the distinction between civilians and belligerents was one of the "intransgressible principles" of international humanitarian law.[16] Still, those provisions stop short of imposing absolute limits on the use of force; while they generally prohibit the targeting of civilians and civilian objects, they say nothing about military targets, and seem to accept with equanimity the possibility of unrestricted use of force, as long as the target is a proper target.

An example is Article 24 of the 1923 Hague Draft Rules of Aerial Warfare, which stipulates that aerial bombardment is legitimate when the target is a military objective; it places no limits on the amount or intensity of the bombardment.[17] Earlier articles prohibit some forms of bombardment: Article 22 does not allow bombardment for purposes of terrorising the population, or for the purpose of destroying property, or for the purpose of injuring non-combatants. Likewise, Article 23 does not allow bombardments for the purpose of "enforcing compliance with requisitions". The key to bombardment, then, seems to reside in the purpose it serves: either a legitimate purpose or an illegitimate one. But no quantitative limits are imposed. As Jean Pictet, one of the architects of today's international humanitarian law, stated in an admirably brief definition: "[The] law of war proper determines the rights and duties of belligerents in the conduct of operations and limits the choice of the means of doing harm."[18]

This would, indeed, seem to be what the law of armed conflict is all about: limiting the variety of available means of doing harm, and only in this way trying to limit the actual harm done. The focus, thus, rests squarely on a limitation of the means and methods to be employed rather than, say, on how these are to be employed, or with what intensity they are to be employed. As yet another author sums it up: the law

of war relates to rules on weapons, rules on methods to be employed and humanitarian rules[19]; the law of war does not, however, have much to say about the intensity of conduct.[20]

This is not to say that the use of force is left without any limitations. "The prime characteristic of the military", wrote the eminent historian Michael Howard, "is not that they use violence [...]. It is that they use that violence with great *deliberation*."[21] Military activities, in other words, are highly organised, socially complex affairs, and the implication is that restraints are inherent in the conduct of warfare: without restraints, military order and discipline would not exist. As Howard reminds us, when restraints break down (as in the infamous My Lai massacre), it is not just our sense of morality that is offended, but also our sense (or the military's sense) of professionalism.[22] Thus restraints are inherent in the organised use of force. It is just that these restraints are not overwhelmingly legal in nature; the law of armed conflict is inherently unsuited to its task if that task is to eradicate or minimise the use of force. Instead, the law, through regulation, legitimises what it regulates.

A brief history of both the *jus ad bellum* and the *jus in bello* would reveal that attempts to place limits on warfare (both the right to go to war, and the right to behave in an unrestrained fashion during war) have been undertaken with increasing seriousness since the second half of the 19th century. That is not to say there were no earlier attempts: Grotius already addressed both topics in his classic *On the Law of War and Peace*.[23]

But attempts at global regulation only began in the second half of the 19th century, starting with more or less private initiatives such as the Lieber Code and culminating in the convocations for the first Hague Peace Conference of 1899. This conference, as well as its 1907 successor, is usually taken to be evidence of a humane and humanitarian impulse among statesmen; yet the motives of its convener, Czar Nicholas, may have been pragmatic rather than humane, and many of the more important participating states may have taken part more in order not to be cast as villains than out of a heartfelt desire to place constraints on the waging of war.[24] As some critics have pointed out, with considerable cogency, the 1899 conference ended up either prohibiting weaponry that had proved to be ineffective anyway or building in large margins of appreciation for the military: behaviour might be prohibited, unless military necessity required such behaviour.[25]

But whatever its merits, international law does not say a great deal about the intensity of armed conflict. It prohibits aggression, albeit not without ambivalence. An authoritative definition of aggression does not

exist, unless one counts the document adopted by the General Assembly in 1974 which, as one prominent commentator put it, is filled with hopes and loopholes.[26] Indeed, it is doubtful whether a definition of aggression could exist in any meaningful form, as a few of us would wish to exclude completely the possibility that force may on occasion be used for a good reason. Fighting oppression, resisting invasion and pre-empting imminent armed attacks may all sometimes be sound justifications for using force. But if that is so, we will always have a hard time distinguishing in advance justifiable from not so justifiable uses of force.[27] It surely is no coincidence that the drafters of the ICC Statute did not manage to agree on a definition of aggression, for much the same reason that similar attempts 80 years ago within the League of Nations failed.[28] Moreover, in an intricate irony, the more behaviour is outlawed as aggression, the easier it will become to use force in self-defence. To borrow a metaphor, the system functions not unlike an accordion: squeeze at one end, and the other end will bulge.[29]

Likewise, international law prohibits the use of some weapons, and may even be seen, by some measures of success, to do so effectively. Thus, it might be argued that the non-use of nuclear weapons since Hiroshima and Nagasaki may be due to the existence of legal prohibitions on their use: the hope that a legal prohibition would forestall any use certainly must have inspired those who activated the International Court of Justice in 1996.[30] By the same token, there are conventions in place outlawing chemical weapons, bacterial weapons and the like, and it is reasonable to state that such weapons are not often used.

Yet international law says fairly little about other weapons (giving rise to the argument that anything that is not prohibited is allowed) and says even less about the intensity of conflict. The only limit is the limit of proportionality, which, as noted, is usually taken to refer to military necessity. The basic idea is that the use of force, any use of force, can be justified as long as it is necessary from a military perspective. This presupposes that there is a military perspective, and that it can function as an objective standard for conduct. Nothing could be further from the truth.

