

## Book Reviews/Comptes rendus

PATRICIA MARCHAK, *No Easy Fix: Global Responses to Internal Wars and Crimes against Humanity*. Montreal: McGill-Queen's University Press, 2008, 375 p., index.

In early March 2009, the International Criminal Court at The Hague issued an arrest warrant for Omar Hassan al-Bashir, Sudan's President, on accusations of war crimes in Darfur. Some experts fear that the move will unleash a new wave of violence, and wreck fragile hopes of peace. Others believe that the pursuit of justice must outweigh other considerations. In any event, the warrant accusing a sitting president will constitute a new form of international jurisprudence. These are the kinds of concerns which Patrick Marchak addresses in this book in the context of focussing on three societies that have suffered genocide or major crimes against humanity – Cambodia; Rwanda; and the ex-Yugoslav states of Bosnia-Herzegovina, Serbia, and Montenegro. Specifically, she sets out to answer three questions: first, should non-involved states mount humanitarian intervention in other states' internal wars, crimes against humanity and genocide? Second, when the fighting and killing ends, what conditions influence how the society deals with its past? Third, are international criminal courts the most efficacious ways of dealing with the likes of Omar al-Bashir, even supposing that an arrest is possible?

Professor Marchak is a distinguished professor emeritus of sociology at the University of British Columbia. She is distinguished particularly for her wealth of scholarly work on critical socio-political topics including, as precursor to this book, a study of the preconditions to the genocides and mass killings which have marked these three societies, and tragically, many others. Her research for *No Easy Fix* combined published source material, notably from international human rights organizations, with field work mainly in the form of interviews in these "broken societies," so termed, which was carried out between 2000-2006. In countries like Cambodia, where many basic infrastructures no longer exist, such fieldwork was, as Marchak says, "challenging." This is modesty. One admires the extraordinary tenacity and insight required to bring this part of her project to fruition.

*No Easy Fix* is divided into three parts. The first contains three chapters which cover such basic issues as state sovereignty, the role of the UN, some history of recent international interventions, and the growth of international criminal law and courts. This forms the basis for the second and third parts, with the second as a core of seven chapters devoted to the three specific "broken societies." These chapters include brief histories of the various factors associated with the mass killings in Cambodia and Rwanda, and the far smaller-scale, but equally vicious, murders in the former Yugoslavia, most notably of Bosnian Muslims at

Srebrenica. They also outline the differing views of criminal responsibility held by presumed perpetrators' and victims' groups (recognizing that there is often a sense of mutual victimization), and also the willingness, or otherwise, of current regimes to seek revenge or exact justice. Comments on the involvement of the international community, for example the UN in Rwanda and Bosnia-Herzegovina, are also given some coverage.

Finally, in part three Marchak concludes by devoting two chapters, in which the complex analysis of the above societies is linked, to instances of other societies where similar issues emerge. She looks also at the contentious arguments for and against so-called "humanitarian" interventions, and at attempts to define the meaning of genocide. Taking a further look at the role of international criminal tribunals, she offers tentative proposals for reform. However, the complexities inherent in understanding the causes of crimes against humanity are such that any action designed to combat them, or seek justice, is going to be "an imperfect fix." Hence the title of this book.

Given such a range of issues, the best one can do here is point out the most significant of Marchak's insights. First, whilst it is possible to point to individuals and communities who instigate, or participate, in large-scale atrocities, the root causes are usually far from simple. Take just one case in point. The misery of the displaced Cambodian peasantry caused by the United States' mass bombing of the country, in the context of the Vietnam War, played a major part in helping to foment the murderous Khmer Rouge revolution. Where then should we assign blame? Marchak who, controversially, considers the use of the atomic bomb on Japan, and the carpet bombing of Germany to be "war crimes," suggests that Cambodia might even now take the United States before the World Court for "destroying a society." Furthermore, she considers the belated willingness to prosecute the aging leaders of the Khmer Rouge but to ignore the roles of leaders of surrounding countries in the tragedy is "a major failure of the Western system of justice" (321). Not much hope that such actions will occur, of course, but the moral principle stands.

