

LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES FOR PREVENTING MASS ATROCITIES

FACILITATOR GUIDES AND HANDOUTS

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Cover: German police escort a group of Jews along a snow covered street during a deportation action in Zawiercie, a Polish town occupied and annexed by Germany during World War II. *US Holocaust Memorial Museum, courtesy of Benjamin (Miedzyrzecki) Meed*

Introduction to “Lessons in Leadership: Criminal Justice Approaches for Preventing Mass Atrocities”

FACILITATOR GUIDES

The “Lessons in Leadership: Criminal Justice Approaches for Preventing Mass Atrocities” course was developed by the United States Holocaust Memorial Museum (Museum) as part of the International Criminal Justice Leadership (ICJL) project. A collaboration with the US Department of State’s Bureau of International Narcotics and Law Enforcement Affairs (INL), the ICJL project draws on the Museum’s unique expertise on the Holocaust and genocide prevention to develop educational materials that can enhance the knowledge, skills, and abilities of global criminal justice professionals to prevent and respond to genocide and mass atrocities.

The ICJL project supports the mass atrocity prevention goals of the US Department of State. Recognizing that police and other criminal justice system professionals can play a critical role in deterring and stopping mass atrocities as well as acting as potential perpetrators, the “Lessons in Leadership” course aims to (1) reinforce criminal justice leaders’ commitment to their core professional values and (2) introduce and help build the understanding and skills necessary to prevent and respond to mass atrocities.

The course examines case studies, including the Holocaust and contemporary events, and draws on best practices from the field of mass atrocity prevention to examine how criminal justice professionals—at the executive and command level—can lead units and institutions with an atrocity prevention lens. This means understanding various kinds of mass atrocities; recognizing risks, warning signs, and triggers of mass atrocities; taking action to mitigate or decrease the risk of mass atrocities; and participating in a broad range of transitional justice processes and reforms to account for past violence and prevent recurrence.

Time

The course includes nine modules, and the total run time is approximately 7 to 9 hours (depending on the incorporation of optional exercises). Instructors may choose to run the full course or select modules depending on their needs.

Participants

The course envisions a mixed audience of various criminal justice professionals—for example, law enforcement, judges, and prosecutors—serving in mid- to senior-level leadership positions within their respective institutions. Including participants from a range of criminal justice professions can help break professional silos and enhance discussions. However, the course or individual modules may also be run with participants from a single profession.

When recruiting participants for the course, the support and buy-in of senior leadership within participants’ institutions is necessary. Instructors should work to build partnerships with chiefs of police, chief justices, or other senior officials within the institutions the training is being provided for and to

familiarize them with course content. This serves two purposes: (1) emphasizing for participants the importance of the course content and that it is a priority for their leadership, and (2) fostering an institutional culture that welcomes participants to share their learnings from the course with colleagues and to implement atrocity prevention measures as a result of the course.

Instructors may wish to invite senior leaders to give opening remarks at the beginning of the course to encourage this kind of partnership. In situations where participants do not have the support of their institutional leadership for their participation in the course or where leadership is ambivalent about their participation, instructors should be attuned to sensitivities related to potential repercussions for participants for attending the course or attempting to implement course content afterward.

Framing

Instructors may on occasion face resistance from professionals or institutional leadership to the idea of attending a course on mass atrocities. In framing the course, it can be useful to highlight the leadership aspects of the curriculum and to emphasize the important role leaders within criminal justice institutions can play in identifying broader trends within society, raising awareness, and working toward prevention. It may also be useful to note that mass atrocity risk exists in all countries to some degree and is not unique to participants' countries. The "Lessons in Leadership" course builds on decades of Museum programming for US law enforcement, judges, and other professionals, as well as members of the military from the United States and globally, all of whom play a critical role before, during, and after mass atrocities.

In countries with a recent history of mass atrocities, instruction should take into account the possibility that participants may be operating in institutions alongside perpetrators or may be members of targeted communities themselves. Instructors may wish to share their own background and connection to the topic of mass atrocities when introducing the course, in order to acknowledge that others may have personal connections to the topic too.

It is possible some participants may feel certain changes are out of their reach or too large. The course aims to empower, or reinforce, that every participant is a leader and they are capable of making enhancements or changes, even if smaller, within their circle of influence or area of responsibility toward the goal of atrocity prevention.

Sensitive Content

The "Lessons in Leadership" course contains sensitive imagery and content throughout the modules, including some graphic descriptions of violence. Instructors should warn participants before showing video clips or images that contain graphic imagery or descriptions because content can be difficult—particularly for those who are members of affected communities. The modules are intentionally designed to center voices of survivors and others from communities affected by mass atrocities. These voices are included to help balance sensitive imagery and to emphasize the humanity of those affected by mass atrocities. They should not be removed.

Language

All course materials are provided in English and French, but instructors may translate them to run the course with participants who are not proficient in English or French.

Location

The course is designed to be run as an in-person session over the course of 1–2 days, but it could also be adapted for a virtual setting.

Instructor Preparation

The *Guide to Criminal Justice and Preventing Mass Atrocities* provides essential background and examples to support the content in this course and the development of other prevention programs.

Before the course, instructors should make an effort to do some background research on the participants' countries of origin to inform conversations throughout the modules. This could include the following

- Instructors can search for information on individual countries at risk for mass atrocities through the Museum's [Early Warning Project](#).
- General information and country profiles can also be found on the [US Department of State website](#).
- If possible, instructors may wish to research which laws or treaties exist in participants' countries related to mass atrocity prevention, or to research laws regarding hate speech in participants' countries if running Option A (addressing dangerous speech) for Module 5.¹

Teaching Holocaust history requires a high level of sensitivity and keen awareness of the complexity of the subject matter. Instructors can find guidelines for teaching about the Holocaust [here](#).

¹ The following resources may be helpful to instructors in researching hate speech laws of individual countries:

- The Future of Free Speech homepage, <https://futurefreespeech.com/> (collaboration between Columbia University and Aarhus University)
- The Future of Free Speech, "[Global Handbook on Hate Speech Laws](#)"
- The Future of Free Speech, UN—Hate Speech Case Database (compilation of hate speech jurisprudence from three UN committees; provides legal interpretive guidance based on international human rights standards), <https://futurefreespeech.com/un-hate-speech-case-database/>

Course Overview

SESSION	LENGTH
1. What Are Mass Atrocities?	1 hour
2. Prevention: Identifying Risk Factors, Warning Signs, and Triggers	45 minutes
3. Case Study: Criminal Justice Professionals and the Holocaust	1 hour
4. Before Mass Atrocities: Criminal Justice Tools for Prevention	30 minutes
5. Deeper Dive: Dangerous Speech OR Community Dialogues	30 minutes
6. Leadership, Motivations, and Rationalizations during Mass Atrocities	1 hour with optional 5 minute add-on
7. First-Hand Testimony	30 minutes
8. Redress for Mass Atrocities: The After Stage	1 hour with optional 30–120 minute add-ons
9. Action-Planning and Change Management	95 minutes
TOTAL TIME	7 hours, 50 minutes without add-ons

1. WHAT ARE MASS ATROCITIES?

- Introduction (1 minute)
- Rohingya Video Exercise—Criminal Justice Intersections (14 minutes)
- Video and Discussion: What are Mass Atrocities? (40 minutes)
- Conclusion (5 minutes)

Goals

- Participants demonstrate an understanding of the definition of *mass atrocities* and the four types of mass atrocities.
- Participants learn about victim perspectives and can articulate why preventing mass atrocities is important.
- Participants consider the challenges to atrocity prevention and possible intersections with the work of criminal justice professionals.

Guiding Questions

- What are mass atrocities?
- Why is it important to prevent mass atrocities?
- How does mass atrocity prevention fit into the work criminal justice professionals are already doing?

2. PREVENTION: IDENTIFYING RISK FACTORS, WARNING SIGNS, AND TRIGGERS

- Introduction–Background on Mass Atrocity Prevention (5 minutes)
- Video and Discussion: Prevention: Identifying Risk Factors, Warning Signs, and Triggers (15 minutes)
- *The Path to Nazi Genocide*—Chapter 1 Film Exercise (20 minutes)
- Conclusion (5 minutes)

Goals

- Participants gain a basic understanding of the risk factors, warning signs, and triggers for mass atrocities and are able to identify examples in each of these categories.
- Participants are introduced to the Holocaust and can apply a mass atrocity prevention lens to analyze events that led to the Nazi rise to power.

Guiding Questions

- What is mass atrocity prevention and why do it?
- What are the risk factors, warning signs, and triggers of genocide and other mass atrocities?

3. CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST

- Introduction (2 minutes)
- Video and Discussion: Criminal Justice Professionals During the Holocaust (18 minutes)
- *Kristallnacht* Case Study (35 minutes)
- Conclusion (5 minutes)

Goals

- Describe the range of motivations that led criminal justice professionals to perpetrate or facilitate crimes during the Holocaust.
- Analyze how risk factors, warning signs, and triggers for mass atrocities intersect with the “slippery slope” as it relates to the participation of criminal justice actors in the Holocaust. Analyze the incremental decisions that ultimately led to the commission of mass atrocities.
- Evaluate the options available to criminal justice professionals when faced with warning signs for mass atrocities.

Guiding Question

- What responsibility did German criminal justice professionals have for the Holocaust and other Nazi crimes committed between 1933 and 1945?

4. BEFORE MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

- Introduction (5 minutes)
- Discussion of Criminal Justice Tools for Prevention (20 minutes)
- Conclusion (5 minutes)

Goals

- Participants are able to relate the risk factors, warning signs, and triggers to their role as actors within the criminal justice system.
- Participants can identify tools, sources of resilience, and other opportunities within their sphere of influence for preventing mass atrocities.
- Participants can identify issues that surface before the onset of mass atrocities that are relevant for their work.

Guiding Questions

- What tools can criminal justice professionals use to reduce the risk of mass atrocities and build resilience?
- How does early warning analysis help to create resilience against mass atrocities?

5. DEEPER DIVE: DANGEROUS SPEECH OR COMMUNITY DIALOGUES

- Introduction (1 minute)
- Option A: Dangerous Speech OR Option B: Community Dialogue (27 minutes)
- Conclusion (2 minutes)

Option A: Tools for Addressing the Warning Sign of Dangerous Speech

Goals

- Participants gain a basic understanding of what qualifies as dangerous speech and how these topics intersect with early warning.
- Participants analyze how certain speech can escalate into acts of violence and reflect on their own roles and capabilities when addressing dangerous speech.

Guiding Question

- How can criminal justice professionals effectively respond to warning signs such as dangerous speech while still preserving basic rights such as freedom of expression?

Option B: Community Dialogue as a Tool for Prevention

Goals

- Participants gain a basic understanding of what a community dialogue looks like and explore this as a possible tool for prevention.
- Participants are able to share with each other their own experiences (where applicable) with holding community dialogues or pursuing other forms of community engagement, and exchange strategies for effective communication with community members to mitigate violence.

Guiding Question

- How can criminal justice professionals use community dialogue as a tool for prevention?

6. LEADERSHIP, MOTIVATIONS, AND RATIONALIZATIONS

- Introduction, Discussion: What Does the Term *Leadership* Mean to You? (5 minutes)
- Overview of Leadership Concepts and Rationalization Concepts (10 minutes)
- Exercise: Perpetrator Testimonies (25 minutes)
- Discussion: Rationalizations and Ethical Leadership (15 minutes)
- Conclusion (5 minutes)
- Optional add-on*: Battalion 101 Photo Analysis Exercise (5 minutes)

* *Note: Optional add-on exercises extend the length of the course.*

Goals

- Participants understand basic concepts of leadership and can articulate the meaning of *ethical leadership*.
- Participants are able to discuss and reflect openly on common motivations, rationalizations, and vulnerabilities of criminal justice professionals in atrocity events.
- Participants reflect on the leadership qualities and actions they need to effectively address mass atrocity scenarios.

Guiding Questions

- What do we know about why people participate in mass atrocities?
- How does this knowledge help us stop or disrupt these actions?
- How can we guard against our own participation?
- What leadership qualities should criminal justice professionals possess to help prevent mass atrocities?

7. FIRST-HAND TESTIMONY

- Introduction (2 minutes)
- Video and Discussion: One Story of Many: Rohingya Testimony (27 minutes)
- Conclusion (1 minute)

Goals

- Participants better understand the human impact, both positive and negative, that the actions of criminal justice leaders can have on targeted groups. As a result, participants are motivated to dialogue with communities affected by mass atrocities appropriately and to engage these communities in their work.
- Participants demonstrate enhanced understanding of the key themes of the course and how they relate to criminal justice professionals.
- Participants are able to identify potential challenges for criminal justice professionals attempting to prevent, mitigate, or address mass atrocities and possible ways to overcome these challenges.

Guiding Questions

- How do mass atrocity events impact individuals, their families, and their communities?
- Why does this matter for criminal justice professionals?
- What are the obstacles to addressing the possibility of a mass atrocity event?
- How can these obstacles best be overcome?

8. REDRESS FOR MASS ATROCITIES: THE AFTER STAGE

- Introduction (2 minutes)
- Discussion: Redress and Transitional Justice Tools (37 minutes)
- Video and Discussion: Transitional Justice After Mass Atrocities (20 minutes)
- Conclusion (1 minute)
- Optional add-on*: Transitional Justice Examples Exercise (30 minutes)
- Optional add-on*: Memorial Site Visit (60–90 minutes)

* *Note: Optional add-on exercises extend the length of the course.*

Goals

- Identify the purpose of redress efforts after mass atrocities.
- Identify potential challenges and roadblocks to pursuing redress efforts and possible solutions.
- Display a basic understanding of key transitional justice tools, the benefits and potential drawbacks of each, and the potential role for criminal justice professions in implementing these tools.

Guiding Questions

- Why is pursuing justice and redress after mass atrocities important?
- What are the challenges?
- What role can criminal justice professionals play in the after stage to prevent recurrence?

9. ACTION-PLANNING AND CHANGE MANAGEMENT

- Introduction and Reflection on the Course (15 minutes)
- Change Management Principles (15 minutes)
- Action Planning Worksheet and Discussion (60 minutes)
- Conclusion (5 minutes)

Goals

- Participants are better able to connect the course themes, frameworks, and tools to their own professional realities
- Participants leave the course with a draft action plan to help improve prevention

Guiding Questions

- After participating in this course, how has your understanding of your profession changed?
- How can criminal justice professionals include mass atrocity prevention in their daily work?

LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES FOR PREVENTING MASS ATROCITIES

MODULE 1: What Are Mass Atrocities?



During the Bosnian War in Europe, about 10,000 refugees from Srebrenica board buses at a camp outside the UN base at Tuzla Airport heading for other refugee camps in the Tuzla area on July 14, 1995. *Reuters/Wade Goddard*

MODULE 1: WHAT ARE MASS ATROCITIES?

This module introduces the concepts of mass atrocities and mass atrocity prevention.

Participants obtain a basic foundation for understanding the scope and nature of mass atrocities, including the different acts that constitute mass atrocity crimes, such as war crimes, crimes against humanity, and genocide, as well as ethnic cleansing, which has no legal definition. This module centers the voices of victims of mass atrocities and encourages participants to reflect on why mass atrocity prevention is important, as well as common barriers to action in the face of mass atrocities. Participants consider how atrocity prevention might factor into the work they are already doing as criminal justice professionals.

This module shares the concepts and vocabulary that participants will need for subsequent modules focusing on the role of the criminal justice sector in the prevention of mass atrocities.

Guiding questions for this module

- What are mass atrocities?
- Why is it important to prevent mass atrocities?
- How does mass atrocity prevention fit into the work criminal justice professionals are already doing?

Module objectives

- Participants demonstrate an understanding of the definition of *mass atrocities* and the four types of mass atrocities.
- Participants learn about victim perspectives and can articulate why preventing mass atrocities is important.
- Participants consider the challenges to atrocity prevention and possible intersections with the work of criminal justice professionals.

Module length: 1 hour

SEGMENT	LENGTH
Introduction	1 minute
Rohingya Video Exercise—Criminal Justice Intersections	14 minutes
Video and Discussion: What Are Mass Atrocities?	40 minutes
Conclusion	5 minutes

MODULE 1: WHAT ARE MASS ATROCITIES?

Required materials

- Module #1 PowerPoint
- Module #1 Handout
- Video clip: CNN, “[Hope for Myanmar’s Rohingya Rests with New Government](#)”
- Video: “[What Are Mass Atrocities?](#)”
- Chart paper

Further reading

- Key Resource: United States Holocaust Memorial Museum, [Guide to Criminal Justice and Preventing Mass Atrocities](#) (2023), Chapter 1
- International Committee of the Red Cross, [Geneva Conventions of 1949 and Additional Protocols](#)
- Straus, Scott. [Fundamentals of Genocide and Mass Atrocity Prevention](#), Chapter 1, “What is Genocide? What is Mass Atrocity?” Washington, DC: United States Holocaust Memorial Museum, 2016.
- United Nations Office on Genocide Prevention and Responsibility to Protect website, [“Responsibility to Protect”](#)
- United States Army Peacekeeping and Stability Operations Institute, [Mass Atrocity Prevention and Response Options: A Policy Planning Handbook](#) (March 2012)

LESSON PLAN

Introduction (1 minute)

Slides 1–2

Explain: “Our goal in this seminar is to consider what role criminal justice professionals can play in countering mass atrocities. Events that escalate to the level of ‘mass atrocity’ are not inevitable—there are always warning signs. These are human challenges—not restricted to specific regions or people—and we all have a role to play in preventing or mitigating these types of violence. As criminal justice professionals, you play a specific role in that you are in positions that influence the safety and security of your community and other communities.

“In this session, we will cover the following topics:

- How do we define mass atrocities?
- Why prevent mass atrocities?
- How does mass atrocity prevention fit into the work criminal justice professionals are already doing?

“We want to explore the concept of mass atrocities and think about them in conjunction with your work as police officers, prosecutors, judges, or other professionals working within the criminal justice system.”

Rohingya Video Exercise (14 minutes)

Slides 3–4

Inform the class that you will view a short video describing the situation of a religious and ethnic minority, the Rohingya, in Burma in 2016.

Say: “The Rohingya are an ethnic minority from Burma. Most Rohingya are Muslim, while some are Christian. They come from Rakhine State on Burma’s western coast. For centuries, they lived side by side there with the Rakhine Buddhist community, but in the past 200 years, outside influences have created divisions between the local communities that would later intensify. In 1989, after seizing power in a coup, the military junta renamed the country ‘Myanmar.’ In our discussion, we will refer to the country as ‘Burma’ because that is how the US government typically refers to the country.

“As you watch, we ask you to consider the situation through your lens as criminal justice professionals: What did you see in the video? And viewing this through your professional lens, what concerns, if any, does this situation raise?”

Play video embedded on slide 3.

MODULE 1: WHAT ARE MASS ATROCITIES?

Instruct participants to break into pairs or small groups to discuss the questions on slide 4 (5 minutes). Then reconvene as a large group to report out. Chart responses to each question on chart paper (5 minutes).

Ask: “What did you see in the video?”