3. Depoliticisation?

International humanitarian law does recognise that there may be a political dimension to warfare and that accordingly there can be such a thing as a political crime, but it does not embrace the idea with full

conviction and is reluctant to accept the consequences.[31] In fact, the international law of armed conflict is based on a terrible, and terrifying, dilemma. On the one hand, much of the law aims to defuse the political aspects of armed conflict, trying to ignore passions and heated opinions by turning armed conflict into a stylised play, symbolised, if nothing else, by speaking of the "theatre of war" and with frequently recurring analogies to sporting events.[32] Aiming to subject combatants to legal rule, and aiming to allow only that which is considered necessary from a military perspective, international humanitarian law attempts to pay tribute to moral considerations; too much suffering, and suffering that is unnecessary, are considered intolerable.[33]

On the other hand (and partly as a result of the desire to have the law regulate armed conflict), the law cannot completely take the politics out of politics either. Most of the rules relating to the use of armed force are open-ended, and are so by necessity. Their very open-endedness invites further political decision-making. The admonition not to cause "unnecessary suffering" invites further political reflection and debate as to what, in any given case, "unnecessary" could possibly mean. Many provisions, moreover, are conditional. They are subject to considerations of military necessity, either explicitly ("as far as military considerations allow", in the words of Article 16 of the 4th Geneva Convention of 1949[34]) or implicitly. As Greenwood aptly put it, the law relating to armed conflicts "is a compromise between military and humanitarian requirements".[35]

The law relating to the use of force works on the basis of a rather grand illusion: that it can take the politics out of the use of force. It presupposes that law can subject behaviour to objective, immutable standards, and that those standards derive from two sources. The first of these is, rather straightforwardly, the legal prohibition itself. Thus the law may posit that certain types of behaviour are prohibited, in the expectation, or hope, that states will therefore change their behaviour.

Second, though, and as a consequence of realising that simply prohibiting things might not work, the law builds in all sorts of exceptions relating to military necessity, aiming to compromise between considerations of humanity and military exigencies. Yet, in doing so, it adds a second open-ended element to the equation. It is not so much (or not only) the case that the reference to military necessity aims to reintroduce a sophist, political element to the legal standard, because the sophist, political element is itself thought to be a-political.[36] Hence, a twofold act of depoliticisation is intended but works only in appearance, for the notion of military necessity is itself intensely political.

Typically, what the notion of military necessity does is break down a larger conflict into smaller segments, and in doing so it depoliticises the issue.[37] Ask the question whether there is a military necessity for country A to invade country B, and the most likely answer will be "probably not". After all, invading another country is typically a political decision, made for political reasons (adding to territory, perhaps, or securing natural resources, or finally taking action on a long-standing grievance). In most cases, there will not be a military necessity to invade.

Things might look differently, though, once the prism is adjusted and the episode is cut into smaller segments. Once state A has made the decision to invade state B, is there a military reason to drop bombs on the capital of B and thereby endanger the lives of civilians? This may well be the case, for example, if the capital harbours military installations and precision bombing is for some reason (cloudy weather, risk of detection) impossible or impracticable.[38]

However, military necessity can be a flexible notion. A classic problem is that of bombing a city so as to undermine the other side's morale.[39] This may not be very commendable behaviour, perhaps, but if undermining morale is classified as a military advantage (as most would agree it should be), then such bombings would remain within the space allowed by the law.[40]

Likewise, bombing cities and killing civilians might sometimes be considered justified with a view to shortening the war and thereby, ultimately, saving lives: this is often said to have been the justification for dropping the atomic bombs on Hiroshima and Nagasaki.[41] While such a calculation might be slightly distasteful, it is nonetheless difficult to argue with. And either way, while the moralist might find it distasteful, the law says nothing about it and could not possibly begin to address it except in the abstract. Yet, even if deplorable in the abstract, there may always be circumstances justifying such acts in particular contexts. While generally such acts are not laudable, exceptions cannot be excluded completely, and cannot be delineated in any meaningful way until they occur.[42]

At the same time, the depoliticisation of armed conflict is stimulated by a move in the other direction. While humanitarian law arguably prescribes that each incident be assessed separately on its proportionality,[43] many hold, to the contrary, that what matters is the bigger picture, and many would argue that it does not concern a proportionality of means but rather one of result. As Roberto Ago once wrote:

> It would be mistaken [...] to think that there must be proportionality between the conduct constituting the armed attack and the opposing

> conduct. The action needed to halt and repulse the attack may well have to assume dimensions disproportionate to those of the attack suffered. What matters in this respect is the result to be achieved by the "defensive" action, and not the forms, substance and strength of the action itself.[44]

Hence the prism can be shifted from the individual incident to the complete attack and anything in between, in accordance with the needs and desires of the moment, and by shifting the prism, allegations of disproportionality can always be deflected. In short: military necessity does not provide much of a limit on the use of force, in that many things can be justified on this basis. And if nearly everything can be justified on the basis of military necessity, then all the law ends up doing is legitimising violence.[45] In short, military necessity is not a concept capable of objective measurement. "Military reality" (but without any overtones of objectivity) would be a better term.[46]

The depoliticisation discussed above is facilitated by the circumstance that international lawyers, and others who occupy themselves with the morality of international action, habitually point out that there is a difference between the motivations that underlie actions and the way those actions are carried out.[47] International lawyers traditionally distinguish between the right to wage war and the proper form of conduct during war: the *jus ad bellum* and the *jus in bello*, respectively. There are, no doubt, sound analytical reasons for doing so, and it may indeed well be perfectly conceivable that a just war is being fought with unjust means while an unjust war may be fought with perfectly proper means. But this distinction masks the possibility that the perceived justness of the cause may influence the sort of behaviour that takes place on the battlefield.[48] Indeed, the distinction often collapses,[49] either when authors acknowledge that the distinction has its limits,[50] or when they claim that international law's capacity to regulate the *jus ad bellum* proves that it can also regulate the *jus in bello*.[51]