If mass atrocities often have complex causes, then international reactions are still further complicated by the self-justification of the groups involved, their continued refusal to forgive erstwhile enemies (a refusal often heightened by collective memories of past wrongs) and, in some instances, an unwillingness – often linked to widespread corruption or abject poverty – to put moral concerns ahead of immediate opportunities. Thus despite its growing tourist popularity which now extends to "the killing fields," Marchak describes Cambodia as "a tragic society, showing all the signs of widespread trauma, continuing rural poverty, failure to establish a working economy, and corruption in every pore" (xix). She quotes Evan Gottesman who worked there for three years trying to establish a code of law. He concluded that the Cambodian authorities well understood "Western" concepts of human rights, and that the failure to apply them to deal with the country's myriad problems, including the prosecution of the Khmer Rouge before the International Criminal Court (some announced after this book's completion) may bring closure for some families' suffering during the 1970s, but the country's corruption is so pervasive and of such duration, that they "will not heal the wounds" of Cambodia's "long tragic story" (145-146).

If Cambodia has shown little willingness to bring its war criminals to justice, then the arrest and trial of Slobodan Milosevic (especially in the light of atrocities committed by other parties to the conflict) is a sore spot in Serbia's shaky sense of war-guilt, although Marchak's fascinating interviews with a range of former Yugoslavs makes clear that there is a wide range of Serbian views on past actions and current political choices. By contrast, however, Rwanda has "Too Many Criminals" (chapter 7) for if many Hutus feel no remorse for their roles in the 1994 genocide, the current Tutsi regime is seeking revenge on a vast scale, and unlike Cambodia, intent on erasing impunity. Marchak states that this stance is lauded by many in the international community, but with some 120,000 Hutu prisoners awaiting trial, often under abysmal conditions, she regards this policy as "problematic in many ways" (172). For example, qualified judges are few, and the International Criminal Tribunal for Rwanda is situated in Tanzania, and "notoriously inefficient, bureaucratic, and Western oriented" (ibid). Here, and elsewhere, she also mentions one of the grimmest features of recent internal conflicts – the use of multiple rape as an instrument of war. Men are killed and women are violated, and sometimes mutilated. In Marchak's words, "the chief civilian victims in these wars are women, often widowed and raped, and then unable to gain property rights even while raising families and doing much of the work to reconstruct their respective societies in the aftermath of hostilities. All my studies found this: it was not an aberration" (273-274). Positively, Rwanda is furthest ahead in recognising that women have since become the main force for change in the country. Yet internationally, notes Marchak, the fact that women are the chief victims is not generally understood as an appropriate reason for continuing humanitarian intervention. This point can hardly be overstated.

So in relation to Marchak's initial questions, if a civil conflict includes mass brutality to women and children, the case for intervention is likely strong. Not that the massacre of unarmed men as at Srebrenica should have been ignored, but the abject failure of UN peacekeeping there and in Somalia and Rwanda was "disastrous for the bulk of the population" (38) and sullied the peacekeeping role. Yet, whilst wavering towards cynicism (the invasion of Iraq was perversely called a "humanitarian intervention" by Bush and Blair!), Marchak does make it clear that she deeply admires our humane attempts to save lives, and does believe that legal processes which offer a chance of punishing individual perpetrators of war, genocide and real crimes against humanity are "a remarkable and revolutionary development in human history" (36). This development presumably includes international criminal courts, though she favours the establishment of a permanent global intervention organization consisting of experts in the world's cultures and languages, as well as scientific experts whose capacities would span current ecological conditions. These specialists of "a kind of high-powered postdoctoral level institution" (290) would meet regularly to check crisis situations in their regions, and possibly find ways to deflect rivalries and conflicts. They would, however, have a military force at their disposal, run by the UN or NATO, which "could act quickly and without reserve" (290). No wiggle-room here as with the UN actions (or non-actions) hampered by the internal politics of the Security Council (293). All this sounds highly logical, but oddly Marchak does not balance the proposal against the grim realities of many internal conflicts – for example, Darfur, which is the size of France, has minimal communications, no port, and a host of conflicting militias with a variety of paymasters. What could the specialists do there?

This book makes a welcome addition to the growing body of literature on humanitarian intervention, and will prove a useful supplementary text for senior-level undergraduate and graduate students in the sociology of law, women's studies, conflict studies and debates on international jurisprudence. Many will not find it an easy read, in part because the heavy sub-sectioning within chapters tends to break the continuity of the text. But the effort is worthwhile, not least to sample the occasional perceptive gems of almost poetic quality. Collective memory [in Serbia] Marchak notes "is wonderfully malleable, persistently changeable, lying like raw sewage at the base of the brain ready to be recreated into political fodder at the instigation of a demagogue"(262). As one who visited Belgrade at the very beginning of the conflict, and heard bearded nationalists blasting out patriotic songs from the bad old Chetnik days, the simile strikes me as perfect.

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