Possible responses: Recap essential points—denial of citizenship, restrictions on movement, lack of work/medical care/education, refugee crisis, regime change/transitions from dictatorship to democracy, human trafficking.

Ask: “As a criminal justice professional, what concerns does this situation raise, if any?”

Possible responses: Denial of basic human rights for minority group, government isolation of Rohingya into camps, lack of government recognition for population, human trafficking, refugee flows.

Additional questions that may be used to prompt discussion: Where is your profession represented in this video (or are they represented at all)? What do you find is the most important information for understanding the situation regarding the Rohingya? What circumstances might increase the risk of crime or public disturbance against members of this group?

Draw on the group’s observations about the situation through their criminal justice lens to highlight the overlap between issues that criminal justice professionals might already be engaged in (e.g., tensions or violence against a minority community) and warning signs for mass atrocities.

Conclude: “One year after this video, an attack by a Rohingya armed group in August 2017 spurred a wave of violence by the Burmese military and other security forces, who targeted Rohingya civilians. Thousands of Rohingya were killed, raped, or experienced other forms of gender-based violence. About 700,000 fled to Bangladesh, where they remain in refugee camps. Numerous organizations, including the United Nations, have documented mass atrocities. In March 2022 the US government determined that the Burmese military committed genocide against the Rohingya. Although there have been efforts to advance justice for the Rohingya, there continues to be impunity for these crimes. In February 2021 Burma’s military generals seized power in a coup. Today, the Burmese military—who perpetrated genocide and crimes against humanity—are again in charge of the government. This has put the Rohingya and other minority groups in Burma at further risk.

“As you see in this example (and based on our discussion), the events that precede genocide and other mass atrocities often overlap with issues that criminal justice professionals are already working to address. We will now take a closer look at the definition of genocide and other mass atrocity terms and will discuss the relevance of these terms for criminal justice professionals.”

Video and Discussion: What Are Mass Atrocities? (40 minutes)

Slides 5–10

Share definition of *mass atrocities* with participants. Refer participants to the handout in front of them with definitions.

Explain: “We will now watch a short video that discusses the basic concept of mass atrocities. The terms *genocide*, *crimes against humanity*, *war crimes*, and *ethnic cleansing* all fall under the umbrella of ‘mass atrocities.’ The video will address the meaning of these terms. We will stop the video periodically for discussion.”

Play “What Are Mass Atrocities?” video through the end of the “War Crimes” section and then discuss video for 10 minutes using the questions below.

Ask: “So far the video has discussed crimes against humanity and war crimes—along with case study examples of each. What stood out to you as you listened to the discussion of these two terms? In what ways is it useful to have these terms defined? Have you encountered application of these terms in your professional experience? If so, how?”

Possible responses: Open-ended—participants may raise points about the emotional impact of the testimonies and examples or new aspects or elements of the definitions that were unfamiliar to them. Participants may discuss the advantages of having agreed on definitions of these terms, as well as some of the potential challenges (i.e., the possibility that various actors will get bogged down in arguing over definitions and fail to act). Participants may share their own professional experiences working with these terms.

Explain: “We will now watch the rest of the video, which discusses two remaining terms—genocide and ethnic cleansing. Unlike the other three terms, ethnic cleansing is not recognized as a stand-alone crime under international law, but instead describes a practice that may constitute part of genocide, war crimes, or crimes against humanity.”

Play “What Are Mass Atrocities?” video from “Genocide” segment through the end and then discuss video for 15 minutes using the questions below.

Optional: Depending on timing, the facilitator may decide to have participants break into small discussion groups or discuss the questions below with a partner for 5 minutes, followed by 10 minutes of reporting out and discussion as a larger group. Facilitators may choose from any of the following questions.

Ask: “What barriers exist to identifying a situation as a mass atrocity? How can you identify communities that are most at risk of being targeted in mass atrocities?”

Possible responses: Reluctance of international community to apply a label because of obligation to act, difficulty of establishing intent with genocide, may be hard to see the big picture of “widespread and

MODULE 1: WHAT ARE MASS ATROCITIES?

systematic” if working locally. Instructor can include information about the ways in which women, girls, the LGBTQ+ community, and other marginalized groups may be targets or experience mass atrocities at higher rates.

Ask: “What elements of these four types of mass atrocities do you think are most important to understand in your work [for criminal justice professionals to understand]?”

Possible responses: Responsibility of states and governments to prevent mass atrocities, how early warning can overlap with existing responsibilities.

Ask: “What tools currently exist in your domestic criminal justice system that could be used to address mass atrocities? What else could the criminal justice system in your country do to address mass atrocities?”

Note: If participant names and nationalities are received in advance, the facilitator may want to do some research regarding laws and treaties already in place in each respective country that address mass atrocity crimes.

Ask: “In the video, Omer Ismail from Darfur describes why he thinks it is important to act when you see warning signs of mass atrocities. Why do you think preventing mass atrocities is important?”

Possible responses: Open-ended—allow participants to share personal reflections, experience, or expertise in the field of mass atrocities. Instructor can highlight the testimonies included in the video and the human impact of mass atrocities.

Conclusion (5 minutes)

In concluding the segment, the instructor can recap the definitions shared in this module and invite any final reflections from participants on the importance of atrocity prevention and the ways in which atrocity prevention might intersect with the work participants are already doing as criminal justice professionals. This can serve as a nice transition into the topics covered in Module 2 about risk factors, warning signs, and triggers.

MODULE #1 HANDOUT: MASS ATROCITY DEFINITIONS

Mass Atrocity: While *mass atrocity* is not defined in international law, the term generally refers to “large-scale, systematic violence against civilian populations.”¹

Genocide: According to the Convention on the Prevention and Punishment of the Crime of Genocide, *genocide* means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

- Killing members of the group
- Causing serious bodily or mental harm to members of the group
- Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part
- Imposing measures intended to prevent births within the group
- Forcibly transferring children of the group to another group

Crimes against Humanity: According to the Rome Statute, a *crime against humanity* means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- Murder
- Extermination
- Enslavement
- Deportation or forcible transfer of population
- Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law
- Torture
- Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity
- Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender (which, for the purposes of the Rome Statute, is understood to refer to “the two sexes, male and female, within the context of society”), or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this list or any crime within the jurisdiction of the International Criminal Court

¹ Scott Straus, [Fundamentals of Genocide and Mass Atrocity Prevention](#) (United States Holocaust Memorial Museum, 2016), 31.

MODULE 1: WHAT ARE MASS ATROCITIES?

- Enforced disappearance of persons
- The crime of Apartheid
- Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health

War Crimes are those violations of the law of war that incur individual criminal responsibility under international law, including, for example, willful killing of civilians, torture, unlawful transfer or deportation, willful killing of prisoners of war, wanton destruction of property not justified by military necessity, perfidy, or hostage-taking.

See the grave breaches provisions of the Geneva Conventions of 1949, GC I Articles 50, GC II Article 51, GC III Article 130, and GC IV Article 147.

Ethnic Cleansing has no definition in international law and is not defined as an international crime, yet many legal practitioners consider ethnic cleansing as one of the types of mass atrocities. Ethnic cleansing generally refers to the forced removal of an ethnic group from a territory for the purpose of changing that territory's ethnic composition.

LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES
FOR PREVENTING MASS ATROCITIES

**MODULE 2: Prevention: Identifying Risk Factors,
Warning Signs, and Triggers**



A young man reads a sign that says, "Jews are not welcome here." *US Holocaust Memorial Museum, courtesy of Margaret Chelnick*

MODULE 2: PREVENTION: IDENTIFYING RISK FACTORS, WARNING SIGNS, AND TRIGGERS

This module introduces common macro-level risk factors, warning signs, and triggers for mass atrocities.

Participants are introduced to foundational mass atrocity prevention concepts based on the macro-level risk factors, warning signs, and triggers identified in Scott Straus’s *Fundamentals of Genocide and Mass Atrocity Prevention*. Participants are also introduced to the Holocaust through an exercise in which they apply these concepts while viewing chapter 1 of *The Path to Nazi Genocide* film. This module provides basic literacy in mass atrocity prevention concepts, which participants will use in Module 4 when discussing the specific role of criminal justice professionals in prevention. It also provides basic literacy in Holocaust history that will serve as a foundation for the deeper discussion in Module 3 of the role of criminal justice professionals during the Holocaust—and in mass atrocity prevention today.

Guiding questions for this module

- What is mass atrocity prevention, and why do it?
- What are the risk factors, warning signs, and triggers of genocide and other mass atrocities?

Module objectives

- Participants gain a basic understanding of the risk factors, warning signs, and triggers for mass atrocities and are able to identify examples in each of these categories.
- Participants are introduced to the Holocaust and can apply a mass atrocity prevention lens to analyze events that led to the Nazi rise to power.

Module length: 45 minutes

SEGMENT	LENGTH
Introduction—Background on Mass Atrocity Prevention	5 minutes
Video and Discussion: Prevention: Identifying Risk Factors, Warning Signs, and Triggers	15 minutes
<i>The Path to Nazi Genocide</i> —Chapter 1 Film Exercise	20 minutes
Conclusion	5 minutes

MODULE 2: PREVENTION: IDENTIFYING RISK FACTORS, WARNING SIGNS, AND TRIGGERS

Required materials

- Module #2 PowerPoint
- Module #2 Handout
- Video: “[Prevention: Identifying Risk Factors, Warning Signs, and Triggers](#)”
- [The Path to Nazi Genocide, Chapter 1](#) (Note: This film is available with subtitles in French, Spanish, Arabic, Hungarian, Polish, and a number of additional languages. Versions in other languages can be accessed using the left-hand bar on [this page](#)).

Further reading

- Key Resource: United States Holocaust Memorial Museum, [Guide to Criminal Justice and Preventing Mass Atrocities](#) (2023), Chapters 1 and 2
- Freedom House, [Freedom in the World Report](#)
- [Global Action Against Mass Atrocity Crimes](#)
- Green, Ashley L. and Ashad Sentongo. “[Assessing National Mechanisms for Atrocity Prevention in Africa’s Great Lakes Region](#).” *Journal of Peacebuilding & Development*, 14, no. 2 (2019): 193-205.
- Protection Approaches, [Queering Atrocity Prevention](#) (2022)
- Report of the UN Secretary-General, [Prioritizing Prevention and Strengthening Response: Women and the Responsibility to Protect](#) (2020)
- Straus, Scott. [Fundamentals of Genocide and Mass Atrocity Prevention](#), Chapter 2, “Risk Factors,” and Chapter 3, “Triggers and Escalation.” Washington, DC: United States Holocaust Memorial Museum, 2016.
- United Nations, [Framework of Analysis for Atrocity Crimes: A Tool for Prevention](#) (2014)
- United States Holocaust Memorial Museum, [Early Warning Project](#)
- United States Holocaust Memorial Museum, [Statistical Risk Assessment](#)
- United States Department of State, [Atrocity Risk Assessment Framework](#) (2022)

LESSON PLAN

Introduction (5 minutes)

Slides 1–2

Explain: “In the last module, we focused on definitions and examples of four types of mass atrocities—genocide, crimes against humanity, war crimes, and ethnic cleansing. This session will provide an overview of risk factors, warning signs, and triggers for mass atrocities, and how identifying atrocity risk early can help prevent mass atrocities from occurring.

“The concepts introduced in this session will provide a foundation for better understanding the conditions that make mass atrocities possible. Subsequent modules in this course will build on these concepts while discussing the role of the criminal justice system in mass atrocity prevention.

“In this session, we will cover the following topics:

- What is mass atrocity prevention and why do it?
- How to prevent: Knowing the risk factors, warning signs, and triggers of mass atrocities”

Slide 3

“Before we dive into the risk factors, warning signs, and triggers, I would like to briefly introduce the policy framework premised in international law that is foundational to the current thinking and practice around mass atrocity prevention.

“After the mass atrocities of World War II, the United Nations (UN) was established to prevent future wars, and the 1948 Genocide Convention became the first human rights treaty adopted by the UN General Assembly. Today 152 states are party to the Convention, which means they have a binding obligation to prevent and punish the crime of genocide.

“Additionally, born out of the events that occurred in Rwanda and the former Yugoslavia, the Responsibility to Protect (R2P) seeks to ensure collective state responsibility to protect populations from mass atrocities. Through the 2005 World Summit Outcome Document, UN member states unanimously endorsed the principle that each state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. Under R2P each state has a responsibility to prevent such crimes through “appropriate and necessary means.” If the state fails (either willfully or because it is unable to do so), then other states have a responsibility to take steps to protect against mass atrocities in accordance with the UN Charter. (Responsibility to Protect, 2005 World Summit Outcome Document, paras. 138–139).

Slide 4

“Ideally, prevention happens early and at the local level to achieve maximum impact. Prevention efforts can have benefits beyond mass atrocity prevention specifically—for example, access to justice initiatives or nondiscrimination policies can increase public trust in institutions and protect vulnerable groups.

“Early prevention can also cut costs in the long run—financial costs, costs to national sovereignty and local control, and costs in human lives lost (potential victims as well as those involved in security).

“Effective prevention often involves changes in the politics and institutions of a country. Domestic actors are best positioned to successfully promote and institute such changes (Straus, p. 134). Local-level changes are more likely to be sustainable. Once mass atrocities are underway, the opportunity for domestic action often diminishes. As a result, domestic actors play an essential, frontline role in prevention.

“Finally, prevention measures also build resilience. The prevention measures we will discuss in this course are meant to counter weaknesses that make society vulnerable to mass atrocity crimes, and prevention measures build on strengths, or the conditions that somehow are stopping society from sliding into mass violence. These measures can build resilience in institutions and communities that are best positioned to counter the risks that can lead to mass atrocities.

“Our goal in pursuing mass atrocity prevention is not just to avoid something terrible. We support atrocity prevention because we want to promote something good. Prevention work addresses tensions and divisions in the community and sometimes in the law. It can help identify and address root causes of conflict and tensions. It can be hard to persuade leadership to spend time and money on preventative measures, but they are never wasted. Prevention, in action, seeks to avoid the dangerous conditions that can lead to devastating human-made catastrophes like the Holocaust or the genocides in Cambodia or Rwanda.”

Video and Discussion: Prevention: Identifying Risk Factors, Warning Signs, and Triggers (15 minutes)

Slides 5–6; slides 11–14 may be used for reference during the debrief from the video if needed.

Explain to participants that you will be viewing a short video that introduces common risk factors, warning signs, and triggers for mass atrocities.

Say: “The video references the risk factors, warning signs, and triggers for mass atrocities discussed in Scott Straus’s *Fundamentals of Genocide Prevention* and the *Guide to Criminal Justice and Preventing Mass Atrocities*. You can follow along with your handout. While this handout consolidates the concepts into an easier reference list, it is not exhaustive, and your own communities may present risk factors and warning signs that are not on these lists, or that perhaps look different from how they are characterized here.”

MODULE 2: PREVENTION: IDENTIFYING RISK FACTORS, WARNING SIGNS, AND TRIGGERS

At the conclusion of the video, the instructor facilitates a group discussion based on the following questions:

Ask: “What stood out to you as you learned about the risk factors, warning signs, and triggers for mass atrocities?”

Possible responses: Open-ended—participants may share personal experiences with any of the risk factors, warning signs, or triggers or highlight those that seem most relevant to atrocity prevention in their view.

Ask: “Almost every state has some of these conditions. Have you observed any of these risk factors, warning signs, and triggers in your own context? Do you think naming them is helpful for mass atrocity prevention? Why or why not?”

Possible responses: Open-ended—participants may share experiences from their own context or new information they learned from the video. Instructor may wish to highlight how warning signs intersect with work participants are already doing in other areas—for example, combating gender-based violence, which can increase during conflict and can play a role during mass atrocities.¹

Exercise: *The Path to Nazi Genocide*—Chapter 1 Analysis (20 minutes)

Slide 7

Explain to participants that you will now apply the concepts learned to an analysis of the Nazi rise to power.

Say: “Now we will watch the first part of a film produced by the United States Holocaust Memorial Museum, *The Path to Nazi Genocide*. The film provides an overview of the events in Germany leading up to the rise of the Nazi Party and the Second World War, during which six million Jews were murdered in the genocide now known as the Holocaust. The Nazis and their collaborators persecuted and killed millions more in mass atrocities that targeted Roma, the disabled, gay men, Communists, and other political opponents. We will watch the first 12 minutes, but the rest of the film is available online should you wish to watch it.

“As you watch the film, look for risk factors and warning signs—what did these look like in this particular context? You can check them off on your handout if you like or make notes of where you observe them in the film.”

¹ See US Atrocity Risk Assessment Framework (2022), “Impact of Gender,” <https://www.state.gov/u-s-atrocity-risk-assessment-framework/>.

MODULE 2: PREVENTION: IDENTIFYING RISK FACTORS, WARNING SIGNS, AND TRIGGERS

Slide 8

After viewing chapter 1 of the film, the instructor can use the remaining time to debrief using the following questions:

Ask: “What risk factors, warning signs, and triggers did you observe in the film? What did these factors look like in action in this particular situation?”

Possible answers: Participants may note any of the risk factors, warning signs, or triggers they observed in the film—some examples might include large-scale instability (economic depression and paramilitary units clashing in the streets) or emergency legislation (Reichstag Fire Decree).

Conclusion (5 minutes)

Say: “These risk factors, warning signs, and triggers remind us that mass atrocities rarely emerge out of nowhere—nor are they inevitable. In the case of the Holocaust, risk factors existed in Germany well before the Nazis came to power. Once in power, the Nazi regime oversaw the implementation of laws and policies that imposed restrictions on Jews while fostering an exclusionary culture that defined who belonged in their national community and who didn’t. While this depended on a political regime that provided an exclusionary ideology, the political regime needed the support of professionals and ordinary Germans to make the ideology a reality. In Module 3, we will continue to examine the case study of the Holocaust in order to take a closer look at this evolution of exclusion and rising violence. Attention will focus on the role played by German criminal justice professionals (e.g., police officers, prosecutors, judges) as the Nazi regime consolidated power and magnified the risk of genocide.”

MODULE #2 HANDOUT: RISK FACTORS, WARNING SIGNS, AND TRIGGERS OF MASS ATROCITIES

Macro-Level Risk Factors¹

COMMON FINDINGS	VARIED FINDINGS
Large-scale instability	Deep-seated hatreds
Armed conflict and regime change	Government capacity
Exclusionary, nationalist, or transformative ideology	Authoritarianism
Prior discrimination or unpunished violence against a particular group	Economic causes

Warning Signs²

Tension and polarization among groups
Apocalyptic public rhetoric by leaders
Labeling civilian groups as the “enemy”
Development and deployment of irregular armed forces
Stockpiling weapons
Emergency or discriminatory legislation
Removing moderates from leadership or public service
Lack of punishment for past crimes

Triggers³

High-level assassinations
Coups or attempted coups
Change in conflict dynamics
Crackdowns on civilian protests
Symbolically significant attacks against individuals or physical sites

¹ Scott Straus, *Fundamentals of Genocide and Mass Atrocity Prevention* (United States Holocaust Memorial Museum, 2016), 31. Please note that these lists of risk factors, warning signs, and triggers are not exhaustive.

² Straus, *Fundamentals*, 76.

³ Straus, *Fundamentals*, 83.

LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES FOR PREVENTING MASS ATROCITIES

MODULE 3: Case Study: Criminal Justice Professionals and the Holocaust



A Berlin police officer (left) and a member of the SS (right) on patrol. Germany, March 5, 1933. *Bundesarchiv Bild 102/14381*

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST

This module aims to deepen participants' understanding of the role the criminal justice system can play in committing or aiding mass atrocities through an examination of the events of the Holocaust. The module focuses on the particular role played by law enforcement professionals and the courts in facilitating the Nazi rise to power and the subsequent erosion of the rule of law through the persecution of Jews and other groups targeted by the Nazi state.

Participants will examine the behavior of various criminal justice professionals during the Holocaust and consider the motivations and pressures influencing their behavior in the context of the Nazi state. Participants will be encouraged to think about the importance of leadership and decision making in the historical context. They will be asked to connect this case study to the risk factors, warning signs, and triggers for mass atrocities discussed in previous modules. This will facilitate participants' understanding of their individual role as well as the role of their institutions in preventing mass atrocity crimes and will form the foundation for discussions in subsequent modules.

Guiding question for this module

- What responsibility did German criminal justice professionals have for the Holocaust and other Nazi crimes committed between 1933 and 1945?

Module objectives

- Describe the range of motivations that led criminal justice professionals to perpetrate or facilitate crimes during the Holocaust.
- Analyze how risk factors, warning signs, and triggers for mass atrocities intersect with the “slippery slope” as it relates to the participation of criminal justice actors in the Holocaust. Analyze the incremental decisions that ultimately led to the commission of mass atrocities.
- Evaluate the options available to criminal justice professionals when faced with warning signs for mass atrocities.

Module length: 1 hour

SEGMENT	LENGTH
Introduction	2 minutes
Video and Discussion: Criminal Justice Professionals During the Holocaust	18 minutes
<i>Kristallnacht</i> Case Study	35 minutes
Conclusion	5 minutes

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST

Required materials

- Module #3 PowerPoint
- Module #3 Handout
- Video: “[Criminal Justice Professionals During the Holocaust](#)”

Further reading

- Key Resource: United States Holocaust Memorial Museum, [Guide to Criminal Justice and Preventing Mass Atrocities](#) (2023), Chapters 1, 2, and 3
- Articles from the United States Holocaust Memorial Museum’s Holocaust Encyclopedia:
 - [The Police in the Weimar Republic](#)
 - [SS and Police](#)
 - [The Nazification of the German Police, 1933–1939](#)
 - [Law, Justice, and the Holocaust](#)
 - [Antisemitic Legislation 1933–1939](#)
 - [Kristallnacht](#)
 - [The “Night of Broken Glass”](#)
- Browning, Christopher R. *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland*. Revised ed. New York: Harper Perennial, 2017.
- Müller, Ingo, and Deborah Lucas Schneider. *Hitler’s Justice: The Courts of the Third Reich*. Cambridge, MA: Harvard University Press, 1991.
- Steinweis, Alan E. *Kristallnacht 1938*. Cambridge, MA: Belknap Press of Harvard University Press, 2009.
- Westermann, Edward B. *Hitler’s Police Battalions: Enforcing Racial War in the East*. Lawrence, KS: University Press of Kansas, 2005.

LESSON PLAN

Introduction (2 minutes)

Slides 1–2

Explain: “Our goal in this session is to use a historical case study to think about the ways in which the criminal justice system can intersect with mass atrocities. In this case, we will examine the role played by German law enforcement and the German courts in facilitating the Nazi rise to power, the erosion of the rule of law, and the persecution of Jews and other groups targeted by the Nazi state. We will analyze the range of motivations and pressures that led criminal justice professionals to facilitate or participate in the crimes of the Nazi regime, as well as how the warning signs, risks, and triggers for mass atrocities can be identified in the actions of these professionals during the Holocaust.

“This session will include three phases:

- First, we will discuss the role of criminal justice professionals under the Nazi regime. We will view a short video, which focuses primarily on the early years of the Nazi regime, before mass killing began. After the video, we will discuss the following: Why might established criminal justice professionals have supported the Nazi regime in its early years? How do their actions intersect with the risk factors and warning signs we have discussed in this course?
- Next, we will examine a case study about the criminal justice response to *Kristallnacht*, the first act of large-scale violence against the Jewish community in Germany under the Nazis. You will need to have the handout in front of you for this segment. We will discuss what factors influenced the response of police and prosecutors to *Kristallnacht*, and what impact their actions may have had for Jews in Germany.
- Finally, we will conclude with a discussion of the role played by German criminal justice actors during World War II, once mass killings began. We will examine the impact their actions had on the Nazis’ ability to carry out the Holocaust.”

Video and Discussion: Criminal Justice Professionals During the Holocaust (18 minutes)

Slides 3–5

Say: “As you saw in the *Path to Nazi Genocide* clip, the Nazi regime did not come to power through a violent seizure of power, but rather by using existing laws and constitutional provisions. Once in power, the Nazis did not overthrow or dissolve existing government institutions, but instead worked to transform those institutions to achieve their goals. This helped bolster the legitimacy of the regime.

“In 1933, shortly after Hitler’s appointment as chancellor of Germany, Nazi militia forces were added to the German police forces. This image shows a German police officer walking side by side with a Nazi SS

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST

militiaman (*Schutzstaffel*, literally ‘Protection Squadron’—the SS man is wearing a white armband indicating that he has been deputized as a police officer).”

Ask: “How might this image have benefited the Nazi regime?”

Possible answers: Police have professionalism, knowledge and expertise, and trust of the community; Nazis are relying on the professionalism of the police to lend the SS legitimacy—not just replacing all the police. Element of intimidation for opponents of the Nazis—now incorporated into the police forces.

Ask: “How might this new partnership have benefited the German police? How might it have concerned them?”

Possible answers: Benefits: extra manpower to control the streets; resources of the regime to restore law and order; looks like they have the streets under control and are doing their jobs well. Concerns: limiting their room for maneuver with Nazis integrated into the forces; might previously have been involved in stopping violence by Nazi militias who are now part of their ranks.

Ask: “How might the German public have viewed this scene? Who might be intimidated or terrorized by this scene?”

Possible answers: Looks like the government is taking action to restore order to the streets as they promised—people in the background appear calm; sends a message to enemies of the Nazi party or those targeted by the Nazi regime about the new partnership between the Nazis and state institutions—might be more hesitant to interact with police.

Say: Scenes like this lent legitimacy to Nazi militia groups like the SS and seemed to indicate that the Nazis would work within existing government institutions to create change rather than attempting change through violence. Although this change was initially temporary, the official use of these irregular party militias also marked the beginning of the Nazi attempts to merge their political party with the state. We will now watch a short video that gives further context about the German criminal justice professions in the early years of the Nazi regime (1930s). As you watch the video, keep in mind the following questions: why might criminal justice professionals have supported the Nazi regime in its early years? How do their actions intersect with the early warning signs we have discussed in this course?”

Play video (5–6 minutes). Instructor may then facilitate a discussion with the whole group for the next 10 minutes based on the questions on slide 5 or the instructor may choose to have participants break into pairs or small groups to discuss for the first 5 minutes, followed by another 5 minutes to debrief with the entire group.

Ask: “Why might German criminal justice professionals have supported the Nazi regime in its early years?”

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST

Possible responses: Nazi rise to power had the appearance of legitimacy; worked to gain power through legal and constitutional means; public instability and desire for a more authoritarian state to counter street violence; fear of Communism and Communist violence; supported Nazi changes to the legal system and police powers that seemed to make their jobs easier.

Ask: “How do their actions intersect with the early warning signs we have discussed?”

Possible responses: Labeling civilian groups as the “enemy” and discriminatory legislation—Nazis labeling Jews as the “enemy” and passing antisemitic laws in the 1930s; emergency legislation—Reichstag Fire Decree; removing moderates from leadership or public service—Law for the Restoration of the Professional Civil Service; tension and polarization—Nazis taking advantage of fear of Communism to justify extreme measures.

Explain: “In examining the early years of the Nazi regime, we can observe many of the warning signs and risks for mass atrocities discussed in Module 2. To many German criminal justice professionals, the Nazi regime appeared legitimate, as the Nazis often worked through the existing legal and constitutional framework to achieve their goals. We will now dive into a case study where we will examine a key event in the before stage known as *Kristallnacht*, or the “Night of Broken Glass.” As we examine this case study, I would ask you to continue to keep in mind what warning signs, if any, you observe. We will discuss what factors influenced the response of the German criminal justice system to this event and the impact of this response on Jews in Germany.”

***Kristallnacht* Case Study (35 minutes)**

Slides 6–14

Police Report Exercise (5 minutes for reading, 10 minutes for group discussion)

Slides 6–7

Say: “You may be familiar with the events of *Kristallnacht*, but if not, that’s OK, because I would like to start this case study by examining the event through the eyes of the German police.

“In front of you is a police report from the town of Hanover in Germany describing what happened on the night of November 9–10, 1938. You have likely had to read or write police reports in the course of your duties. We are going to rely on your professional expertise here to examine this report.

“Please take the next 5 minutes to read through the report and then we will discuss: What questions does this report raise for you?”

(After participants have had sufficient time to read the order):

Ask: “What questions does this report raise for you?”

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST

Possible answers: Who are the perpetrators? Did the police make any arrests? What was the police decree that is referenced? Who had jurisdiction (role of Secret State Police (*Gestapo*) vs. Order police)? What were the police doing when this happened? Why spend so much time talking about the apartments? (That's where property was.) What is the tone of the report? (Tone appears objective/neutral; justification for inaction, seems to indicate police are doing the right thing—arrested one “bad” police officer who looted during the destruction and case is pending with the prosecutor's office.)

Note: The instructor should use this time to encourage participants to discuss as a group their own reflections on this police report and should refrain as much as possible from answering participants' questions about the report.

Say: “Now that you've had a chance to explore this police report, let's compare the narrative in the report to what we now know from various historical records about how *Kristallnacht* actually played out in Hanover. You may reference the timeline in your handout if you would like to follow along.”

Narrative (5 minutes)

Slide 8

Say: “Members of the SS, a radical Nazi party militia, were the primary perpetrators of *Kristallnacht* in Hanover. Recall the image we discussed at the beginning of this session where the German policeman and SS man were walking side by side.

“On the evening of November 9, 1938, the Minister of Propaganda, Joseph Goebbels, ordered a nationwide attack on the Jews, claiming this attack was justified because just a few days before, a Jewish man, Herschel Grynszpan, had shot a low-ranking German diplomat. Grynszpan was from Hanover.”

Slide 9

Say: “In the early hours of November 10, 1938, members of the Nazi SS militia robbed the synagogue (Jewish place of worship) in Hanover and set it on fire. Shortly afterward, police across Germany received orders from their leadership in Berlin to stand down—they were not to intervene to stop the violence unless non-Jewish homes or businesses were at risk of being destroyed. The order also instructed the police to arrest Jewish men, especially affluent ones. The SS men continued their attacks against Jewish homes and businesses across Hanover throughout the rest of the night and into the next evening, including seizing valuables.”

Slide 10

Say: “At around 6:15 a.m. the following day, November 11, 1938, most of the Jews arrested during *Kristallnacht* in Hanover were taken to the local train station and deported to Buchenwald concentration camp. One of those arrested was Dr. Horst Berkowitz, a Jewish lawyer living in Hanover and a World War I veteran. Dr. Berkowitz recounted that he could see the courthouse from the train station, and thought of his client, who would have to appear at a hearing that day without his lawyer. Across Nazi Germany, police largely complied with orders and arrested about 30,000 Jewish men during *Kristallnacht*. As you can see here, the concentration camp population expanded dramatically in 1938, in part due to these arrests. This was the first instance of mass arrests of Jews just because they were Jewish, which is one reason many consider *Kristallnacht* a turning point in this genocide. You may recall that “symbolically significant attacks against individuals or physical sites” such as the attacks seen during *Kristallnacht* are considered one of the “triggers” for mass atrocities.

Slide 11

Say: “Most Jews arrested during *Kristallnacht* were released, often after they agreed to emigrate from Germany. The father of this family, Jacob Tager, was arrested during *Kristallnacht* and imprisoned in Dachau for approximately six months. The family emigrated to Cuba in 1939 or 1940, and five years later immigrated to the United States. However, Jews faced numerous obstacles to immigration, and many were unable to leave Germany in time.”

Slide 12

Say: “As mentioned, we know that most German police followed orders to stand down and not intervene in the violence of *Kristallnacht*, and most German prosecutors followed instructions not to investigate and pursue charges against the perpetrators of *Kristallnacht*. The Nazis burned hundreds of synagogues, vandalized about 7,500 Jewish-owned businesses, and murdered hundreds of Jews. German police arrested 30,000 Jewish men, who were sent to concentration camps. You can find the full text of the order to police and instructions to prosecutors in your handout, to get a sense of the larger institutional culture within which police and prosecutors were operating. However, as we discuss what kinds of options were available to professionals within the criminal justice system during *Kristallnacht*, I would like to share one last story of the actions of a police commander in Berlin.”

Slide 13

Say: “Wilhelm Krützfeld (seen in the photo on the right) joined the police force in Berlin in 1907, and by 1938 he was in charge of a precinct in Berlin. As *Kristallnacht* was happening in his city, an officer in Krützfeld’s district telephoned the station to say he saw smoke coming from the local synagogue (seen in the photo on the left). Krützfeld and others raced toward the synagogue and found Nazi militiamen

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST

attempting to destroy the building. Krützfeld brandished his weapon and ordered the firefighters to douse the fire that had been set. He informed them that it was his responsibility to enforce a law protecting historic buildings, and this synagogue was one of the largest and most architecturally important in Berlin. The next day, he was brought before the Nazi head of the Berlin Police, von Helldorf, who reprimanded him. But Krützfeld received no formal punishment. He was not forced off of the police force, but instead was promoted on schedule. He retired from the force voluntarily in 1943. You can find a biography of Krützfeld in your handout.”

Case Study Debrief and Discussion (15 minutes)

Slide 14

Note: Instructor may choose to have participants discuss the case study in pairs or small breakout groups for 5 minutes before returning to a discussion with the whole group for the remaining 10 minutes.

Ask: “What, if anything, is surprising to you about this case study?”

Possible answers: Demonstrates that choice was possible for criminal justice professionals; most criminal justice professionals actively collaborated with the Nazi regime and used their expertise to further the goals of the Nazi regime (such as the police commander in Hanover).

Say: “Krützfeld retired from the police force in 1943. His son later stated that a high-ranking police official had hinted about the Holocaust to Krützfeld and that this had sparked his request for retirement. Neither a resistance fighter nor a victim of the Nazi regime, he is memorialized for his act of civil courage in standing up to the Nazi militiamen with a plaque on Oranienburger Street in Berlin. In 1993 the state of Schleswig-Holstein (where Krützfeld’s hometown is located) renamed its police academy in his honor. Krützfeld’s actions demonstrate that police officers and other criminal justice professionals did have some discretion in how they responded to the attacks against the Jewish community during *Kristallnacht*, and yet most chose to follow orders, refused to protect the Jewish community, and turned a blind eye to criminal actions. Let’s take a look at where this led.”

Conclusion (5 minutes)

Slides 15–19

Slide 15

Say: “We have seen in this case study that in the early years of the Nazi regime and before the start of mass killing, police, prosecutors, and judges played a critical role in advancing policies and practices that facilitated the path to genocide. They also had the ability to intervene at a number of key points; however, the majority chose not to act. In the case of the Holocaust, we know where this led.

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST

On September 1, 1939, Germany invaded Poland, starting World War II. With the start of the war, Nazi policy radicalized. Eventually, the Nazis moved from persecution of Jews to a plan for mass murder. As the war progressed, the police were tasked with increasingly extreme measures at home and abroad in the name of national security. As we see in the case of the Holocaust, we know that the context of war is often used to rationalize genocidal acts.

Slide 16

Say: “During the first years of World War II, German policies against German Jews escalated. The regime mandated curfews, restrictions, and even identifying yellow star badges for Jews. The German police enforced these measures. Then the Nazi German regime forcibly and systematically removed Jews from Germany. German police were tasked with guarding train transports of Jews to ghettos, killing sites, and killing centers in occupied eastern Europe. Officials called these deportations, like the one you see here from Würzburg, Germany, ‘evacuation transports’ or ‘resettlement actions’ to mask their true nature.”

Slides 17–18

Say: “As the war continued, militarized police battalions were sent to eastern Europe to act as occupation forces behind the German front lines. Among other assignments, they were sometimes tasked with guarding the ghettos where Jews were forced to live in miserable, unsanitary, and overcrowded conditions.

“Police were told that the war on the eastern front was a battle for the very survival of the German race and nation. They were tasked with rounding up Jews and other ‘enemies of the German state’ and killing them in mass shooting operations, such as this one.” (Switch to mass shooting image in slide 18.)

Note: As slide 18 contains graphic imagery, the instructor may wish to give participants a warning before proceeding to it.

Say: “In the case of the Holocaust, we know from extensive historical research that German police officers who refused to shoot were not killed themselves. A small percentage chose not to participate, and while they sometimes faced ridicule from their colleagues, they were simply assigned other tasks or placed on leave. Some who initially chose not to shoot later participated as the killings continued, and vice versa. However, the vast majority participated in the regime’s mass atrocities when tasked with doing so.”

Slide 19

Say: “The Nazis relied on the professional expertise and manpower of police, prosecutors, and others within the criminal justice system to carry out the Holocaust. As we move into the next session on criminal justice tools for preventing mass atrocities (Module 4), this history can serve as a reference point to reflect on failures and opportunities for criminal justice professionals when faced with warning signs of mass atrocities.”

MODULE #3 HANDOUT: KRISTALLNACHT CASE STUDY DOCUMENTS

Document #1: Police Report on *Kristallnacht*¹

The Police President

Hanover, 3 December 1938

To: The District Presidents, Hanover

Regarding: Action against the Jews on November 10 of this year

The measures against the Jews were carried out according to the decree of the Chief of the Order Police from November 10, 1938—Special Command Staff—O-Kdo G A 200. German life and property were not endangered. The Action was limited to the destruction of 94 Jewish shops and 27 Jewish apartments, as well as the destruction of the synagogue and the cemetery chapel in Bothfeld. The SS and the uniformed police (*Schutzpolizei*) took over standing guard in front of the shops, whose window panes were shattered. Plunderers were not found. The individual police officers were not aware of the destruction of the apartments, so they were not present at this Action themselves. A few days after the end of the Action, Jews, attorneys, and large suppliers—who had delivered goods to Jewish shops conditional upon their sale—submitted letters in which they stated that objects were missing from the inventory of the destroyed shops and they had not yet been able to determine the whereabouts [of these objects], or that business documents—and in some cases also gold and securities—had been seized and taken from the apartments without a receipt. I forwarded the original letters to the Secret State Police (*Gestapo*) Headquarters in Hanover, as they have partial jurisdiction. I have not been informed of the outcome of the investigations undertaken [as the result of the letters]. The destroyed apartments were visited by precinct officials on December 1. The Jewish renters/owners continued to use all but three of the apartments, and they are busy cleaning them up.