Still, the very possibility of making the distinction implies that there can be such a thing as a just war to begin with. The only significance that the very notion of the *jus ad bellum* can possibly have is that, indeed, there must be a right to wage war as long as the cause is a good one. But that obviously raises the difficult question of how to recognise a just cause, and there may have been considerable wisdom in Cicero's insistence on procedure rather than substance: for Cicero, a just war was one preceded by a demand for satisfaction or a warning, and a formal declaration of war.[52]

The very possibility of the concept of a just war, in turn, renders it possible that combatants might be zealots, fanatics or fundamentalists, rather than conscripted men (and women) merely doing their jobs. It is, after all, precisely the (perceived) justness of the cause that would justify, in the perpetrators' minds, the resort to excessive means. In other words: if the combatants are not conscripted soldiers doing their duty for their country but, rather, are political fanatics inspired by a vision of the coming paradisiacal bliss if only the enemy is exterminated, it may well be that their behaviour will hardly be subject to limitations: why accept limits if those limits make paradise that much harder to reach? If one has the *jus ad bellum* on one's side, then why bother too much about the *jus in bello*?[53]

More specific considerations would also suggest that politics simply cannot be avoided. It has been observed, for instance, with notable regret, that Additional Protocol I of 1977 re-introduced the notion of the just war (and thereby re-introduced an overtly political element) into international law when it ordained that wars of national liberation be treated as international armed conflicts.[54] The law aims to minimise aggression, yet allows for (and arguably even stimulates) aggression if it is done for the right cause.

The famous Martens clause, considered by many to be one of the main achievements of humanitarian law,[55] also carries political overtones; it may well be regarded as a receptacle for politics. The Martens clause holds, in essence, that in cases not covered by treaties on humanitarian law, "civilians and combatants remain under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience".[56] While this does suggest that the law is all-embracing (there is no wartime behaviour that would not come within the ambit of the law), it also strongly suggests that the law is not, on this point, self-referential or autopoietic.[57] The Martens clause imports all sorts of considerations that the law itself never thought of or, more practically, about which agreement between states proved hard to find.

This, then, is the dilemma relating to the use of force in international law: how to acknowledge the political nature of violence without giving in to the idea that might is right, thereby stimulating unbridled, unlimited violence? In the end, the law aims at a double act of depoliticisation, and is frustrated on both counts. It aims at depoliticising by subjecting armed conflict to legal rules, while at the same time it acknowledges that the scope within which states and soldiers are permitted to act is determined by military necessity. Yet both the law as such and the notion

of military necessity are open-ended, and thus incapable of providing many limits.

4. The end justifies the end

What makes things worse, perhaps, is that the law can only be open-ended: we simply cannot agree, at least not in advance, on which actions should be condemned in which precise circumstances. And this in turn owes much to our inclination to be soft on means when the means are utilised for ends we tend to favour. Well nigh the entire history of Western political theory conceives of politics as a means to an end.[58] The end may be justice, or peace, or order. The end may be left-wing or right-wing; it may be the worker's paradise or the socialism of yesteryear, or the limited state invoked by libertarians. The end may even be, in modern discourse theory, the reaching of agreement, but in each and every case the idea is that politics are a means to an end. We debate not because we cherish debate but because we hope to convince or, if necessary, outvote or outmuscle others. Indeed, it is this circumstance that allowed Clausewitz to present his famous dictum of war being the continuation of politics by other means: different means, same end.[59]

It is the very existence of a tangible goal (however elusive) at the end of the rainbow or beyond the horizon that will justify much of the means we employ, and it is precisely this connection that goes unnoticed when we all too neatly separate the *jus ad bellum* from the *jus in bello*. Killing people for money is not a good idea; killing people for country and fatherland is already better; and killing people because they stand between us and the good life is better yet, as long as our conception of the good life itself can withstand scrutiny.

The problem, then is, quite obviously, that people are not likely to agree on the worthiness of these goals: often both sides to a conflict can invoke some higher goal that justifies their particular behaviour, or at least explains it in their own eyes. The goals invoked might be silly or even highly perverse, but still heartfelt or serious. And in an important sense their veracity is practically irrelevant: anyone who considers himself a soldier fanatically fighting for a just cause, or even for civilisation as we know it, may not be easily convinced to back down.

And generally to rely on values as providing a buffer against criminal thought may be all too easy: the example of Nazi Germany suggests that values can be easily changed overnight; values often seem to exercise a hold merely on the surface, and may be traded in for new values, often in the light of a political goal.[60] Moreover, the problem may well be in

part that values held dear in peacetime are not necessarily applicable in wartime. Dagmar Barnouw observed that during conflict "normal standards of civilised behaviour are 'inverted': even the most 'humane' (in intention) laws of war as international agreements meant to regulate behaviour in the extraordinary situation of war clearly contradict what is approved as decent, moral social behaviour in peacetime".[61]

Nonetheless, even if it is the case that the law has little to contribute to limit the use of force, this does not mean that there are no possible limits. One possible source of limits resides in what the old-fashioned may refer to as the code of honour among statesmen and the military. As Howard intimated, warfare is a highly organised and restrained activity; it is just that the restraints do not easily stem from detailed legal instructions. Indeed, one might well suggest that the highly detailed law of armed conflict we have at present could easily be replaced by a single commandment: thou shalt treat others decently. Admittedly, that is as open-ended as the present regime, but at least it is a lot more transparent[62] and, arguably, no less workable.[63]

Similarly, it may well be the case that being engaged in battle creates something of a community of fate (a feeling of a shared predicament, or *lotsverbondenheid*, in Dutch) on both sides of the divide. This, at least, emerges from Axelrod's discussion of the trench warfare of World War I,[64] although it would seem fair to suggest that such restraints would be facilitated if the combatants themselves did not have much of an emotional stake in the outcome of the conflict.