Three of the apartments belong to Polish Jews who were deported back to Poland on October 28. [In these apartments] the furniture is partially destroyed; however, the apartments could still be used at any time. Two of the apartments have since been rented to someone else, one to the relative of an army soldier, and the other to the local Buchholz group. In the second case, [the space] is the club room of the Jewish Tennis Club with a two-bedroom apartment. In a large number of the cases, the destruction of the apartments is minimal and limited to the destruction of individual everyday objects or pieces of furniture, or furniture that was turned over as well as a few windows or mirrors that were smashed in.

Unfortunately, a young police officer (24 years old) failed completely in his duties during the Action resulting in his immediate dismissal from the police force. He was assigned to stand guard outside a Jewish-owned store on November 10, 1938. He was to ensure that no valuables would be taken from the store by

¹ Translated from Marlis Buchholz and Waldemar R. Röhrbein, “Reichskristallnacht” in *Hannover: eine Ausstellung zur 40. Wiederkehr des 9. November 1938* (Hannover: Historisches Museum am Hohen Ufer, 1978), 122–23.

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST

unauthorized persons. He used the opportunity to take several items of value for himself, including a gold watch, three nickel watches, one gold engagement ring, one gold ladies ring, a gold brooch with valuable stones, one silver ring with valuable stones, one camera with case, and several other small items. The police officer confessed his failings and is repentant. The valuables have been returned to the store. Criminal proceedings [against him] are pending with the Senior State Prosecutor in Hanover.

[signed] G[eyer]

Document #2: Timeline of Events: *Kristallnacht* in Hanover

November 9, 1938

8 p.m.: Hanover SS begins rally in local concert hall for swearing in of new candidates and to listen to a radio broadcast of a commemoration of the Beer Hall Putsch in Munich.

10:30 p.m.: Regional party leaders share instructions with local party offices to carry out a massive pogrom, based on speech by Goebbels that night.

11 p.m.: End of SS commemoration in concert hall; attendees remain in the hall.

11:55 p.m.: Heinrich Mueller, Chief of the Gestapo, issues internal notice of a large-scale action against the Jews; orders the arrest of 20,000–30,000 Jewish men, particularly “wealthy Jews.”

November 10, 1938

Between midnight and 1 a.m.: An SS Kommando robs the synagogue in Hanover and sets it on fire.

1:20 a.m.: Chief of Security Police, Reinhard Heydrich, issues instructions to police.

1:30 a.m.: SS units march out of the concert hall to form a perimeter around the synagogue and prevent anyone from intervening in the violence.

2:35 a.m.: Local police sound the fire alarm; firemen arrive at the synagogue to put out the fire.

3 a.m.: Some of the SS units withdraw from the synagogue to be deployed in the destruction of Jewish apartments and businesses across Hanover.

5 a.m.: The remaining SS units withdraw from the synagogue, and the local police take over securing the perimeter.

7:30 a.m.: Technical Emergency Responders demolish the dome of the synagogue with an explosion, stating that the dome is structurally unsound after the fire.

12:15 p.m.: Chapel at the Jewish cemetery in Bothfeld is set on fire.

6 p.m.: Jewish shops and apartments once again attacked and destroyed by SS units, who also seize valuables. Attacks end around midnight.

November 11, 1938

6:15 a.m.: 275 of the 334 Jews arrested in Hanover and the surrounding towns during *Kristallnacht* are taken to the train station and deported to Buchenwald concentration camp.

Document #3: Instructions to Police on *Kristallnacht*

SECRET!

Copy of Most Urgent telegram from Munich on November 10, 1938, 1:20 a.m.

To all: Headquarters and Stations of the State Police

To all: Local and Regional Offices of the Nazi Party Security Service (SD)

Urgent! To be presented immediately to the Chief or his deputy!

Re: Measures against the Jews Tonight

Because of the assassination of Legation Secretary vom Rath in Paris, demonstrations throughout the Reich are to be expected tonight—November 9–10, 1938. The following orders are issued for dealing with these occurrences:

1) Upon receipt of this telegram, the Chiefs of the State Police or their deputies must immediately contact the appropriate political authorities for their district [the local Nazi Party leaders] ... by telephone to arrange a discussion about how the demonstrations will be conducted. This discussion should include the responsible Inspector or Commander of the Uniformed (Order) Police ...

[The local] political authorities are to be informed that the German police have received the following orders from the Reich Leader of the SS and Chief of the German Police [Himmler], and that they should adjust their response accordingly:

- a) Only such actions may be carried out which do not threaten German lives or property (e.g., burning of synagogues only when there is no threat of fire spreading to the surroundings).
- b) Stores and residences of Jews may only be destroyed but not looted. The police are instructed to monitor compliance with this order and to arrest looters.
- c) Special care is to be taken on commercial streets that non-Jewish businesses are completely secured against damage.
- d) Foreign citizens, even if they are Jewish, must not be molested.

2) Presuming that [demonstrators] comply with the guidelines set out in paragraph 1, the police should not prevent the demonstrations, but should only monitor them for compliance with the guidelines.

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3) Upon receipt of this telegram, the police are to immediately impound existing archival materials in all synagogues and Jewish community offices, to prevent their destruction in the course of the demonstrations. This only applies to materials of historical value, not to contemporary tax records, etc. [This material] is to be turned over to the responsible office of the Nazi Party Security Service.

4) The direction of Security Police (*Sicherheitspolizei*) operations relating to the anti-Jewish demonstrations resides with State Police authorities, except when orders have been issued by Security Police inspectors. Officials from the Criminal Police (*Kriminalpolizei*) as well as members of the Nazi Party Security Service, of SS paramilitary units, and regular members of the SS may be called on to carry out Security Police operations.

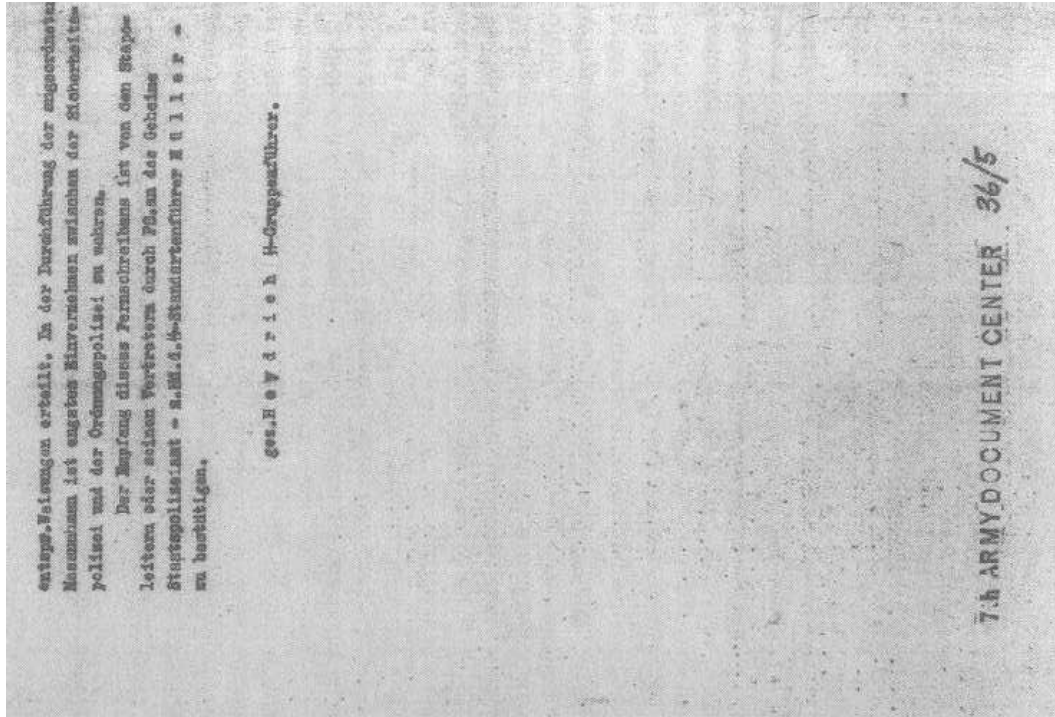
5) As soon as the course of events on this night allows them to be freed up for this purpose, the officials mentioned above are to arrest as many Jews as can be accommodated in existing detention facilities—particularly affluent Jews. For the time being, only healthy male Jews whose age is not too advanced are to be arrested. Immediately after the arrests have been carried out, the appropriate concentration camps should be contacted to place the Jews into camps as quickly as possible. Special care should be taken that Jews arrested on the basis of this instruction are not mistreated.

6) The contents of this order are to be passed on to the competent Inspectors and Commanders of the Uniformed (Order) Police and to the local and regional offices of the Nazi Party Security Service with the further notice that the Reich Leader of the SS and Chief of the German Police [Himmler] ordered these police measures. The Chief of the Uniformed (Order) Police shared equivalent instructions with the Uniformed Police (including the fire brigade police). Close cooperation between the Security Police and the Uniformed Police is to be preserved while the measures ordered here are being carried out.

The Chief of the State Police or his deputy should acknowledge receipt of this telegram by sending a telegram directed to [Chief of the Secret State Police Heinrich] Müller at the Secret State Police Office.

signed: [Reinhard] Heydrich
SS General, Nazi Chief of Security Police

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST



Document #4: Instructions to Prosecutors after *Kristallnacht*

Reich Minister of Justice Berlin, November 19, 1938

To: The Senior State Prosecutor or His Official Representative in Hamburg

Secret!

Re: Antisemitic Demonstrations from November 9–11, 1938

As my assistant shared with you over the telephone and as is confirmed here, the following instructions were issued regarding the handling of criminal cases related to the antisemitic demonstrations of November 9–11, 1938:

- a) Plunder should be prosecuted (including cases where someone received plundered goods [as a result of the demonstrations]).
- b) Property damage to synagogues, cemetery buildings, and cemeteries through fire, arson, etc. should not be prosecuted.
- c) Furthermore, the following cases should not be prosecuted:
 - i) Damage to Jewish shops under any circumstances
 - ii) Damage to Jewish residences, so long as [the destruction was] not conducted out of selfish motives and so long as the Secret State Police (*Gestapo*) requests that the state prosecutor's office [not pursue these cases]
- d) Homicide cases and severe criminal assaults are to be prosecuted and these cases are to be discussed, insofar as they were committed out of selfish motives and the Secret State Police therefore requests that the state prosecutor's office [pursue them].
- e) Insofar as crimes are reported directly to the state prosecutor's office, they are to be forwarded to the Secret State Police and the [state prosecutor's office] should await a response.
- f) Correspondingly, cases of harm done to Aryans during the course of the demonstrations should be pursued.

MODULE 3: CASE STUDY: CRIMINAL JUSTICE PROFESSIONALS AND THE HOLOCAUST

- g) Criminal cases related to the Treachery Act (*Heimtücke-gesetz*) ... that are connected to the demonstrations are to be handled in the same way as all Treachery Act cases, with the stipulation that indictments according to Par. 1 of the Treachery Act should not be immediately filed, but instead a draft of the indictment should be included in the files.
- h) The criminal cases mentioned under a)–f) are to be handled as politically sensitive and of particular importance given the obligation to report them [to the Ministry of Justice].
- i) The justice system should not issue press releases.
- j) Criminal cases involving an antisemitic motive that occurred before the specified dates are to be reported [to the Ministry of Justice], in order to avoid issuing sentences that are too harsh.

On behalf of [the Minister of Justice]
Signed Dr. Kramer

Document #4: Instructions to Prosecutors after *Kristallnacht*—German Original⁴

1) Presseveröffentlichungen durch die Justiz erfolgen nicht.
 k) Bei Strafzwecken, die vor der genannten Zeit begangen sind und deren antisemitische Motive zu Grunde liegen, ist, um Härten zu vermeiden, zu berichten. Im Auftrag
 gen. Dr. Krauer.

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Abschrift
 Der Reichsminister der Justiz. Berlin, den 19. November 1938.
 III G 10 815/38 G

An den
 Herrn Generalstaatsanwalt
 oder Vertreter im Amt
 in H a m b u r g.

Betreff: Antisemitische Mordgehung vom 9.11.-11.11.1938.

Über die Bekämpfung der mit der antisemitischen Kundgebung vom 9.-11.11.1938 in Zusammenhang stehenden Strafsachen ist, wie Ihnen mein Sachbearbeiter heute fernmündlich mitgeteilt hat, folgende Weisung ergangen, die hiermit bestätigt wird.

a) Zu verfolgen sind Minderungen (einschließlich daraus ergebender Reklamationen).
 b) Sachbeschädigungen an Synagogen, Friedhofshallen und Friedhöfen durch Brand, Sprengung usw. werden nicht verfolgt.
 c) Nicht verfolgt werden ferner:
 Beschädigungen von jüdischen Geschäften in jedem Falle, Beschädigungen von jüdischen Wohnungen, soweit sie nicht aus eigensichtlichen Motiven begangen sind und die St. o. ers. rechend in die Staatsanwaltschaft hertritt.
 d) Störungen und schwere Körperverletzungen werden verfolgt bzw. erörtert, soweit eigensichtliche Motive zu Grunde liegen und die St. o. entsprechend an die Staatsanwaltschaft herantritt.
 e) Soweit Anzeigen unmittelbar bei der Staatsanwaltschaft einlaufen, sind sie an die St. o. weiterzuleiten und es ist die Forderung durch diese abzuwarten.
 f) Entz. rechend sind in Zuge der Kurdgehung entz. rechende Strafen bei Antr. zu behandeln.
 g) Strafverfahren nach dem Heimlichgesetz oder §§ 134a, b StGB, die in Zusammenhang mit den Kurdgehung stehen, sind wie die übrigen HG-Verfahren zu behandeln mit der Maßgabe, daß die Einreichung von Anklageschriften nach § 1 HG. nicht sofort erfolgt, vielmehr der Entz. rechend der Anklageschrift mit den Akten einzuüberichten ist.
 h) Die unter a) - f) genannten Strafsachen sind hinsichtlich der Berichtspflicht als politisch wichtig und von besonderer Bedeutung zu behandeln.

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⁴ John Mendelsohn and Donald S. Detwiler, *The Holocaust: Selected Documents in 18 Volumes*, Vol. 3: The Crystal Night Pogrom, (New York: Garland Pub., 1982), 301–2, <http://catalog.hathitrust.org/api/volumes/oclc/8033345.html>.

Document #5: Biography of Wilhelm Krützfeld⁵

Wilhelm Krützfeld was born on December 9, 1880. He was a police officer of the old Prussian mold whose guiding principles were diligence, the rule of law, and the fulfillment of duty. He never joined the Nazi Party. In 1907 he was released from military service and promptly joined the police force, working first in the state police office and then in police headquarters in Berlin.

Upon his 25th year of police service, the police president of Berlin praised Krützfeld as an officer who was “always true to the most responsible of professions and conscientiously fulfilled his duties.” In the 1930s he took over command of Police District 65 in Prenzlauer Berg in eastern Berlin, then served as commander of District 16 in Hackescher Markt in the heart of Berlin. His district included Oranienburger Street and the New Synagogue, which was one of the city’s largest and most notable synagogues and a proud architectural landmark.

1933–39

During the pogrom of November 1938 (*Kristallnacht*), an officer in Krützfeld’s precinct telephoned to report that he saw smoke coming from the synagogue. Krützfeld and several other officers, including Otto Bellgardt, then marched toward the New Synagogue. Witnessing Nazi Storm Troopers setting fire to the building, Krützfeld brandished his weapon and ordered them away. He produced documentation of the synagogue’s protected status as an important architectural structure and ordered the fire department to douse the flames to prevent any further damage. Although Nazi officials—including the police director of Berlin, Wolf Heinrich Graf von Helldorff—heard of Krützfeld’s behavior the next day, they took no action against him. He was neither fired nor arrested; Helldorff merely admonished him and defended the violence and arson. Krützfeld’s son remembered that his father had been outraged by this conversation and insisted that it was the duty of the police to promote peace, order, and respect for the law.

1940–45

As part of a reorganization brought on by the outbreak of war in 1939, Krützfeld was transferred to a different police district. In 1943 he retired from the force at his own request.

Postwar

Krützfeld passed away in Berlin in 1953. His son revealed that a high-ranking police official had hinted about the Holocaust to his father and that this had sparked his request for retirement. Neither a resistance fighter nor a victim of the Nazi regime, he is memorialized for his act of civil courage in standing up to the Nazi Storm Troopers with a plaque on Oranienburger Street in Berlin. In 1993 the state of Schleswig-Holstein (where Krützfeld’s hometown is located) renamed its police academy in his honor. Unfortunately, the New Synagogue was destroyed in the Allied bombing of Berlin on November 23, 1943, during World War II.

⁵ Adapted from Knobloch Heinz, *Der Beherzte Reviervorsteher: Ungewöhnliche Zivilcourage Am Hackeschen Markt*, 1. Aufl ed. (Berlin: Jaron, 2003), 87–89 and 102–103.

LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES FOR PREVENTING MASS ATROCITIES

MODULE 4: Before Mass Atrocities: Criminal Justice Tools for Prevention



London police meets with Chinese community ahead of Chinese New Year celebrations to wish everyone Happy New Year.
PjrNews/Alamy Stock Photo.

MODULE 4: BEFORE MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

This module builds on the themes, content, and discussions from Modules 1–3 to explore the intersections between the criminal justice professions and mass atrocity prevention. The focus is on the role of criminal justice professionals before mass atrocities take place.

The module draws on participants’ expertise to identify and consider some of the tools and sources of resilience particular to the criminal justice field that can directly address mass atrocity risks and support prevention. It is meant to be run in combination with one of the two “deeper dive” sessions outlined in Module 5. In Module 5, participants will apply this knowledge either to tools that address the warning sign of dangerous speech or to the tool of community dialogues.

Guiding questions for this module

- What tools can criminal justice professionals use to reduce the risk of mass atrocities and build resilience?
- How does early warning analysis help create resilience against mass atrocities?

Module objectives

- Participants are able to relate the risk factors, warning signs, and triggers to their role as actors within the criminal justice system.
- Participants can identify tools, sources of resilience, and other opportunities within their sphere of influence for preventing mass atrocities.
- Participants can identify issues that surface before the onset of mass atrocities that are relevant for their work.

Module length: 30 minutes

SEGMENT	LENGTH
Introduction	5 minutes
Discussion of Criminal Justice Tools for Prevention	20 minutes
Conclusion	5 minutes

MODULE 4: BEFORE MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

Required materials

- Module #4 PowerPoint
- Module #4 Handout
- Chart paper

Further reading

- Key Resource: United States Holocaust Memorial Museum, [*Guide to Criminal Justice and Preventing Mass Atrocities*](#) (2023), Chapter 3
- Dangerous Speech Project, [*Dangerous Speech: A Practical Guide*](#) (April 19, 2021)
- Jacob Blaustein Institute for the Advancement of Human Rights, [*Manual on Human Rights and the Prevention of Genocide*](#) (2015)
- Straus, Scott. [*Fundamentals of Genocide and Mass Atrocity Prevention*](#), Chapter 6, “Tools and Approaches.” Washington, DC: United States Holocaust Memorial Museum, 2016.
- Report of the UN Secretary-General, [*Responsibility to Protect: State Responsibility and Prevention*](#) (2013)
- United Nations, [*Framework of Analysis for Atrocity Crimes: A Tool for Prevention*](#) (2014)
- United States Agency for International Development (USAID), [*Field Guide: Helping Prevent Mass Atrocities*](#) (2015)
- United States Agency for International Development (USAID), Freedom House, American Bar Association Rule of Law Initiative, Internews, and Global Rights, [*Preventing Atrocities: Five Key Primers*](#) (2014)

LESSON PLAN

Introduction (5 minutes)

Slides 1–2

Explain: “Through this course, our goal is to bring out the connections between the criminal justice system and mass atrocity prevention. When we think of mass atrocities and how they happen, we often think of leaders at the top (political leaders, military leaders, etc.).