Others – most of all, perhaps, Todorov – have pointed out that restraints (or generally doing good) need not necessarily be the result of good intentions: pragmatic considerations of self-interest may well end up saving lives.[65] It might also be the case that the possibility of future prosecution will deter some would-be evil-doers from actually doing evil.[66] While there is no particular reason for great optimism here (precisely because much evil action will be unaccompanied by *mens rea* but will instead be motivated by some higher ideal),[67] the possibility cannot be completely excluded either.[68] And at the very least, the open-ended nature of the applicable law has not prevented prosecutions from taking place.[69]

The philosophically more interesting option, however, is somehow to disconnect the means from the ends. This is, arguably, precisely what the time-honoured distinction between *jus ad bellum* and *jus in bello* aims to achieve, but it fails in its mission because it is not radical enough. The *jus ad bellum*/*jus in bello* distinction does not affect the possibility of violence being employed for a just cause; in fact, it derives its very

existence from this basis. The thing to do, then, is to be more radical, and strive for a system of politics that does not recognise ends or goals, where the very conduct of politics is itself the highest goal.[70]

Such a system (for want of a better term) is present, albeit in scattered form, in the work of the German-American political theorist Hannah Arendt.[71] For her, participation in a political community was itself the ultimate goal citizens could strive for. Starting from the point of view that the world is characterised by plurality and that we have no rights unless we can participate in a political community (that is, unless we have the "right to have rights"),[72] Arendt reached the radical conclusion that the only way in which this plurality can be honoured without oppression is to do away with all political ideals or, rather, to turn politics itself into the highest ideal: man reaches his ultimate moment when engaged in political debate. It is in the public realm where we can shine and excel, and politics is the only thing capable of protecting us from evil (supplemented perhaps by thinking in private).[73] In popular terms: it is not about the destination but about the journey.[74]

This approach has encountered a good deal of criticism, from a variety of angles. One thing often criticised is Arendt's notion of politics, which drastically excluded all things economic and social. In particular, the left argued that a conception of politics that excluded economics and social issues would not be of much value,[75] and would lead to highly suspect results. Arendt's views on the elimination of racial segregation in the United States[76] are often used as an example of how dangerous, perhaps deranged, a concept of politics can be that excludes social and economic affairs from its proper scope.[77] Feminists, by the same token, felt compelled to underline that the personal too is political, thus also departing from Arendt's vision of politics.[78]

Another criticism (often directed generally at republicanism and neo-republicanism, the streams of thought with which Arendt's somewhat idiosyncratic work can most easily be affiliated[79]) holds that a focus on the conduct of politics places those who are talented or trained in civic virtues in an advantageous position. Political debate, without more, would thereby create, or at least sustain, power differences.[80] More importantly, perhaps, Arendt's work contains an inherent puzzle: precisely by separating politics from everything else, it becomes unclear why people should be interested in politics to begin with. Politics for politics' sake, rather than for some higher ideal, would, to many, not sound like a highly attractive option.[81]

And yet, as Dana Villa has argued, this is precisely the point: the only way in which human plurality, or human existence itself, can

be rescued, so to speak, would be by disconnecting the ends from the means and discarding the ends.[82] Attempts at putting goals in the foreground, no matter how substantive the goals, aim merely to overcome the uncertainties and anxieties that human plurality carries in its wake. For Arendt, as Villa writes: "[T]he Western tradition of political thought represents a sustained and deeply rooted effort to escape the 'frailty' of human affairs, the hazards of political action, and the relativity of the realm of plurality."[83] Indeed, according to Villa, Arendt's political theory "attempts nothing less than the rethinking of action and judgment in light of the collapse of the tradition and the closure of metaphysics (the 'death of God')".[84]

It may be the case, then, that the most obvious way to limit excessive use of force is to tone down our political goals and try to formulate these always with a view to accommodating disagreement in the spirit of compromise rather than through fundamentalism. And yet the worrying thing to note is that precisely in attempting to outlaw force and the excessive use thereof, international law itself resorts to a fundamentalism of sorts. It creates international criminal tribunals to prosecute political crimes and generally advocates the prosecution of human rights violators.[85] It tries individuals responsible for participation in collective acts.[86] It advocates bringing an end to a perceived culture of impunity,[87] and it cranks up the "punishing machine".[88] All this suggests the preponderance of a sentiment that certain values are fundamental and should be enforced no matter what; if necessary, by harsh means. Indeed, the proverbial War on Terror suggests much the same, and in the same breath raises the suggestion that some causes are just.[89]

5. Conclusion

In her recent study *Democracy and the Foreigner*, the American political theorist Bonnie Honig suggests that even in democracies people are fundamentally ambivalent about law. On the one hand, democracy would imply that people themselves are responsible for making law; as a result, one would expect the law's prescriptions and proscriptions to be internal, the result of a community's debate with itself. This, however, as Honig points out, is only half the story, for law is also something external, something imposed on us, even in democracies. In her words: "Democracy is always about living with strangers under a law that is therefore alien (because it is the mongrel product of political action – often gone awry – taken with and among strangers)."[90] Perhaps as a

result, no matter how involved we may have been in making the law, no matter how legitimate we may perceive the law to be, there is also always the temptation to resist it, to evade it, to circumvent it, to flout it.[91]

If this is true with respect to democratically established law, it must hold *a fortiori* with respect to law that cannot boast a democratic pedigree. The law relating to the use of force would, on most accounts, fall into this category: as international law, it is made by states, not all of which are democracies (however precisely defined), and it is generally made by diplomats and politicians, and may thus well be perceived by the military, by civilians and most assuredly by political fanatics of all persuasions, as something imposed on them. Given these circumstances, perhaps not too much should be expected from the law: there is only so much it can do.