“However, in the previous session, we considered how the criminal justice system can play a role in the process that leads up to mass atrocities and in perpetrating mass atrocities. We saw how the political and legal context shifted over the course of the 1930s, shaping a new environment in which police, prosecutors, and other members of the German criminal justice system eventually became willing participants in the persecution and mass murder of civilians and other noncombatants—including children, women, and men.

“This session builds on the past modules to further explore the intersections between the criminal justice professions and atrocity prevention. However, here we will consider the ways in which criminal justice professionals can play a frontline role in supporting prevention.

“In this session, we will:

- Discuss the relevance of risk factors, warning signs, and triggers for criminal justice professionals.
- Explore criminal justice tools for mass atrocity prevention and recognize potential sources of resilience within your domestic context. Sources of resilience are the factors that help avoid, mitigate, or counter risk.

“Our discussion in this session will draw on your experience and expertise to generate possible tools within your sphere of influence for prevention.”

Slide 3

Say: “In a previous session we discussed the common risk factors, warning signs, and triggers for mass atrocities. This table lists the common risk factors, corresponding prevention measures (often the inverse of risk factors), and some criminal justice prevention tools that can support these prevention measures and help reduce risk, depending on the context.

“You may already be familiar with or have used some of these tools, and may or may not have used them for the purpose of reducing atrocity risk.

MODULE 4: BEFORE MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

“In a moment, we will do an exercise that looks more closely at how a variety of criminal justice tools can address risk factors and prevention measures. For now, though, let’s look briefly at these tools.”
(Instructor can read off all or a selection of these tools and return to these descriptions in the discussion that accompanies the exercise that follows.)

- **Training in mass atrocity prevention**—what we are doing now—helps us apply an atrocity prevention lens to our work. It builds our understanding of what mass atrocities are, how to identify risks and warning signs, what tools might be helpful or available to help reduce risk, and what kinds of skills and mindsets we need to implement appropriate tools.
- **Early warning analysis** sharpens skills in evaluating risks and warning signs so we can share information, as well as develop and coordinate preventive approaches with other agencies or partners.
- **Community outreach or dialogues** open channels of communication and develop partnerships with stakeholders (such as women’s or youth groups, faith-based groups, traditional leaders, advocacy groups, or the business community) to help identify and resolve public safety concerns or conflicts. By learning citizens’ perspectives and building public trust, officials can evaluate risk and are better positioned for early prevention. Civilians are more willing to settle disputes lawfully. They can connect with points of contact, understand relevant laws and criminal justice roles, and break down us-them dynamics between the public and the criminal justice system.
- **Strengthened awareness of dangerous speech** means looking out for “any form of expression (speech, text, or images) that can increase the risk that its audience will condone or commit violence against members of another group.”¹ The targeted group could be any type of group, such as an ethnic or religious minority, or people defined by their professions, such as journalists, human rights defenders, or politicians, for example. Dangerous speech is “a warning sign and an instrument of group-targeted violence.”² By being more aware of dangerous speech and the risk of violence it could pose, criminal justice professionals can consider lawful strategies to deter related violence or improve protection for targeted groups.
- **Response to bias-motivated violence or hate crimes**—which are criminal offenses motivated by prejudice against the victim’s identity—is important because hate crimes can escalate and prompt retaliatory attacks. Inadequate responses to hate crimes can embolden exclusionary ideologies and signal that violence against the target group is acceptable. Responding promptly and sensitively to bias-motivated violence supports healing for the targeted community, communicates to the public that all citizens are entitled to equal protection of the law, encourages public trust in state institutions, and promotes values of tolerance and inclusion.

¹ Dangerous Speech Project, *Dangerous Speech: A Practical Guide* (April 19, 2021), 8, <https://dangerousspeech.org/guide/>.

² United States Holocaust Memorial Museum, “Defusing Hate: A Strategic Communication Guide to Counteract Dangerous Speech” (2016), <https://www.ushmm.org/genocide-prevention/reports-and-resources/defusing-hate-a-guide-to-counteract-dangerous-speech#:~:text=Genocide%20and%20mass%20atrocities%20are,instrument%20of%20group%2Dtargeted%20violence.>

MODULE 4: BEFORE MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

- **Prosecution of past violence** matters because unpunished violence is a commonly cited risk factor for mass atrocities. Impunity can reinforce perceptions of the target group as unworthy of justice or equal treatment under the law. It can also lead to grievances that diminish trust in state institutions, raising the likelihood that disputes will be addressed through violence.
- **Restorative justice** emphasizes repairing the harm caused by past crimes. It involves acknowledging the victims' harms and needs and the harms' impact on communities. It also involves encouraging perpetrators to take responsibility, make right the wrongs, and address the causes of their behavior.³ It can take many forms, drawing from customary practices of justice and reconciliation, reparations programs, truth-telling or truth commissions, official apologies, and memorialization, among others.
- **Emergency planning** is crucial to ensuring professionals are prepared to respond when a crisis emerges. With more planning and training for emergencies, more lives can be saved and unintended or negative outcomes can be avoided.
- **Safe management of public protest** is important to mitigating the likelihood that protests can become a trigger or escalate tensions that lead to mass atrocities.
- **Rule of law promotion** is broadly important to building public trust in state institutions to fairly and peacefully manage disputes and conflicting interests. Strengthening the rule of law can relate to—among other topics—promoting equal treatment under the law, public integrity and anti-corruption efforts, access to justice for vulnerable groups, and judicial efficiency so that disputes do not fester unresolved. The key question for each context involves (1) evaluating core grievances and dynamics that could drive conflict and instability and (2) identifying which rule of law reforms or measures are most relevant to reducing atrocity risks in that location.

Exercise: Discussion of Criminal Justice Tools for Prevention (20 minutes)

Slides 4–5

Instructor should ask participants to take out the Module #4 Handout, which lists tools for atrocity prevention. Instructor should divide the class into four groups, with each group reviewing the tools related to one of the risk factors (if dealing with a very large class, the instructor may wish to have more than one group discuss the first risk factor (“Instability: Armed Conflict or Political Turmoil”). Given the nature of the exercise, the instructor may wish to divide the group according to profession (e.g., police, prosecutors, judges.) where applicable. Alternatively, the instructor may allow participants to self-select which risk factor they would like to discuss and to form four groups for discussion in that way.

³ Howard Zehr, *The Little Book of Restorative Justice* (Pennsylvania: Good Books, 2002), 59–60. See also Lawrence W. Sherman and Heather Strang, *Restorative Justice: The Evidence* (London: The Smith Institute, 2007).

MODULE 4: BEFORE MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

Say: “The handout in front of you is designed to take a closer look at the intersections between risk factors for mass atrocities and tools for prevention. Our goal in this segment is to identify specific actions or tools criminal justice professionals can apply in the ‘before’ stage. This list is not comprehensive, and we will rely on your professional expertise to add to or refine it.

“Please take a couple of minutes to review the chart in the handout, paying particular attention to the blue column containing possible criminal justice examples. As you look at the chart, consider the following questions:

- Which tools are you already using? Are they effective?
- Which of these tools could be most useful to you in reducing atrocity risk or escalation of violence?
- Are there other examples or tools you would add to the criminal justice column?”

Instructor should allot 10 minutes for participants to read and discuss their assigned section of the chart in small groups, followed by 10 minutes to report out and discuss with the larger group. Instructor should record any additional tools mentioned by participants that are not listed on the handout on a piece of chart paper at the front of the classroom for reference during other segments of the course (e.g., Module 9). Instructor could consider adding these tools to the chart and redistributing the updated chart to participants later in the course.

Conclusion (5 minutes)

Say: “As we looked at possible tools that are available to you for reducing the risk of mass atrocities in your own domestic context, we also highlighted some areas of resilience, or the factors that help avoid, mitigate, or counter risk. Areas of resilience include things like good governance and rule of law. More specifically, as you look at the chart in the handout or the list of tools on slides 3 and 4, you can see a common theme—these tools seek to foster positive relationships between citizens and you (representatives of the state). They promote safety, equality, and respect for the rights of everyone.

“As discussed, resilience can include some of the ways you are already using these tools or addressing risk. In light of how complex these issues can seem, it is important to acknowledge the work you are already doing that intersects with atrocity prevention. To learn more about the resilience factors identified in various atrocity prevention frameworks, please see the ‘Combined List of Resilience or Mitigating Factors with a Focus on Criminal Justice’ in your handout.

“We will now take a closer look at one specific tool (community dialogues) OR at how to address one specific warning sign frequently encountered by criminal justice professionals (dangerous and hate speech) in the next session (Module 5).”

MODULE #4 HANDOUT: CRIMINAL JUSTICE TOOLS AND RESILIENCE FACTORS

Document #1: Criminal Justice Tools for Mass Atrocity Prevention¹

Common Objective: Criminal justice prevention tools promote positive, protective relationships with the public. These relationships are based on upholding rule of law and human rights, and preventing violence and abuse of state power, particularly against vulnerable and marginalized groups.

Questions:

- Which tools are you already using? Are they effective?
- Which of these tools could be most useful to you in reducing atrocity risk?
- Are there other examples or tools you would add to or change in the **blue** Criminal Justice Tools column?

¹ This table and select prevention tools are discussed in chapter 3 of the [Guide to Criminal Justice and Preventing Mass Atrocities](#). The table's structure is adapted from Scott Straus, [Fundamentals of Genocide and Mass Atrocity Prevention](#) (United States Holocaust Memorial Museum, 2016), 135–38. Contents reflect a compilation of tools and recommendations from different sources, such as United Nations, [Framework of Analysis for Atrocity Crimes: A Tool for Prevention](#) (2014); Report of the UN Secretary-General, [Implementing the Responsibility to Protect](#), A/63/677 (Jan. 12, 2009), paras. 14, 17, 21, 24–25; Report of the UN Secretary-General, [Responsibility to Protect: State Responsibility and Prevention](#), A/67/929-S/2013/399 (July 9, 2013), paras. 30–55; Jacob Blaustein Institute for the Advancement of Human Rights, [Manual on Human Rights and the Prevention of Genocide](#) (2015), 7–8; United States Holocaust Memorial Museum, [“Lessons Learned in Preventing and Responding to Mass Atrocities”](#) (2022); United States Holocaust Memorial Museum, [“Tools for Atrocity Prevention”](#) (2022).

Document #1: Criminal Justice Tools for Mass Atrocity Prevention

RISK FACTORS (see lists on page 62)	PREVENTION MEASURE	TOOLS	CRIMINAL JUSTICE TOOLS	INTENDED EFFECT
<p>Instability: Armed conflict or political turmoil</p> <p>Weak or abusive governance structures</p>	<p>Prevent conflict</p> <ul style="list-style-type: none"> Peacefully resolve disputes Ensure fairness and equal rights Promote economic opportunities and livelihoods 	<ul style="list-style-type: none"> Conduct early warning analysis Hold spaces to foster dialogue Share power among rival groups Ensure nonviolent means to compete for power Reduce poverty or strengthen economic equity Promote inclusive growth and sustainable livelihoods Increase legitimacy of state institutions (see next page) 	<ul style="list-style-type: none"> Integrate training and education for judges, lawyers, and police in mass atrocity prevention (understanding mass atrocities, early warning analysis and risk assessment, prevention tools) Strengthen capacity in early warning analysis by dedicating resources and staff and establishing cross-agency coordination Implement community dialogues and policing, especially in vulnerable communities Pursue deradicalization strategies inside and outside justice sector Train law enforcement in de-escalation strategies Increase access to justice for vulnerable communities (e.g., minorities, economically disadvantaged, women, children, disabled) Plan ahead for emergencies Coordinate and share information with state agencies responsible for addressing root causes relating to economy, social services, youth, women, or group rights 	<p>Reduce the risk of violent conflict</p>

MODULE 4: BEFORE MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

RISK FACTORS (see lists on page 62)	PREVENTION MEASURE	TOOLS	CRIMINAL JUSTICE TOOLS	INTENDED EFFECT
<p>Instability: Armed conflict or political turmoil</p> <p>Weak or abusive governance structures</p>	<p>Promote rule of law</p> <ul style="list-style-type: none"> • Increase legitimacy of state institutions 	<ul style="list-style-type: none"> • Hold leaders accountable and end impunity • Promote equality and equal access to law • Clamp down on corruption 	<ul style="list-style-type: none"> • Prosecute officials who break the law and commit serious crimes (mass atrocities, public corruption, human rights violations) • Promote rule of law reform tied to atrocity risks: <ul style="list-style-type: none"> ○ Strengthen professional ethics in the justice sector (training, enforcement of consequences for police misconduct or judicial corruption) ○ Increase efficiency and reduce judicial delay ○ Improve access to justice for vulnerable communities (e.g., translation, legal awareness outreach, lower costs, paralegal services) ○ Uphold nondiscrimination and equality in administration of justice ○ Uphold public integrity and combat public corruption 	<p>Increase public confidence in functioning of government, thereby decreasing distrust that leads to instability</p>

MODULE 4: BEFORE MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

RISK FACTORS (see lists on page 62)	PREVENTION MEASURE	TOOLS	CRIMINAL JUSTICE TOOLS	INTENDED EFFECT
<p>Instability: Armed conflict or political turmoil</p> <p>Weak or abusive governance structures</p>	<p>Promote rule of law</p> <ul style="list-style-type: none"> Enhance legal framework and oversight mechanisms for human rights and mass atrocity prevention² 	<ul style="list-style-type: none"> Support early warning mechanisms Empower national human rights commissions Ensure Universal Declaration of Human Rights concepts are reflected in domestic constitution and other legal frameworks Establish ombudsman for atrocity prevention Ratify international human rights treaties Ratify the Rome Statute of the International Criminal Court (ICC) Cooperate with ICC and other international and regional legal bodies Cooperate with United Nations fact-finding missions and special procedures 	<ul style="list-style-type: none"> Review existing legal framework to identify components relevant for mass atrocity prevention as well as legislative gaps Identify and engage with domestic institutions that support criminal justice oversight, such as ombudsman or human rights commission Build ties with international institutions that can help strengthen criminal justice oversight, human rights protection, and other international legal standards, such as United Nations agencies; international or regional courts, tribunals, or claims commissions; and international organizations that support justice sector reform 	<p>Strengthen legal, political, and normative mechanisms to promote human rights protections and institutionalize mass atrocity prevention</p>
	<p>Deepen democracy and restrain abuse of power</p>	<ul style="list-style-type: none"> Ensure fair, peaceful multiparty elections Institutionalize rights to expression and association Promote independent, strong civil society Safeguard independent media Preserve judicial independence Clamp down on corruption 	<ul style="list-style-type: none"> Strengthen police capacity to protect civilians and safeguard civil rights during public protests Build constructive relationship with the press Avoid intimidation or harassment of journalists and human rights defenders Open channels of communication with civil society organizations Strengthen independence of judiciary 	<p>Create mechanisms that weaken the authoritarian power of the state and that restrain escalation of atrocities</p>

² United Nations General Assembly, *Report of the Secretary-General, Implementing the Responsibility to Protect*, UN Doc. A/63/677 (2009), para. 17.

MODULE 4: BEFORE MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

RISK FACTORS (see lists on page 62)	PREVENTION MEASURE	TOOLS	CRIMINAL JUSTICE TOOLS	INTENDED EFFECT
<p>Instability: Armed conflict or political turmoil</p> <p>Weak or abusive governance structures</p>	<p>Increase legitimacy of elections</p>	<ul style="list-style-type: none"> Strengthen fair, transparent election management bodies Promote dialogue between competing political parties Ensure fair competition for all political parties 	<ul style="list-style-type: none"> Support judicial decisions regarding election outcomes, so long as those decisions are impartial and independent 	<p>Reduce the likelihood that an election will lead to violence</p>
	<p>Security sector reform</p>	<ul style="list-style-type: none"> Preserve civilian control over the military Train police on human rights, rules of engagement, appropriate use of force Train military on rules of engagement, laws of armed conflict (including necessity, distinction, and proportionality) Support disarmament, demobilization, and reintegration of former combatants 	<ul style="list-style-type: none"> Train police on human rights, rules of engagement, and appropriate use of force Train police on de-escalation strategies Enforce police codes of ethics and conduct Establish transparent disciplinary procedures for police misconduct 	<p>Encourage security officials to treat civilians with respect and protect their rights</p>
<p>Prior violence</p>	<p>Promote rule of law</p> <ul style="list-style-type: none"> End impunity and ensure justice for past victims 	<ul style="list-style-type: none"> Promote accountability for officials and other senior leaders who commit human rights violations Implement locally appropriate transitional justice processes for past mass atrocities Create memorials or establish traditions to remember victims of past violence Carry out legal and institutional reforms that signal commitment not to repeat past violence or injustice 	<ul style="list-style-type: none"> Enhance capacity in investigating and prosecuting bias-motivated violence (evidence collection and preservation, witness protection) Build capacity in prosecuting sexual and gender-based violence Support and participate in restorative justice programs Initiate a broader review of how to improve accountability across the criminal justice system 	<p>Signal to officials and society that human rights violations and mass atrocities are neither acceptable nor condoned by the state</p>

MODULE 4: BEFORE MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

RISK FACTORS (see lists on page 62)	PREVENTION MEASURE	TOOLS	CRIMINAL JUSTICE TOOLS	INTENDED EFFECT
<p>Prior discrimination against a particular group</p> <p>Transformative or exclusionary ideology</p>	<p>Reduce discrimination and promote equality</p>	<ul style="list-style-type: none"> Enforce constitutional protection against discrimination Protect human rights of vulnerable groups Ensure fair working conditions and secure economic and livelihood opportunities Provide equal access to education 	<ul style="list-style-type: none"> Enhance training on application of nondiscrimination laws and constitutional principles Promote and safeguard vulnerable groups access to justice and government services Track bias incidents Track, investigate, and prosecute bias-motivated crimes and violence Encourage diversity in hiring and promotion among police and justice system personnel so that the justice sector reflects the populations it serves 	<p>Reduce prejudice, stereotypes, and exclusion, and foster the attitudes that could restrain escalation</p>
	<p>Promote pluralism, inclusion, and tolerance</p>	<ul style="list-style-type: none"> Measures to combat incitement to discrimination or violence based on racial or religious hatred Promotion of pluralism and tolerance in presidential speeches Promotion of pluralism and tolerance in political party statements Interfaith dialogues Reconciliation programs Intercultural celebrations or public holidays recognizing diverse religious or cultural traditions 	<ul style="list-style-type: none"> Strengthen awareness of dangerous speech (e.g., through networks with civil society) Develop strategies to counter hate propaganda and combat or prosecute incitement to discrimination or violence (consistent with applicable laws and human rights, such as freedom of expression) Promote pluralism and tolerance in justice sector mission statements, public speeches, and multicultural celebrations Provide justice sector training in unconscious or implicit bias Conduct public outreach by all parts of the justice sector to diverse neighborhoods and communities Support and participate in restorative justice programs 	<p>Create an alternative framework of political legitimacy besides exclusionary nationalism</p>

Criminal Justice Tools Chart: How Warning Signs and Triggers Can Correspond to Risk Factors

Instability: Armed Conflict or Political Turmoil

- Adverse regime change
- Acts of terrorism
- High-level assassination
- Political tension arising from severe political repression
- Growth of armed opposition groups or radical movements
- Imposition of emergency laws that curtail fundamental rights
- Mobilization of the security apparatus against protected groups or individuals
- Stockpiling of weapons
- Sudden economic changes or downturns

Weak or Abusive Governance Structures

- Insufficient protections in national legal framework
- Justice sector lacking sufficient resources, representation, and training
- Lack of judicial independence
- High levels of corruption
- Removal of moderates from public service
- Limited training on human rights, humanitarian law
- Limited oversight over security sector's compliance with international humanitarian law
- Restrictions on civil society
- Restrictions on media
- Restrictions on humanitarian services
- Increased acts of violence against women and children, including sexual violence as a tool of terror
- Imposing life-threatening conditions on or forcibly displacing or transferring protected groups to camps, ghettos, or other assigned locations

Prior Violence

- Past mass atrocities (genocide, crimes against humanity)
- Record of serious human rights violations

Prior Discrimination against a Particular Group

- Marking of people or their property based on group identity
- Mobilization of security apparatus against protected groups
- Discriminatory legislation or policies (including denationalization or de facto statelessness) that limit protected group's access to equal rights or political representation
- Imposing life-threatening conditions on or forcibly displacing or transferring protected groups to camps, ghettos, or other assigned locations

Transformative or Exclusionary Ideology

- Apocalyptic public rhetoric
- Increase in inflammatory rhetoric, incitement of violence, or hate speech against protected groups
- Increased tension and polarization

Document #2: Prevention Tools in Before, During, and After Stages. While these tools are generally suited to the prevailing conditions of each stage, they could be applicable in other stages depending on context and in light of how stages can overlap. This table also appears in chapter 3 of the [Guide to Criminal Justice and Preventing Mass Atrocities](#).