International law, it would seem, has hitherto been unable to impose any firm limits on the use of force. I have argued in this paper that this is not simply a matter of a temporary lack of agreement among the responsible lawmakers to be rectified whenever those who are blinded finally see the light, but that its causes may be more structural. This is not to say that no limits are possible. Individual moralities may well pose limits, as may factors such as military discipline, order and honour. It is just that the type of moral sentiment that imposes limits is difficult, perhaps impossible, to legislate, and that any attempt to carve in stone what would otherwise be left to individual morality runs the risk of legitimising that which remains unregulated. Especially where the ends to which force is used are held to be blissful enough to justify any means, there is fairly little reason to suppose that actors would live up to possible legal restraints different from their inner moral convictions.[92] Perhaps, then, we might just as well leave matters to a single commandment, which would have the benefit of being relatively transparent and which does not end up, unlike the current law of armed conflict, legitimising violence: thou shalt treat thy adversary decently.

Notes

1. This is not quite the same as Hobsbawm's romantic vision of bandits, which runs the risk of falling victim to the French warning: "tout comprendre est tout pardoner" [to understand everything is to excuse everything]. See generally E. Hobsbawm (2001) *Bandits*, rev. edn (London: Abacus).
2. I would hesitate, however, to include totalitarian crimes, which are difficult to explain in even the most perverted utilitarian or instrumental terms, and are perhaps even harder to explain plausibly in ordinary criminal law terms. Among the first to grapple with these was H. Arendt (1992) *Eichmann in*

Jerusalem: A Report on the Banality of Evil, rev. edn (London: Penguin Books). A fine, more recent study is M. J. Osiel (2001) *Mass Atrocity, Ordinary Evil, and Hannah Arendt: Criminal Consciousness in Argentina's Dirty War* (New Haven, CT: Yale University Press).

3. The policeman is presented in M. Minow (1998) *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Boston, MA: Beacon Press), p. 130.
4. See, e.g., J. Shklar (1986) *Legalism: Law, Morals, and Political Trials*, rev. edn (Cambridge, MA: Harvard University Press); G. P. Fletcher (1998) *Basic Concepts of Criminal Law* (New York: Oxford University Press).
5. D. R. Villa (1999) "Terror and Radical Evil", in *Politics, Philosophy, Terror: Essays on the Thought of Hannah Arendt* (Princeton, NJ: Princeton University Press), pp. 11–38, here p. 15. See also T. Mertens (1998) "Arendt's Judgement and Eichmann's Evil", *Finnish Yearbook of Political Thought*, 2, 58–90, here p. 70.
6. The various possible meanings of the term international criminal law have already been subjected to critical scrutiny by G. Schwarzenberger (1950) "The Problem of International Criminal Law", *Current Legal Problems*, 3(1), 263–296, reprinted in G. O. W. Mueller and E. M. Wise (eds.) (1965) *International Criminal Law* (London: Sweet & Maxwell), pp. 3–36.
7. The same thought underlies J. Gardam (1993) "Proportionality and Force in International Law", *American Journal of International Law*, 87, 391–413.
8. This is, of course, the classic distinction between the right to go to war and the law applicable during war, and will be discussed in greater detail in Section 2 below.
9. Michael Howard suggests the distinction originates with the work of Emeric de Vattel in 1758, who held that the notion of just war was useless if all parties insisted on the justness of their cause, and what mattered, therefore, was the justness of their behaviour *in bello*. See M. Howard (2000) *The Invention of Peace: Reflections on War and International Order* (New Haven, CT: Yale University Press), pp. 24–25.
10. It is perhaps no coincidence that the law of armed conflict is often thought to derive its persuasiveness from reciprocity: treat me and my soldiers well, and I will treat you and yours well. This too suggests that the standards are flexible and game-like. An example of such a conceptualisation is S. Hoffmann (1961) "International Systems and International Law", in K. Knorr and S. Verba (eds.) *The International System: Theoretical Essays* (Princeton, NJ: Princeton University Press), pp. 205–237.
11. Sometimes it is asserted that the lack of judicial enforcement explains the absence of proper limits. Cassese writes, for example, "[h]ow can states suggest interpretations of international rules as suit them best, bending the law to their own personal interests? The answer is quite simple: in the international community there are no judges to 'declare the law' with binding effect on all subjects." See A. Cassese (1988) "Why States Use Force with Impunity: The 'Black Holes' of International Law", in *Law and Violence in the Modern Age*, S. Greenleaves trans. (Princeton, NJ: Princeton University Press), p. 39.
12. See W. J. Fenrick (1997) "Attacking the Enemy Civilian as a Punishable Offense", *Duke Journal of Comparative and International Law*, 7, 539–569, pp. 545–546. Walzer, too, notes with fine irony that violating the principle

of proportionality "is by no means easy to do [...] since the values against which destruction and suffering have to be measured are so readily inflated." See M. Walzer (2000) *Just and Unjust Wars*, 3rd edn (New York: Basic Books), p. 192.

13. Convention Respecting the Laws and Customs of War on Land, 18 October 1907, 36 Stat. 2277, 205 Consol. T.S. 277 [hereafter Hague Convention IV].
14. Interestingly, the ICJ used this very same provision in order to explain (quite literally) why military action is governed by legal rules. See "Legality of the Threat or Use of Nuclear Weapons", Advisory Opinion, ICJ Reports 1996, 226–267, paragraph 77.
15. Hague Convention IV, 1907, art. 23.
16. See "Legality of the Threat or Use of Nuclear Weapons", Advisory Opinion, ICJ Reports 1996, 226–267, paragraph 77. Elsewhere, the Court uses the slightly less stark term "cardinal principles" (paragraph 78).
17. Reprinted in A. Roberts and R. Guelff (eds.) (2000) *Documents on the Laws of War*, 3rd edn (Oxford: Oxford University Press), p. 139. The draft rules never became binding rules.
18. J. Pictet (1975) *Humanitarian Law and the Protection of War Victims* (Geneva: Henry Dunant Institute), p. 16.
19. See I. D. de Lupis (1987) *The Law of War* (Cambridge: Cambridge University Press), pp. 129–130.
20. Indeed, the ICJ's opinion on nuclear weapons too seems to suggest that the law is about methods and means, rather than intensity. See "Legality of the Threat or Use of Nuclear Weapons", ICJ Reports 1996, paragraph 95.
21. See M. Howard (ed.) (1979) "Temperamenta Belli: Can War be Controlled?" in *Restraints on War: Studies in the Limitation of Armed Conflict* (Oxford: Oxford University Press), p. 3.
22. Howard, 1979.
23. H. Grotius (1925[1625]) *De Jure Belli ac Pacis*, F. W. Kelsey et al. trans. (Oxford: Clarendon Press). The *jus ad bellum* is discussed in Book I, Chapter 2, with big parts of Book III being devoted to the *jus in bello*.
24. See C. af Jochnick and R. Normand (1994), "The Legitimation of Violence: A Critical History of the Laws of War", *Harvard International Law Journal*, 35, 49–95, pp. 69–70. McCoubrey too detects hints of instrumentalism in the Czar's initiative. See H. McCoubrey (1998) *International Humanitarian Law: The Regulation of Armed Conflicts*, 2nd edn (Aldershot: Ashgate), p. 27.
25. See Jochnick and Normand, 1994, pp. 68–75.
26. See J. Stone (1977) "Hopes and Loopholes in the 1974 Definition of Aggression", *American Journal of International Law*, 71, 224–246.
27. As Stone once put it: "There [are] concealed [...] in this metaphorical use of the term [aggression], all the doubts and disputations surrounding the ideal of justice." J. Stone (1957) *Legal Controls of International Conflict*, rev. edn (London: Stevens), p. 330.
28. For more historical detail, see B. Broms (1977) "The Definition of Aggression", *Recueil des Cours*, 154(1), 297–400, pp. 307–312.
29. I borrow the metaphor from the WTO Appellate Body Report, Japan – Taxes on Alcoholic Beverages, AB–1996–2, WT/DS8/AB/R, WT/DS10/AB/R, WT/DS11/AB/R, at 19 (4 October 1996), http://www.wto.org/english/tratop_e/dispu_e/ab_reports_e.htm, date accessed 6 September 2005.

30. Whether this was wise is a different matter. See, for example, M. Koskenniemi (1997) "Faith, Identity, and the Killing of the Innocent: International Lawyers and Nuclear Weapons", *Leiden Journal of International Law*, 10, 137–162.
31. See generally the discussion of the distinction between combatants and non-combatants in J. Klabbers (2003) "Rebel with a Cause: Terrorists and Humanitarian Law", *European Journal of International Law*, 14, 299–312.
32. The reverse is not uncommon either. The legendary coach of Ajax Amsterdam and the Dutch national football squad during the early 1970s, Rinus Michels, will go down in history as having coined the phrase *voetbal is oorlog*, "football is war". For an insightful study exploring the relationship between football and political animosity, see S. Kuper (1994) *Football against the Enemy* (London: Orion).
33. Nagel traces this to what he calls "a perfectly natural conception of the distinction between fighting clean and fighting dirty". T. Nagel (1979) "War and Massacre", in *Mortal Questions* (Cambridge: Cambridge University Press), pp. 53–75, here p. 65.
34. Geneva Convention Relative to the Treatment of Prisoners of War, 12 August 1949, 6 U.S.T. 3316, 75 U.N.T.S. 135.
35. See C. Greenwood (1995) "Historical Development and Legal Basis", in D. Fleck (ed.) *The Handbook of Humanitarian Law in Armed Conflicts* (Oxford: Oxford University Press), p. 32.
36. This use of "sophist" as an adjective is gratefully borrowed from T. M. Franck (1990) *The Power of Legitimacy among Nations* (Oxford: Oxford University Press), pp. 74–83.
37. Dinstein captures this neatly when observing that a distinction ought to be made "between the military war aims and the ulterior motives of war". Y. Dinstein (1994) *War, Aggression and Self-Defence*, 2nd edn (Cambridge: Cambridge University Press), p. 13.
38. As Fenrick remarks in a rather deadpan manner, "actually hitting a target remains a difficult task". Fenrick, 1997, p. 547
39. For a brief suggestion to this effect, see S. M. Cohen (1989) *Arms and Judgment: Law, Morality, and the Conduct of War in the Twentieth Century* (Boulder, CO: Westview Press), pp. 110–112; see also Walzer, 2000, p. 256
40. See, for example, Nagel, 1979, p. 57. It has, moreover, been suggested (though I have been unable to retrieve the source) that Dresden was bombed merely as a show of force to convince the USSR that it was not alone in fighting the Nazis.
41. For a useful discussion see Walzer, 2000, pp. 263–268.
42. It is for this reason that the ICJ in its opinion on the legality of nuclear weapons could not but reach its much-maligned conclusion "that the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict" but might be "lawful or unlawful in an extreme circumstance of self-defence". ICJ Reports 1996, paragraph 95.
43. See Gardam, 1993.
44. R. Ago (1980) "Addendum to Eighth Report on State Responsibility", *Yearbook of the International Law Commission*, 2, part 2, 69, quoted in Dinstein, 1994, pp. 232–233. Various states made essentially the same point when signing or ratifying Additional Protocol I. Protocol Additional to the Geneva

Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts, opened for signature 12 December 1977, 1125 U.N.T.S. 3, 16 I.L.M. 1391 9 (hereafter Additional Protocol I). For a brief discussion with references, see Fenrick, 1997, p. 548.