BEFORE	DURING	AFTER
<ul style="list-style-type: none"> Integrate mass atrocity prevention training and education Build community relationships Conduct early warning analysis Track dangerous speech and hate incidents Respond sensitively to hate crimes and bias-motivated violence Prosecute past violence Support restorative justice Safely manage public protests Plan ahead for emergencies Promote rule of law with a focus on reducing atrocity risk (consider legal framework for prevention; access to justice; professional ethics; anti-corruption; and human rights, including nondiscrimination and economic and livelihood issues) 	<p>Protect civilians and targeted groups</p> <ul style="list-style-type: none"> Deploy emergency plans (developed <i>before</i>, for quick response and adaptability in fluid environment) Conduct public consultations and community outreach (to understand threats and protection needs, gather intelligence on perpetrators, or deescalate tensions) Ensure courts uphold fair trial rights and avoid arbitrary arrest and detention, torture, and enforced disappearances Where possible, apply personal discretion to mitigate risk and save a life <p>Apply criminal justice strategy that applies pressure or incentives to deter (potential) perpetrators</p> <ul style="list-style-type: none"> Reaffirm and enforce professional oaths to uphold Constitution, rule of law, and codes of conduct Investigate and prosecute suspected atrocity crimes Lawfully apprehend suspected perpetrators Disrupt criminal networks that enable armed groups or mass atrocities (e.g., money laundering; trafficking in drugs, arms, precious gems, persons; and illegal natural resource extraction) Establish appropriate communication and information sharing with other security agencies, media, and nongovernmental organizations Seek cooperation with international organizations and fact-finding missions 	<p>Develop transitional justice approach, which may include</p> <ul style="list-style-type: none"> Criminal trials (domestic, hybrid, international) International non-prosecutorial legal bodies (International Court of Justice, international claims commissions, United Nations human rights committees and special procedures) Fact-finding or truth-telling mechanisms Restorative justice Reparations Lustration/vetting Memorialization Rule of law reform <p>Draw from tools used in the before and during stages to help establish security and reduce ongoing or renewed risks</p>

Document #3: Combined List of Resilience or Mitigating Factors with a Focus on Criminal Justice³

Sources of resilience are the factors that help avoid, mitigate, or counter risk. They constitute the conditions that contribute to peace and stability.

General Sources of Resilience⁴

SOCIAL COHESION	<ul style="list-style-type: none">• Religious, ethnic cohesion• Social, economic, and political inclusion
GOOD GOVERNANCE	<ul style="list-style-type: none">• Strong rule of law• Transparent and functioning democratic system• Constraints on the power of the chief executive
ECONOMIC STRENGTH	<ul style="list-style-type: none">• Trade openness• Equality of economic opportunity• Sustained economic growth

Additional Factors Relating to Good Governance and Civil Society

The United Nations Framework Analysis for Atrocity Crimes cites as a risk factor “an absence of mitigating factors.”⁵ These mitigating factors describe conditions relating to democratic governance, the strength of civil society, and international engagement:

- Early warning mechanisms to prevent mass atrocities
- Strong, organized, and representative national civil society
- Support from international civil society
- Independent and diverse national media
- International media access
- Resources and allies to protect targeted groups or individuals
- Willingness of or incentives for parties of conflict to engage in dialogue
- Openness or establishment of political or economic relations with other states and international organizations
- Support from neighboring countries or regional organizations to protect populations

³ This information also appears in chapter 2 of the [Guide to Criminal Justice and Preventing Mass Atrocities](#).

⁴ Table adapted from Stephen McLoughlin, *The Structural Prevention of Mass Atrocities: Understanding Risk and Resilience* (New York: Routledge, 2014), 63.

⁵ United Nations, [Framework of Analysis for Atrocity Crimes: A Tool for Prevention](#), 15.

MODULE 4: “BEFORE” MASS ATROCITIES: CRIMINAL JUSTICE TOOLS FOR PREVENTION

Systemic Capabilities

United States Government Conflict and Atrocity Assessment Frameworks identify specific attributes of governance, civil society, and targeted groups that support resilience.

COMITY	Availability of social entities and institutions promoting tolerance and peaceful resolution of disputes
FLEXIBILITY	The system’s ability to change, including the speed and the degree of adjustment
DIVERSITY	Variety of actors and approaches that contribute to the performance of a system’s essential functions
ADAPTIVE LEARNING	Integration of new knowledge into planning and execution of essential functions
COLLECTIVE ACTION AND COHESION	Mobilization of capacities to jointly decide and work toward common goals
SELF-RELIANCE	Capacity to self-organize and use internal resources and assets, with minimal external support ⁶
TARGETED GROUPS CAN ADVOCATE FOR THEMSELVES⁷	<ul style="list-style-type: none">• Deploy methods of civil resistance• Counter propaganda• Diversify media reporting• Initiate efforts to resolve underlying conflicts• Build alliances with moderates in the perpetrator group or third parties• Conduct nonviolent protests• Document and publicize the threat or actual atrocities• Take legal action

⁶ [Interagency Conflict Assessment Framework](#) and USAID, [Conflict Assessment Framework](#), Version 2.0, (June 2012), 22.

⁷ USAID and US Department of State, [Atrocity Assessment Framework](#), (2015), p. 5. The Atrocity Assessment Framework was prepared by the US Department of State’s Bureau of Conflict and Stabilization Operations and USAID’s Center of Excellence on Democracy, Human Rights and Governance.

LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES FOR PREVENTING MASS ATROCITIES

MODULE 5: Deeper Dive: Dangerous Speech OR Community Dialogues



A USIP Justice and Security Dialogue in Jos, Nigeria, Dec. 18, 2019. *US Institute of Peace*

MODULE 5: DEEPER DIVE: DANGEROUS SPEECH OR COMMUNITY DIALOGUES

This module is intended to supplement Module 4: Before Mass Atrocities: Criminal Justice Tools for Prevention. Instructor may explore one of two topics with participants related to early warning and prevention in more depth (option A or option B). Both options aim to further participants' understanding of their role as criminal justice professionals in mass atrocity prevention and to better equip them with tools to recognize and address warning signs before mass atrocities occur.

Option A: Tools for Addressing the Warning Sign of Dangerous Speech introduces the concepts of dangerous speech and hate speech and allows participants time to reflect on their lawful role in addressing these types of speech in their own context. The distinction between dangerous speech and hate speech is described in the module's script below. Participants may share the laws and policies of their own country/community surrounding hate speech. This option also includes a case study to encourage participants to consider strategies for protecting freedom of expression while preventing violence and addressing this warning sign for mass atrocities.

Option B: Community Dialogue as a Tool for Prevention introduces participants to community dialogues as a tool for preventing mass atrocities. Where applicable, participants are invited to share their own experiences engaging in community dialogues. Participants then analyze a short video profiling a community dialogue in Burkina Faso. Participants are introduced to an atrocity risk assessment framework as a tool for considering key actors to be included and core grievances to address in a community dialogue.

Guiding questions for this module

- Option A: How can criminal justice professionals effectively respond to warning signs such as dangerous speech while still preserving basic rights such as freedom of expression?
- Option B: How can criminal justice professionals use community dialogue as a tool for prevention?

Module objectives

- Option A: Participants gain a basic understanding of what qualifies as dangerous speech and how these topics intersect with early warning.
- Option A: Participants analyze how certain speech can escalate into acts of violence and reflect on their own roles and capabilities when addressing dangerous speech.
- Option B: Participants gain a basic understanding of what a community dialogue looks like and explore this as a possible tool for prevention.
- Option B: Participants are able to share with each other their own experiences (where applicable) with holding community dialogues or pursuing other forms of community engagement, and exchange strategies for effective communication with community members to mitigate violence.

MODULE 5: DEEPER DIVE: DANGEROUS SPEECH OR COMMUNITY DIALOGUES

Module length: 30 minutes

SEGMENT	LENGTH
Introduction	1 minute
Option A: Dangerous Speech OR Option B: Community Dialogue	27 minutes
Conclusion	2 minutes

Required materials

- Module #5 PowerPoint
- Module #5A or #5B Handout
- Video clips
 - [“What Is Dangerous Speech?” video](#)
 - [“Stopping Hate Speech” video with Adama Dieng](#)
 - [“Saaba: A Dialogue in Process”](#) (Burkina Faso Community Dialogue)

Further reading

- Key Resource: United States Holocaust Memorial Museum, [Guide to Criminal Justice and Preventing Mass Atrocities](#), Chapter 3 (2023)

Dangerous Speech and Hate Speech

- Dangerous Speech Project, [Dangerous Speech: A Practical Guide](#) (updated 2021)
- European University Institute, Robert Schuman Centre for Advanced Studies, Centre for Judicial Cooperation, [Freedom of Expression and Countering Hate Speech, Handbook on Techniques of Judicial Interaction in the Application of the EU Charter](#) (2020)
- The Future of Free Speech Website, [Hate Speech Case Database](#) and other resources on regulating speech and preserving freedom of expression
- United Nations, [Strategy and Plan of Action on Hate Speech](#) (2019)
- United States Holocaust Memorial Museum (with Rachel Brown), [Defusing Hate: A Strategic Guide to Counteract Dangerous Speech](#) (2016)
- United States Agency for International Development (USAID), Freedom House, ABA ROLI, Internews, Global Rights, [Preventing Atrocities: Five Key Primers](#) (2014)
- United States Department of State, [2022 Roadmap for the Global Partnership for Action on Gender-Based Online Harassment and Abuse](#)

MODULE 5: DEEPER DIVE: DANGEROUS SPEECH OR COMMUNITY DIALOGUES

Community Dialogue

- Discover Policing Website, [“What Is Community Policing?”](#) and [“Resources”](#)
- Rausch, Colette. [“The Justice and Security Dialogue Project: Building the Resilience of Non-State Actors to Atrocity Crimes.”](#) *AJIL Unbound* 113 (2019): 273–78.
- Search for Common Ground, [Community Dialogue Design Manual](#) (2016)
- United States Holocaust Memorial Museum, [Early Warning Project](#)
- United States Institute of Peace Website, [“Justice and Security Dialogues: USIP Brings Communities Together to Strengthen the Rule of Law”](#)
- United States Agency for International Development (USAID) and United States Department of State, [Atrocity Assessment Framework](#) (2015)

LESSON PLAN

Option A: Tools for Addressing the Warning Sign of Dangerous Speech (30 minutes)

Introduction (1 minute)

Slides 1–2

Explain: “We will now explore in greater depth a topic related to criminal justice tools for preventing mass atrocities—dangerous speech.

“In this session, we will cover the following topics:

- Discuss dangerous speech and hate speech
- Analyze how certain speech can escalate to acts of violence
- Reflect on your roles and capabilities when dealing with dangerous speech and hate speech

“There is a balance when it comes to speech—protecting the right to freedom of expression and preventing violence and mass atrocities. The hope is for outreach and pre-incident prevention by paying attention to dangerous speech and hate speech.”

Dangerous Speech Discussion and Case Study (27 minutes)

Slides 3–9

Defining Terms: Dangerous Speech and Hate Speech Discussion

Slides 3–5

Say: “Let’s start by defining terms. What do we mean when we talk about *dangerous speech* and *hate speech*, and how does this intersect with the right to freedom of expression?”

Instructor should read the excerpt from the Universal Declaration of Human Rights regarding freedom of expression on slide 3 and the definitions of dangerous speech and hate speech on slides 4 and 5.

Note: When sharing the definition of hate speech, the instructor may wish to highlight for participants that while this represents the UN definition of hate speech, it is not intended as a legal definition—definitions of hate speech for the purpose of criminal prosecutions may vary by country. Participants will be given the opportunity to discuss their own criminal statutes surrounding hate speech in the discussion listed on slide 7.

MODULE 5: DEEPER DIVE: DANGEROUS SPEECH OR COMMUNITY DIALOGUES

Instructor can invite participants to review the two definitions of dangerous speech and hate speech and discuss how they are similar or different. This can prepare participants for the film on slide 6, which discusses both terms in greater depth. Whether the term *dangerous speech* or *hate speech* is used in a particular context, *the key question for atrocity prevention is whether the speech act can increase the risk of violence against another group.*

Slides 6–8

Instructor should introduce the film clip on slide 6 by sharing that the film will explain the similarities and differences between hate speech and dangerous speech and will discuss why it is important to be able to identify both. After playing the film clip, the instructor may select from the following questions to lead a short discussion (*Discussion time: 10 minutes*):

Ask: “Have you encountered dangerous speech or hate speech in your own context? What would be an example of hate speech? Can you share an example of dangerous speech?”

Note: Instructor should start with asking for examples of hate speech, because they may be more familiar or obvious (such as referring to a group as “vermin”). Then ask about examples of dangerous speech to help tease out that it can apply to any group, including those we don’t typically think of as a target of hate, such as certain professions or social classes (journalists, teachers, “elites,” working class, the homeless).

Instructor may draw on the example of the Rohingya from Module 1 by sharing that one of the most widespread examples of anti-Rohingya hate speech is the claim that Rohingya are not native to Burma. This false claim has been used to inspire policies aimed at revoking Rohingya’s citizenship and to justify violence against them.

Instructor may also wish to highlight the gendered nature of hate speech—for example, that women and LGBTQ+ individuals, particularly politicians and journalists, tend to be targets of this type of hate speech and dis/mis-information campaigns. Some of these examples may be legal or illegal under domestic laws.

Ask: “Are you familiar with any domestic laws regarding speech, either hate speech or dangerous speech? Do you have laws relating to freedom of expression?”

Ask: “Do you collect information on hate crimes and bias incidents? At what point would you take action?”

Instructor may wish to determine ahead of time whether course participants have some knowledge of the hate speech law that they could share through this discussion. Depending on how much prior awareness there is among participants, the instructor could retrieve the domestic hate speech law and provisions on freedom of expression in advance (if one exists) and share it with the class and point out some of the questions one would ask regarding how the laws help address atrocity risk.

MODULE 5: DEEPER DIVE: DANGEROUS SPEECH OR COMMUNITY DIALOGUES

Ask: “How do you balance freedom of expression (as outlined in the Universal Declaration of Human Rights) with the need to address dangerous speech and hate speech in your own context?”

Instructor may wish to highlight the following key points in the discussion:

- Importance of checking your own biases (What are you basing your decisions on? How have your own views affected your decisions?)
- Tools to counteract dehumanization, such as community engagement or dialogue
- Distinction between hate crimes and bias incidents (hate crimes may or may not be recognized as distinct crimes under domestic laws, but they involve crimes motivated in whole or in part by bias or prejudice against a person’s identity (racial, religious, gender, disability, or other); bias incidents do not rise to the level of a crime, but are also motivated in whole or in part by bias or prejudice against some aspect of a person’s identity)
- In countries that have hate speech laws, consideration of how the hate speech laws help address dangerous speech and whether there are some forms of dangerous speech the laws would not cover
- Importance of proactively addressing problems before they grow larger by having data (e.g., tracking bias incidents or other relevant data regarding the safety of vulnerable groups)
- Prevention that may include engaging the group to de-escalate rhetoric and trying to keep them within the law
- Importance of empathy toward the targeted group—educate the public on the law while being sensitive to the fact that something may offend or be hurtful to someone even if it is legal

During or while wrapping up the discussion, the instructor should reinforce

- Whether the term *dangerous speech* or *hate speech* is used in a particular context, *the key question for atrocity prevention is whether the speech act can increase the risk of violence against another group.*
- If the answer is yes, the next question is, What lawful tools or approaches can be used to reduce the risk while upholding freedom of expression? What guidance does the law provide? If the speech is unpleasant but legal, what steps might you take to promote prevention? (These ideas may be explored in greater depth during the case study discussion that follows too.)

Case Study: Addressing Hate Speech Incidents

Slide 9

Say: “We will now take a closer look at a case study about hate speech to discuss possible ways criminal justice professionals can address hate speech incidents.”

MODULE 5: DEEPER DIVE: DANGEROUS SPEECH OR COMMUNITY DIALOGUES

Instructor should share the handout with the case study and allow participants a minute or two to read the scenario. Instructor leads a discussion using the following prompts (*Discussion time: 10 minutes*):

Ask:

- “Describe the situation.
- How would you handle the demands for action by the community and politicians?
- What could happen as a result of your actions?”

Instructor should address the following points in the discussion:

- Community education and partnerships as a possible approach to address this incident. This could include outreach to the targeted community to better understand their concerns, offer them direct points of contact within the justice system, and consider additional ways to improve safety and protection while the community’s concerns persist. This could also include gathering more information about the group distributing brochures to understand their organization better, promoting legal awareness with the community as a whole regarding what activities are permitted and not permitted, thus signaling to the group distributing brochures that the justice system is aware of their activities.
- Could this behavior escalate to more than brochures in the future? If so, how?

Additional Discussion (if time permits)

Say: “The same group has multiple members who begin posting and interacting on social media with similar comments and speech. Some members post on government and other openly public social media.

- Does this change anything? Do other laws apply?
- What guidelines exist with respect to monitoring social media?
- Under what circumstances or conditions could you investigate this further?”

Conclusion (2 minutes)

Slide 10

Instructor should share the video from Adama Dieng highlighting the connection between hate speech and mass atrocities (genocide, crimes against humanity, etc.).

Option B: Community Dialogue as a Tool for Prevention (30 minutes)

Introduction (1 minute)

Slides 11–12

Explain: “We will now explore in greater depth a topic related to criminal justice tools for preventing mass atrocities—community dialogues.

“In this session, we will cover the following topics:

- Discuss community dialogue as a tool for atrocity prevention
- Analyze a community dialogue in terms of a mass atrocity risk assessment framework
- Reflect on your roles and capabilities for reducing atrocity risk through community dialogues

“When done right, a community dialogue can address several risk factors and form part of a process of early warning analysis and atrocity risk assessment.”

Community Dialogue Discussion and Exercise (27 minutes)

Slides 13–15

Slide 13

Say: “Let’s start by defining terms. A *community dialogue* is an initiative in which criminal justice professionals, such as the police or a prosecutor’s office, open channels of communication with the community.”

Ask: “Have you ever participated in a community dialogue? What was your experience with this tool?”

Note: This is an opportunity for the instructor to surface participants’ existing expertise on the topic of community dialogues. Opening the conversation with an invitation to participants to share their own experiences encourages a participant-centered discussion in which they can share ideas about this tool and other mass atrocity prevention tools with one another. (*Discussion time: 5 minutes*)

Slide 14

Instructor should inform participants that they will now be analyzing a case study of a community dialogue in Burkina Faso. They will view a 12-minute video about the community dialogue. Instructor may provide the following context for the video:

Say: “This town’s population grew rapidly and crime rose dramatically, particularly theft and break-ins. The police force was overwhelmed, and people took justice into their own hands, with tragic results. Local authorities, police, and informal security groups could barely speak to each other. In 2016 a series of community dialogues brought together stakeholders (from security, local authorities, local nonstate security groups, and civil society).

“As you watch, keep a list of who is participating and why their participation may be important for understanding and reducing atrocity risk.”

Slide 15

After the video ends, the instructor may select from the following questions to lead a group discussion (*Discussion time: 10 minutes*):

Ask: “Who is participating in the community dialogue? Is there anyone you were surprised to see in this dialogue? Why might their participation be important?”

Possible answers: Instructor can highlight the diversity of participants (e.g., medical student—thinking about importance of including future leaders; mother with baby on back at the end—importance of diversity and gender balance) and also the range of justice representatives—from formal (police and gendarmes) to religious leaders and the local chief.

The following participants are present in the film:

- Koglweogo (local self-help group—paramilitary)
- Islamic leader on behalf of the Muslim community
- Chief’s representative
- Police officers and gendarmes
- Social worker
- Business owner (identified in video at 6:11)
- Forestry officer (identified in video at 6:18)
- Activist (identified in video at 8:57)
- Medical student (identified in video at 9:16)
- Balai Citoyen, a nongovernmental organization (NGO) that is funded by the US Institute of Peace, is facilitating the dialogue—presence of international actors and human rights NGOs

MODULE 5: DEEPER DIVE: DANGEROUS SPEECH OR COMMUNITY DIALOGUES

Ask: “Is there anyone whose participation might make the dialogue more complicated or inhibit mass atrocity prevention efforts?”

Possible answers: Participants may note the inclusion of the Koglweogo—a militia group—in the dialogue and may discuss the benefits and challenges of their inclusion.

Ask: “How might an effort like this help criminal justice professionals better understand and evaluate risk for mass violence against civilians?”

Possible answers: Participants may note the changes identified in the film as a result of the dialogue:

- Less fear of security forces (5:08)
- Easier to approach them (5:10)
- Koglweogo used to beat people to death for alleged crimes, but now they understand what can and cannot be done (5:18)
- Koglweogo have a better understanding of the police and how to work effectively with them (8:12)
- Police get more information from the community (9:00)
- The various groups have made good connections (9:07); they understand and know each other better (9:12)
- Increased trust in each other (10:59)
- More able to communicate issues with each group in the future (11:09)
- The groups are now sharing the same goals (11:23)
- They respect each other and know their respective roles (11:25)

Conclusion (2 minutes)

Slides 16–17

Say: “Links to both the 2008 and 2022 versions of the US Government Atrocity Assessment Framework are included in your handout. The framework includes identification of key actors who might play a role either in preventing or mitigating mass atrocities or in facilitating them. It also includes consideration of core grievances that drive atrocity risk. As you think about using community dialogue as a tool in your own context, you may wish to use the framework to determine who needs to be included in the dialogue and which core grievances are the most critical to address.

MODULE 5: DEEPER DIVE: DANGEROUS SPEECH OR COMMUNITY DIALOGUES

“The United States Holocaust Memorial Museum also has an Early Warning Project that analyzes risk factors for mass atrocities in individual countries. You can visit the website (link included in your handout) to see the ranking for Burkina Faso and compare the information in the report with the information you saw in the video. You can also see the ranking for your own country as well as which risk factors are identified. You can use this as a resource to inform your own prevention work.

“The use of a tool such as community dialogues sets an important foundation for mass atrocity prevention work: no one operates alone, and nothing is achieved in isolation. The more we can build meaningful bridges between different community players, the stronger our prevention efforts.”

MODULE #5A HANDOUT: DANGEROUS SPEECH AND HATE SPEECH

Freedom of expression is a fundamental human right, enshrined in Article 19 of the Universal Declaration of Human Rights (UDHR):

Article 19: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

Case Study

A community member reports that there are subjects handing out paper brochures in public in both a commercial area and in a residential neighborhood. The subjects are not aggressive toward anyone nor are they forcing people to take the brochures. The subjects are also leaving the brochures on car windshields like an advertisement (under the windshield wiper). Examination of the brochures reveal the following:

- Hateful remarks about a minority group (name calling)
- Language blaming the minority group for economic problems in the country
- Language blaming the minority group for ruining the community and society
- Language stating that society needs to remain “pure” and people need to avoid interacting or procreating with the minority group
- Information on how to join the organization that the subjects belong to in order to aid “spreading the word”

Community members and local politicians are demanding you take immediate action on the group, and they say this hate speech must be stopped.

Describe the situation.

- How would you handle the demands for action by the community and politicians?
- What could happen as a result of your actions?

MODULE #5B HANDOUT: TOOLS FOR PREVENTION: COMMUNITY DIALOGUE

US Government Atrocity Assessment Frameworks:

- USAID and US Department of State, [Atrocity Assessment Framework](#) (2015)
- US Department of State, [US Atrocity Risk Assessment Framework](#) (2022)

United States Holocaust Memorial Museum, [Early Warning Project](#)

LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES FOR PREVENTING MASS ATROCITIES

MODULE 6: Leadership, Motivations, and Rationalizations during Mass Atrocities



Members of Police Battalion 101 celebrate Christmas in their barracks, December 25, 1940. *US Holocaust Memorial Museum, courtesy of Michael O'Hara*

MODULE 6: LEADERSHIP, MOTIVATIONS, AND RATIONALIZATIONS DURING MASS ATROCITIES

This module seeks to define and discuss leadership qualities that can aid domestic criminal justice professionals in mass atrocity prevention measures. It also encourages participants to reflect on their own vulnerabilities as leaders through a discussion of the motivations and pressures that can lead people to rationalize unethical behavior.

Participants will consider ethical leadership, rationalization, and common motivations for perpetrators of mass atrocities. Engaging with historical testimonies of individuals who perpetrated mass atrocities will allow participants an opportunity to discuss how “normal” people can commit terrible acts, as well as the moral injury that can result from perpetration. Connecting to leadership considerations, this module will provide time for participants to reflect on how awareness of the human tendency to rationalize our actions can help leaders make better decisions.

Participants will have an opportunity to consider their own leadership environment in relation to these concepts.

Guiding questions for this module

- What do we know about why people participate in mass atrocities?
- How does this knowledge help us stop or disrupt these actions?
- How can we guard against our own participation?
- What leadership qualities should criminal justice professionals possess to help prevent mass atrocities?

Module objectives

- Participants understand basic concepts of leadership and can articulate the meaning of *ethical leadership*.
- Participants are able to discuss and reflect openly on common motivations, rationalizations, and vulnerabilities of criminal justice professionals in atrocity events.
- Participants reflect on the leadership qualities and actions they need to effectively address mass atrocity scenarios.

MODULE 6: LEADERSHIP, MOTIVATIONS, AND RATIONALIZATIONS DURING MASS ATROCITIES

Module length: 1 hour, plus 5 minutes for optional add-on exercise

SEGMENT	LENGTH
Introduction, Discussion: What Does the Term <i>Leadership</i> Mean to You?	5 minutes
Overview of Leadership Concepts and Rationalization Concepts	10 minutes
Exercise: Perpetrator Testimonies	25 minutes
Discussion: Rationalizations and Ethical Leadership	15 minutes
Conclusion	5 minutes
Optional Add-On: Battalion 101 Photo Analysis Exercise	5 minutes

Required materials

- Module #6 PowerPoint
- Module #6 Handout

Further reading

- Key Resource: United States Holocaust Memorial Museum, [Guide to Criminal Justice and Preventing Mass Atrocities](#) (2023), Chapters 2, 3, and 4
- Bradberry, Travis, and Jean Greaves. *Emotional Intelligence 2.0*. San Diego: Talentsmart, 2009.
- Browning, Christopher R. *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland*. Revised ed. New York: Harper Perennial, 2017.
- Huberts, Leo, Muel Kaptein, and Karin Lasthuizen. “A Study of the Impact of Three Leadership Styles on Integrity Violations Committed by Police Officers.” *Policing: An International Journal of Police Strategies and Management* 30, no. 4 (2007): 587–605.
- Huberts, Leo, Jeroen Maesschalck and Carole L. Jurkiewicz. *Ethics and Integrity of Governance: Perspectives across Frontiers*. Cheltenham, UK: Edward Elgar, 2008.
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- Kouzes, James, and Barry Posner. *A Leader’s Legacy*. San Francisco: Jossey-Bass, 2006.
- Lipman-Blumen, Jean. *The Allure of Toxic Leaders*. New York: Oxford University Press, 2006.
- Moore, Harold. *Hal Moore on Leadership*. Maple Grove, MN: Magnum Books, 2017.

MODULE 6: LEADERSHIP, MOTIVATIONS, AND RATIONALIZATIONS DURING MASS ATROCITIES

- Northouse, Peter. *Leadership: Theory and Practice*. 9th ed. Los Angeles: Sage Publications, 2021.
- Straus, Scott. [*Fundamentals of Genocide and Mass Atrocity Prevention*](#). Chapter 4, “Perpetrators.” Washington, DC: United States Holocaust Memorial Museum, 2016.
- Waller, James. *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing*. 2nd ed. Oxford: Oxford University Press, 2007.
- Willink, Jocko. *Extreme Ownership*. New York: St. Martin’s Press, 2015.
- Willink, Jocko. *The Dichotomy of Leadership*. New York: St. Martin’s Press, 2018.
- Willink, Jocko. *Leadership Strategy and Tactics*. New York: St. Martin’s Press, 2020.

LESSON PLAN

Introduction (5 minutes)

Slides 1–3

Explain: “Up to this point, we have focused on prevention—the before stage—this is the stage where you have the most ability to act. In this session, we are going to focus on the during stage—what happens when the situation around you becomes more complex? How does the context affect behavior and your ability to act? We are going to think a bit more about leaders’ individual capacity for decision making and influence. To do that, we will

- Explore the concept of *leadership*
- Analyze and discuss the role of ethical leadership in mass atrocity prevention
- Explore common rationalizations and motivations for unethical behavior during mass atrocities
- Reflect on leadership characteristics in relation to your role as a leader

Ask: “I would like to begin by creating a common definition of the term *leadership*. What does the term mean to you?”

Possible answers: After participants share their responses, the instructor may share the ‘Five Leadership Traits’ examples—making connections to those already raised and noting those that did not come up in conversation: competence, self-confidence, determination, integrity, and sociability.

Note: Instructor may ask participants to write down their answer on a piece of paper and then share out their responses with the group, or the instructor may wish to write down participants’ responses on a piece of chart paper that can be referenced during the session.

Say: “It is important that you as the leader are willing to take responsibility. We will discuss having a forward-thinking and proactive mindset. Your leadership can improve operations and the environment where you work. Your leadership can influence, motivate, and guide those who work for and with you. Good leadership can uphold the fundamental rights of all civilians and safeguard lives. Your leadership can prevent atrocities.”

Overview of Leadership Concepts and Rationalization Concepts (10 minutes)

Slides 4–9

Slide 4

Say: “We’ve just generated a number of ideas about leadership. Today I’ll share some framing that can help us think about what you shared and will invite you to reflect on your own leadership style. My hope is that this session will generate internal analysis and reflection.

“There are various definitions of the term *leadership*. But generally speaking, leadership is the ability to influence and motivate others to complete or accomplish a goal. For the purpose of this course, the goal or mission is mass atrocity prevention and the preservation of all lives.” [Instructor may connect this mission to the mission statement of participants’ agencies or institutions if researched in advance.]

Slide 5

Say: “We tend to think of power as hierarchical, a top-down phenomenon—but there are different kinds of power. *Positional power* is the power a person derives from a particular office or rank. *Personal power* is the influence a leader derives from being seen as likable and knowledgeable. You are all leaders in some capacity—depending on your position, you may exercise positional power, personal power, or both.”

Slide 6

Say: “Given the power that each of you exercise within your agencies, for the purposes of this course, we want to focus on a specific kind of leadership. Ethical leadership can be defined as ‘the demonstration of normatively appropriate conduct through personal actions and interpersonal relationships, and the promotion of such conduct to others through two-way communication, reinforcement, and decision making.’¹

“This can be summed up very briefly: Do the right thing, for the right reasons, the right way. When deciding policy or making orders, think ethically—will this decision protect the peace and lives of all people? Are my actions fair and equal?”

¹ Brown, Michael, Linda Trevino, and David Harrison, “Ethical Leadership: A Social Learning Perspective for Construct Development and Testing,” *Organizational Behavior and Human Decision Processes* 97 (February 17, 2004): 120.

Slide 7

Ask: “These are a few key principles of ethical leadership. How might each of these principles tie into mass atrocity prevention? How do they tie into your mission, values, and code of conduct and professional standards?”

Possible responses: Open-ended—see the list that follows for additional concepts the instructor may choose to incorporate into the discussion.

- **Respects Others.** In mass atrocity crimes, vulnerable groups and civilians are targeted—for example, they may be a minority group or a group about which negative stereotypes exist. Ethical leaders respect the lives of all humans, promote peace, and protect those who cannot protect themselves.
- **Serves Others.** Ethical leaders are humble and able to reflect on their own vulnerabilities and see themselves as public servants—warrior versus guardian mindset.
- **Shows Justice.** Ethical leaders are concerned with fairness and justice—recall the warning signs of discriminatory legislation and impunity for past crimes. Treat all people equally and consider everyone when making decisions.
- **Manifests Honesty.** Honesty helps build trust within the community—vital for atrocity prevention. Avoiding corruption and abuse of power are essential to building public trust and rule of law, and provide a foundation for state officials to be effective in atrocity prevention.
- **Builds Community.** Concern for all people within a community—not just some groups over others. Recall the warning sign of labeling civilian groups as the “enemy.”

Say: “A key part of ethical leadership is recognizing our own vulnerabilities to unethical behavior, in order to think ahead to how we might respond when faced with difficult situations. In the context of mass atrocities, we tend to focus on motivations like fear and ideology. While these motivations can play an important role in someone’s decision to participate or go along with the commission of mass atrocities, ordinary human motivations such as peer pressure or careerism can often play a role in people’s decision-making, even in the most extreme contexts. While some pressures and motivations are specific to one time and place and rooted in the political, cultural, and ideological context, others reflect timeless social and psychological vulnerabilities all human beings face. These are important to understand in order to prepare ourselves to be more ethically conscious leaders.”

Slides 8–9

Say: “When our conduct clashes with our prior beliefs, our beliefs can change to match our conduct, without noticing that this is going on. We refer to this phenomenon as *rationalization*. Rationalization, simply put, means trying to resolve the tension between your unethical actions and the desire to see yourself as a good person.

MODULE 6: LEADERSHIP, MOTIVATIONS, AND RATIONALIZATIONS DURING MASS ATROCITIES

“Rationalizations, or how we convince ourselves that we are still ‘good people’ in spite of our actions, come in many forms. They can arise well before or in the lead-up to mass atrocities, as well as while mass atrocities are underway. These are some common types of rationalizations.” [Instructor may read through the list of rationalizations on slide 9 aloud or give participants a few minutes to read through the list on their own.]

“Take a minute to think about a time when you have heard one of these rationalizations used. [Reflective only, no discussion.] While the choice to participate in mass atrocities is an extreme context, we often see leaders in less extreme situations rationalize their involvement in unethical behaviors with many of the same devices you see here. In the next exercise, we will look at a case study examining how police rationalized their participation in the Holocaust, and I will ask you to keep this list of rationalizations in mind.”

Exercise: Perpetrator Testimonies (25 minutes)

Slides 10–12

Say: “We ended Module 3 with a brief discussion of how German police officers followed behind the front lines of the German army during World War II and participated in mass shootings of Jews and other perceived enemies of the Nazi state. In this exercise, we’ll take a look at statements from German police officers who were asked to participate in mass shootings as well as the testimony of a Lithuanian auxiliary police officer who participated in mass killings of Jews during the Holocaust.”

Instructor should give participants 5 minutes to read through the quotes from German police officers on the first page of the handout.

Say: “Next we will view a clip that features Juozas Aleksynas² of Lithuania. During World War II, he served as an auxiliary to German forces and participated in several massacres of Jews in occupied Belarus in fall 1941. Aleksynas’ citizenship changed many times between independent Lithuania, the Soviet Union, and Germany in the 1940s. In addition to serving in this German auxiliary unit, he claimed to have served as a Soviet partisan during World War II. This testimony in which he recounts his experiences was filmed in 1998.” [Instructor should warn participants that the video contains graphic descriptions of mass killings.]

After showing the video, the instructor may wish to give participants 5 minutes to discuss the questions below in small groups, followed by reporting out to the larger group for a 10-minute discussion.

Ask: “Thinking about the quotes you read from German police officers and the testimony you just watched, how did each person explain their decision to participate in mass killings? How did they wrestle

² Pronunciation: Yu-O-zuss Alek-SEE-nuss

MODULE 6: LEADERSHIP, MOTIVATIONS, AND RATIONALIZATIONS DURING MASS ATROCITIES

with any ethical tensions they may have felt about their participation? Did you notice any of the common rationalizations we discussed before?” [Instructor may refer participants to the list of common rationalizations on their handout.]