45. Indeed it has been claimed that moralising only makes war more vicious: an example is A. J. P. Taylor (1955) *Bismarck: The Man and Statesman* (New York: Knopf), p. 79, as referred to in G. J. Bass (2000) *Stay the Hand of Vengeance: The Politics of War Crimes Tribunals* (Princeton, NJ: Princeton University Press), p. 10.
46. Cohen, 1989, p. 143.
47. See generally, for example, Walzer, 2000.
48. In the same vein, Gardam, 1993.
49. If the distinction is made at all; Nagel, for example, has a hard time accepting its validity in the context of the Vietnam War: "[I]f the participation of the United States in the Indo-Chinese war is entirely wrong to begin with, then that engagement is incapable of providing a justification for any measures taken in its pursuit – not only for the measures which are atrocities in every war, however just its aims." Nagel, 1979, p. 53. Nagel's essay was first published when the Vietnam War was still ongoing.
50. To Walzer, for example, the distinction collapses (as he himself acknowledges) when guerrilla warfare and nuclear warfare are under discussion. See Walzer, 2000, p. 195, p. 265. Note also Greenwood's comment that the *jus in bello* cannot be properly understood without some understanding of the *jus ad bellum*. Greenwood, 1995, p. 1.
51. This is Dinstein's position. See Dinstein, 1994, p. 71. Dinstein also suggests that the legality of the resort to armed force influences the legality of the specific actions taken; Dinstein, 1994, p. 155 (quoting Glueck with apparent approval).
52. Cicero, *The Offices*, Book I, xi, 36, 38–39 (W. Miller trans., 1951), as reported in Dinstein, 1994, p. 61
53. As Nagel puts it, not without a degree of cynicism: "Once the door is opened to calculations of utility and national interest, the usual speculations about the future of freedom, peace, and economic prosperity can be brought to bear to ease the consciences of those responsible for a certain number of charred babies." Nagel, 1979, p. 59.
54. Additional Protocol I, art.1, par. 4. See G. I. A. D. Draper (1979) "Wars of National Liberation and War Criminality", in M. Howard (ed.) *Restraints on War: Studies in the Limitation of Armed Conflict* (Oxford: Oxford University Press), p. 135.
55. Kalshoven describes it as "having become justly famous" ("terecht beroemd geworden"); F. Kalshoven (1985) *Zwijgt het recht als de wapens spreken?* (The Hague: Staatsuitgeverij), p. 18. To Kalshoven, the Martens clause refers to general principles of law. Green treats it as referring to the continued validity of customary rules, even when technically conventional rules remain inapplicable, for example owing to the working (in earlier times) of the dreaded clause that humanitarian treaties would only apply between parties to them (the so-called *si omnes* clause). See L. C. Green (1993) *The Contemporary Law of Armed Conflict* (Manchester: Manchester University Press), p. 32.
56. Additional Protocol I, art. 1

57. On autopoiesis in law, see, in particular, G. Teubner (1993) *Law as an Autopoietic System*, Ruth Adler and Anne Bankowska trans. (Oxford: Blackwell).
58. See D. R. Villa (1996) *Arendt and Heidegger: The Fate of the Political* (Princeton, NJ: Princeton University Press).
59. Arendt formulated a more pessimistic version, making the point that war is the rule rather than the exception: "peace is the continuation of war by other means." See H. Arendt (1972) "On Violence", in *Crises of the Republic: Lying in Politics* (New York: Harcourt), pp. 105–198, p. 111.
60. See E. M. Meade (1996) "The Commodification of Values", in L. May and J. Kohn (eds.) *Hannah Arendt: Twenty Years Later* (Cambridge, MA: MIT Press), pp. 107–126. See also R. Fine (2001) "Understanding Evil: Arendt and the Final Solution", in M. P. Lara (ed.) *Rethinking Evil: Contemporary Perspectives* (Berkeley, CA: University of California Press), p. 131.
61. See D. Barnouw (1990) *Visible Spaces: Hannah Arendt and the German-Jewish Experience* (Baltimore, MD: The Johns Hopkins University Press), p. 140.
62. It may well be too much to ask for the commander in the field (never mind the private) to memorise all the rules. The layout of the self-styled handbook for the German armed forces is telling: it contains key statements (in essence, the rules concerned) printed in bold that take up quite a lot of the almost 600 pages of the volume; Fleck, 1995.
63. Michael Walzer observes that, as it is, the laws of armed conflict "leave the cruellest decisions to be made by the men on the spot with reference only to their ordinary moral notions or the military traditions of the army in which they serve". See Walzer, 2000, p. 152.
64. See R. Axelrod (1987) *The Evolution of Cooperation* (New York: Basic Books), pp. 73–87.
65. See T. Todorov (2001) *The Fragility of Goodness: Why Bulgaria's Jews Survived the Holocaust*, A. Denner trans. (Princeton, NJ: Princeton University Press).
66. See, for example, P. Akhavan (2001) "Beyond Impunity: Can International Criminal Justice Prevent Future Atrocities?", *American Journal of International Law*, 95, 7–31.
67. It is perhaps no coincidence that, instead of pointing to deterrence, some commentators suggest that the greatest instrumental value of post-conflict trials resides in their contributing to the writing of history. See, for example, L. Douglas (2001) *The Memory of Judgment: Making Law and History in the Trials of the Holocaust* (New Haven, CT: Yale University Press); see also Bass, 2000.
68. There is, indeed, sufficient reason to be sceptical. See J. Klabbers (2001) "The Deterrence Argument in International Criminal Law", *Finnish Yearbook of International Law*, 12, 249–267.
69. Indeed, there is consensus that, where prosecutions do not take place, this is usually for reasons unrelated to the contents of the law. Usually, politics are accused of intervening with the course of justice. See, for example, Bass, 2000.
70. This insistence on politics distinguishes it from the apolitical utopia of much human rights discourse.
71. Arendt's views on the matter are most comprehensively set out in H. Arendt (1958) *The Human Condition* (Chicago, IL: Chicago University Press).

72. See H. Arendt (1951) *The Origins of Totalitarianism* (New York: Harcourt), pp. 296–298. I tend to interpret this as a proceduralist view on human rights, not unlike the view proposed by J. H. Ely (1980) *Democracy and Distrust: A Theory of Judicial Review* (Cambridge, MA: Harvard University Press). See J. Klabbers (2002) "Glorified Esperanto? Rethinking Human Rights", *Finnish Yearbook of International Law*, 13, 63–77. A seemingly similar interpretation of Arendt on this point is offered by B. Honig (2001) *Democracy and the Foreigner* (Princeton, NJ: Princeton University Press), p. 149, n. 53.
73. See J. McGowan (1998) *Hannah Arendt: An Introduction* (Minneapolis, MN: University of Minnesota Press).
74. As Barnouw nicely quips, Arendt made "political models that were clearly not meant to make policy". Barnouw, 1990, p. 26.
75. See, for example, H. F. Pitkin (1998) *The Attack of the Blob: Hannah Arendt's Concept of the Social* (Chicago, IL: University of Chicago Press).
76. This refers to her paper *Reflections on Little Rock* (1959), reproduced in P. Baehr (ed.) (2000) *The Portable Hannah Arendt* (New York: Penguin Books), pp. 231–246. It is also reproduced in J. Kohn (ed.) (2003) *Hannah Arendt: Responsibility and Judgment* (New York: Schocken Books), pp. 193–213.
77. This is, indeed, an almost automatic critique of Arendt these days – so automatic as to warrant little further discussion. I am not familiar with any work defending Arendt's conception explicitly (with the exception of Villa, 1996); some theorists come close enough, however, to a similar conception. See, for example, B. Barber (1998) *The Conquest of Politics: Liberal Philosophy in Democratic Times* (Princeton, NJ: Princeton University Press), and Z. Bauman (1999) *In Search of Politics* (Stanford, CA: Stanford University Press).
78. A reappraisal of sorts has set in, however. See, for example, J. Kristeva (2001) *Hannah Arendt*, R. Guberman trans. (New York: Columbia University Press).
79. For a useful discussion on this point, see M. Canovan (1992) *Hannah Arendt: A Reinterpretation of Her Political Thought* (Cambridge: Cambridge University Press), pp. 201–252.
80. See, for example, I. de Haan (1993) *Zelfbestuur en staatsbeheer: Het politieke debat over burgerschap en rechtsstaat in de twintigste eeuw* (Amsterdam: Amsterdam University Press), p. 138.
81. De Haan, 1993, p. 165.
82. Arendt herself put it as follows: "The very substance of violent action is ruled by the means-end category, whose chief characteristic, if applied to human affairs, has always been that the end is in danger of being overwhelmed by the means which it justifies and which are needed to reach it." Arendt, 1972, p. 106.
83. Villa, 1996, p. 166.
84. Villa, 1996, p. 157.
85. For a brief but telling plea see M. Nowak (2003) "New Challenges to the International Law of Human Rights", *Nordic Journal of Human Rights*, 21, 3–8. Very vocal (but generating more heat than light, perhaps) is G. Robertson (1999) *Crimes against Humanity: The Struggle for Global Justice* (London: Penguin).
86. It is this conflation of individual responsibility with state responsibility, rather than any inherent sense of exceptionalism, that informs much of the American resistance to the International Criminal Court. See J. Klabbers (2003) "The Spectre of International Criminal Justice: Third States and

the ICC", in A. Zimmermann (ed.) *International Criminal Law and the Current Development of Public International Law* (Berlin: Duncker & Humblot), pp. 49–72.

87. See, for example, D. McGoldrick (1999) "The Permanent International Criminal Court: An End to the Culture of Impunity?", *Criminal Law Review*, August, 627–655.
88. The term is Tallgren's (who, to be sure, approaches the matter critically). See I. Tallgren (1999) "We Did It? The Vertigo of Law and Everyday Life at the Diplomatic Conference on the Establishment of an International Criminal Court", *Leiden Journal of International Law*, 12, 683–707, p. 686.
89. For a scathing critique, see J. Petman (2003) "The Problem of Evil and International Law", in J. Petman and J. Klabbers (eds.) *Nordic Cosmopolitanism: Essays in International Law for Martti Koskenniemi* (Leiden: Martinus Nijhoff Publishing), pp. 111–140.
90. Honig, 2001, p. 39.
91. It is no great help that deliberative democracy often ends up in a paradox: though representatives vote rationally, the aggregate result may nonetheless be irrational, in the sense that the collective outcome may not be what one would predict on the basis of individual preferences. For a useful discussion, see P. Pettit (2004) "A Dilemma for Deliberative Democrats", in A. van Aaken, C. List and C. Luetge (eds.) *Deliberation and Decision: Economics, Constitutional Theory and Deliberative Democracy* (Aldershot: Ashgate), pp. 91–107.
92. It may well be that the law of armed conflict is made up of the types of goals that cannot be realised merely by wanting them, much like human beings cannot force themselves to be spontaneous. For a brief discussion (not focusing on armed conflict), see A. Margalit (2002) *The Ethics of Memory* (Cambridge, MA: Harvard University Press), pp. 115–116.

Index