Possible answers: Denial of victim: If I don’t shoot children, they will grow up to threaten my family; money/greed/personal gain through participation; conditioning/desensitization—got easier to participate as they went along; denial of responsibility (Aleksynas testimony—only blames God, does not take responsibility for his actions).

Ask: “How did the choice to participate or not participate in mass killings affect the police officers?”

Possible answers: German police officer quotes highlight choice—officers were assigned other duties if they refused to shoot. Lithuanian police officer describes ongoing shame about his participation. Moral injury to perpetrators from their own participation. Instructor can also highlight the importance of ethical leadership here—when the leadership environment does not integrate ethical principles, subordinates have limited options to act on their ethical concerns.

Ask: “How might society be affected if those who participated in mass atrocities don’t face any consequences?”

Possible answers: Impunity for past crimes as a warning sign for mass atrocities, divisions in the community, mistrust of police and state authorities if involved in perpetrating mass atrocities previously; lack of ethical leadership in institutions if criminal justice professionals who were involved in perpetrating mass atrocities are reinstated and do not have to account for their participation.

Discussion: Rationalizations and Ethical Leadership (15 minutes)

Slides 13–14

Say: “After the end of World War II, many criminal justice professionals who aided the Nazi regime claimed they were ‘just following orders.’ However, as we saw in the last exercise, the reality was more complex. As we conclude this session, I would like to bring the conversation back to your own leadership environment, reflecting on our previous discussion of ethical leadership and rationalizations.”

Instructor may wish to give participants 5 minutes to discuss in small groups before reporting out to the larger group for 10 minutes. Participants may discuss all questions or choose from the questions that follow for the discussion. This is an opportunity for participants to reflect on their environment, and the instructor may therefore wish to emphasize for participants that anything shared during this session should remain confidential to encourage open and honest conversation.

Ask: “If a colleague tries to rationalize unethical behavior, how can you respond?”

MODULE 6: LEADERSHIP, MOTIVATIONS, AND RATIONALIZATIONS DURING MASS ATROCITIES

Ask: “Is it still worthwhile to object if you think no one will listen to you? Or if you think there will be consequences for speaking out?”

Ask: “What could you do to improve your leadership environment for the purpose of atrocity prevention?”

Ask: “Is giving feedback to supervisors encouraged in your agency or organization? Why or why not?”

Conclusion (5 minutes)

Slides 15–16

Say: “In this session, we have considered how ‘ordinary’ humans can find themselves committing what we might consider ‘extraordinary’ acts—as well as how we can think ahead about possible responses to avoid getting pulled into unethical behavior in the moment. In this course, we are breaking down the cycle of mass atrocity violence and considering the actions that can be taken to prevent, mitigate, or even seek redress in the aftermath. The goal in this course is for you to consider what type of leadership role—whether personal or positional—you can play in working toward prevention. Thinking about the definition of ethical leadership we discussed earlier in the session in terms of atrocity prevention, we could define ethical leadership as modeling behaviors and relationships that preserve life and help prevent atrocities, and encouraging others to do the same.

“In the upcoming sessions, I invite you to continue to reflect on your own strengths and weaknesses as a leader, to keep in mind the principles of ethical leadership we have discussed in this session, and to think about how these characteristics might be useful in atrocity prevention.”

Optional Add-On: Battalion 101 Photo Analysis Exercise (5 minutes)

Slides 17–19

Instructor may choose to open the session with a photo analysis exercise to emphasize the role of ordinary motivations (in particular, the role of group dynamics, camaraderie, hypermasculinity, etc.) in the perpetration of mass atrocities.

Instructor should show the image of Battalion 101 without the caption (slide 18).

Ask: “As you saw in the Holocaust case study in Module 3, the Nazis needed the help of leaders across German society to carry out the ‘Final Solution.’ I would like you to examine the photo on this slide closely: What stands out to you as you look at this image? What does this photo suggest about the relationship between these men?”

MODULE 6: LEADERSHIP, MOTIVATIONS, AND RATIONALIZATIONS DURING MASS ATROCITIES

Possible answers: Men are in uniform; it appears to be some kind of celebration; they are drinking alcohol; they look happy and relaxed. Men appear to be close and friendly; they are drinking buddies.

Instructor should reveal the caption (slide 19).

Ask: “This is an image of Police Battalion 101, one of the German police battalions tasked with carrying out mass shootings of Jews during the Holocaust. This picture was taken in 1940, two years before they started participating in the shootings. How do you think the dynamics you see in this photo might have affected individual officers’ willingness to participate in this massacre?”

Possible answers: Don’t want to let your buddies down; don’t want to leave others to do the “dirty work”; want to be a “team player.” Instructor may wish to highlight the role of performative masculinity in perpetration of mass atrocities.³

Say: “When we discuss the role of perpetrators during mass atrocities, we tend to focus on motivations such as fear for one’s safety and ideology. While these motivations can play an important role in someone’s decision to participate or go along with the commission of mass atrocities, ordinary human motivations such as peer pressure can often play a role in people’s decision making, even in the most extreme contexts. While some pressures and motivations are specific to the time period and rooted in the political, cultural, and ideological context, others reflect timeless social and psychological vulnerabilities all human beings face. These are important to understand in order to prepare ourselves to be more ethically conscious leaders.”

³ For more information on the role of performative masculinity in perpetration of the Holocaust, see Edward B. Westermann, *Drunk on Genocide: Alcohol and Mass Murder in Nazi Germany* (Ithaca and London: Cornell University Press, 2021). Published in association with the United States Holocaust Memorial Museum.

MODULE #6 HANDOUT: PERPETRATOR TESTIMONIES AND RATIONALIZATIONS

Perpetrator Testimonies

“I was ... present at the enormous mass killings the day before yesterday. For the first truckload my hand trembled slightly when shooting, but one gets used to it. By the time the tenth truck arrived I was already aiming steadily and fired surely at the many women, children, and infants. Bear in mind that I also have two babies at home, to whom these hordes would do the same, if not ten times worse.”

German police officer Walter M.

“Members of our police station were, with a few exceptions, quite happy to take part in shootings of Jews. They had a ball! ... They wanted money and gold. Let’s not kid ourselves; there was always something up for grabs during actions against Jews.”

German policeman, Cracow District, German-occupied Poland

“After I had carried out the first shooting and at the unloading point was allotted a mother with daughter as victims for the next shooting. I began a conversation with them and learned that they were Germans from Kassel, and I decided not to participate further in the executions. The entire business was now so repugnant to me that I returned to my platoon leader and told him that I was still sick and asked for my release.”

Georg K., German police reservist

“Sometimes some of the men refused to participate in the shootings. I myself refused a few times. None of my superiors took any action against me and the same applied to other people who refused to carry out orders. We were just assigned different duties. We were not threatened with any kind of punishment, certainly not where the executions were concerned.”

German police officer from Police Battalion 322

Common Rationalizations for Unethical Behavior

"I know that I shouldn't do this, but ...

- **Denial of responsibility:** "... my boss is making me, so it isn't really my fault."
- **Denial of injury:** "... who's really being hurt?"
- **Denial of victim:** "... this person deserves it."
- **Social weighing:** "... the other side is doing even worse stuff."
- **Appeal to higher authority:** "... I have a family to feed."
- **Metaphor of the ledger:** "... I give a lot of money to charity."

LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES FOR PREVENTING MASS ATROCITIES

MODULE 7: First-Hand Testimony



A displaced Yazidi man from Iraq shows the bullet that was pulled from his leg. He was shot by Islamic State fighters but was lucky enough to survive and escape. *Mackenzie Knowles-Coursin for the US Holocaust Memorial Museum*

MODULE 7: FIRST-HAND TESTIMONY

The purpose of this module is for participants to reflect on the human impact of decisions made by criminal justice professionals during mass atrocities. The module can also serve to remind participants of their own potential agency even in complex situations. Participants will view a video featuring Wai Wai Nu, a representative from the Rohingya community who shares her experiences interacting with the criminal justice system in Burma from 2012 to 2016. In lieu of this video, the instructor may choose to lengthen the module and bring in an in-person speaker who can talk about his or her encounters with the domestic criminal justice system as a member of a targeted group in the context of mass atrocities. Guidelines for arranging a Holocaust survivor presentation can be found [here](#); these guidelines may also be adapted when inviting members of communities affected by other mass atrocities to speak.

The second segment of the module will provide time for participants to reflect on their own domestic context (which can include the before stage) to consider what roadblocks they might face as members of the criminal justice system in seeking to address mass atrocity-related issues. They will consider what possible solutions exist to solve these roadblocks.

Guiding questions for this module

- How do mass atrocity events affect individuals, their families, and their communities?
- Why does this matter for criminal justice professionals?
- What are the obstacles to addressing the possibility of a mass atrocity event?
- How can these obstacles best be overcome?

Module objectives

- Participants better understand the human impact, both positive and negative, that the actions of criminal justice leaders can have on targeted groups. As a result, participants are motivated to dialogue with communities affected by mass atrocities appropriately and to engage these communities in their work.
- Participants demonstrate enhanced understanding of the key themes of the course and how they relate to criminal justice professionals.
- Participants are able to identify potential challenges for criminal justice professionals attempting to prevent, mitigate, or address mass atrocities and possible ways to overcome these challenges.

Module length: 30 minutes

SEGMENT	LENGTH
Introduction	2 minutes
Video and Discussion: One Story of Many: Rohingya Testimony	27 minutes
Conclusion	1 minute

MODULE 7: FIRST-HAND TESTIMONY

Required materials

- Module #7 PowerPoint
- Video: “[One Story of Many: Rohingya Testimony](#)”
- Chart paper for recording responses to roadblocks question (optional)

Further reading

- Key Resource: United States Holocaust Memorial Museum, [Guide to Criminal Justice and Preventing Mass Atrocities](#) (2023), Chapters 2 and 4
- United States Holocaust Memorial Museum, [Guidelines for Arranging a Survivor Presentation](#)
- United States Holocaust Memorial Museum, [Guidelines for Teaching with Holocaust Survivor Testimony](#)

LESSON PLAN

Introduction (2 minutes)

Slides 1–2

Explain: “In this session, we will view a short testimony video of Wai Wai Nu, a member of the Rohingya community, lawyer, and human rights advocate, describing her interactions with the criminal justice system in Burma just before the onset of mass atrocities against the Rohingya in 2017.

“Through Wai Wai Nu’s testimony, we will

- Explore the impact of mass atrocities on individuals, their families, and their communities
- Discuss the impact, both positive and negative, that the actions of criminal justice leaders can have on targeted groups
- Discuss what roadblocks exist to addressing mass atrocity risk in your own context and possible solutions to these roadblocks

Note: In lieu of Wai Wai Nu’s testimony, the instructor may choose to allot more time for this module and bring in an in-person survivor speaker who can share his or her encounters with the domestic criminal justice system as a member of a targeted group in a mass atrocity scenario. In this case, the instructor can modify the discussion questions that follow to fit with the survivor testimony presented to participants.

Video and Discussion: Rohingya Testimony (27 minutes)

Slides 3–5

Instructor should play the short video of Wai Wai Nu’s testimony (*approximately 5–10 minutes*). After the video has been played, the instructor may wish to use a “think-pair-share” format, where participants are given a few minutes to reflect quietly and write down their answers to the discussion questions, then a few minutes to share in pairs with their neighbor, and then the remaining time is spent in discussion with the larger group.

Ask: “What stood out to you as you listened to Wai Wai Nu’s testimony?”

Ask: “What impact did the actions of police and others within the Burmese criminal justice system have on Wai Wai Nu and those in her community? What impact might these actions have on the larger society or the criminal justice system going forward?”

Ask: “This testimony addressed the role of criminal justice leaders in the midst of complex situations. What roadblocks, if any, exist to addressing mass atrocity risk in your own context? What are some possible solutions to these roadblocks?”

MODULE 7: FIRST-HAND TESTIMONY

Note: Instructor may wish to collect the roadblocks listed by participants on a piece of chart paper during the discussion for possible reference and use during Module 9. Instructor may also wish to emphasize how working with affected communities can help participants overcome some of the roadblocks identified and the ways in which affected communities can help with early warning, conflict mitigation, protections, and more.

Conclusion (1 minute)

Instructor may conclude the segment by summarizing points made by participants about the impact of the actions of criminal justice professionals on targeted communities and transition to the next module on redress.

LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES
FOR PREVENTING MASS ATROCITIES

**MODULE 8: Redress for Mass Atrocities:
The After Stage**



A gravesite in Kigali, Rwanda. *US Holocaust Memorial Museum*

MODULE 8: REDRESS FOR MASS ATROCITIES: THE AFTER STAGE

The purpose of this module is to discuss

1. How redress efforts in the wake of mass atrocities relate to atrocity prevention
2. Structural and institutional limitations and challenges to redress efforts as well as the challenges of pursuing accountability and societal healing in an environment where large sectors of society have been involved in perpetrating or permitting mass atrocities
3. How transitional justice tools (involving the criminal justice system) can further atrocity prevention efforts, and whether, and how, they interact with urgent needs for security, food, shelter, medical care, education and livelihood opportunities, or other issues communities may face after mass atrocities

Participants will be introduced to the concept of transitional justice and key transitional justice tools. Through discussion of a video that features testimony from two criminal justice professionals involved in redress efforts after mass atrocities and a representative from a community that has suffered mass atrocities, participants will consider their own role in transitional justice efforts, the perspectives of those most affected by mass atrocities and accountability processes, as well as potential challenges to carrying out these efforts. Participants will be encouraged to consider potential benefits and drawbacks of various transitional justice tools in terms of providing redress and preventing future mass atrocities. This module may be extended by including one or both of the optional add-on exercises: the transitional justice tools exercise and a memorial site visit.

Guiding questions for this module

- Why is pursuing justice and redress after mass atrocities important?
- What are the challenges?
- What role can criminal justice professionals play in the after stage to prevent recurrence?

Module objectives

- Identify the purpose of redress efforts after mass atrocities.
- Identify potential challenges and roadblocks to pursuing redress efforts and possible solutions.
- Display a basic understanding of key transitional justice tools, the benefits and potential drawbacks of each, and the potential role for criminal justice professions in implementing these tools.

MODULE 8: REDRESS FOR MASS ATROCITIES: THE AFTER STAGE

Module length: 1 hour, plus 30–120 minutes if including optional add-on exercises

SEGMENT	LENGTH
Introduction	2 minutes
Discussion: Redress and Transitional Justice Tools	37 minutes
Video and Discussion: Transitional Justice After Mass Atrocities	20 minutes
Conclusion	1 minute
Optional Add-On: Transitional Justice Examples Exercise	30 minutes
Optional Add-On: Memorial Site Visit	60–90 minutes

Required materials

- Module #8 PowerPoint
- Module #8 Handout
- Video: “[Transitional Justice After Mass Atrocities](#)”
- Chart paper and marker

Further reading

- Key Resource: United States Holocaust Memorial Museum, [Guide to Criminal Justice and Preventing Mass Atrocities](#) (2023), Chapter 3
- United States Holocaust Memorial Museum, [Pursuing Justice for Mass Atrocities: A Handbook for Victim Groups](#) (2021)
- United States Department of State, Office of Global Criminal Justice, [Transitional Justice Policy Paper Series](#)

LESSON PLAN

Introduction (2 minutes)

Slides 1–2

Explain: “This session will provide a general overview of the stage after mass atrocities and redress efforts. Redress is the means or possibility of seeking a remedy for past wrongs.¹ This session includes testimony from criminal justice professionals who have worked on justice and accountability efforts in situations where atrocities have taken place and where there was ongoing risk. It also includes testimony from someone whose community has been targeted in mass atrocities.

“In this session, we will cover the following topics

- Why is pursuing justice and redress after mass atrocities important? Who is involved?
- What are the challenges to pursuing justice? (This includes challenges related to devoting sufficient time and resources for consulting with victims and other stakeholders to discern needs and manage expectations, institutional roadblocks, lack of capacity, the need for special skills and resources, dealing with political will and interference, and avoiding re-traumatization of survivors.)
- How can criminal justice professionals support social healing and prevent recurrence? (This will include a review of transitional justice tools.)

“What we do after atrocities matters for reducing risk of future violence and stopping a cycle of instability and violence.”

Discussion: Redress and Transitional Justice Tools (37 minutes)

Slides 3–11

Slide 3

Say: “Simon Wiesenthal was a Jewish Holocaust survivor. After the war, he worked to gather evidence for the War Crimes Section of the US Army that was subsequently used in trials. He created an organization whose purpose was to apprehend Nazi perpetrators and bring them to trial.

“Wiesenthal and his team helped track down numerous perpetrators, including Adolf Eichmann, one of the central organizers of the Holocaust, and Karl Silberbauer, the German SS official who arrested Anne Frank.

¹ Adapted from Merriam-Webster.

MODULE 8: REDRESS FOR MASS ATROCITIES: THE AFTER STAGE

“Years later, Wiesenthal described the purpose of his work by saying, ‘My cause is justice, not vengeance. My work is for a better tomorrow and a more secure future for our children and grandchildren who will follow us.’”

Ask: “Why do you think it is important for a society to address mass atrocities after they have occurred?”

Note: Instructor may give participants a few minutes to answer and may wish to record participants’ answers on chart paper (*5 minutes for discussion*).

Say: “Wiesenthal is saying that justice is broader than vengeance. Justice looks at the health and stability of society as a whole. His notion of justice is forward-looking, about a ‘more secure future for our children and grandchildren.’ He too was a survivor, directly involved in seeking justice for the mass atrocities he and his community suffered. His example underscores the importance of transitional justice approaches involving those most affected by mass atrocities and that the transitional justice strategy responds to what communities want and how they understand justice.”

Slide 4

Say: “You have identified some of the reasons why it is important to address mass atrocities after they have occurred, and here are a few more. These are some of the goals that scholars and practitioners have identified over time for justice and accountability mechanisms.”

Key points to address

- While we typically think of justice and accountability efforts as something that takes place in the after stage, they also play a role in prevention.
 - Since World War II, at least 68 percent of mass atrocities occurred where there was violent conflict.² Given the often-cyclical nature of violence, efforts to heal or move forward as a society after mass atrocities also play a key role in prevention.
- Justice and accountability efforts are not limited to criminal justice, but can also include other forms of repair, reparation and compensation, reform, and rehabilitation to promote stability and societal healing.
- While some measures take place in the immediate aftermath of mass atrocities, others might take place decades later—justice and accountability efforts are an ongoing process.

² Task Force on the EU Prevention of Mass Atrocities, “[The Distinction between Conflict Prevention and Mass Atrocity Prevention](#)”

Slide 5

Say: “As you may recall, one of the risk factors for future mass atrocities is a history of past violence.”

Key points to address

- In the stage after atrocities, risks for future violence may still be present.
- The after stage can look similar to and even worse than the before stage, as many lives have been lost; survivors suffer displacement, trauma, and challenges in accessing basic services—the cyclical nature of violence that needs to be broken.

Slide 6

Say: “Atrocity prevention encompasses the whole cycle, as every stage carries atrocity risk.”

Slide 7

Say: “We know, however, that the reality of trying to pursue justice and accountability after mass atrocities is challenging. Mass atrocities involve crimes of a serious nature, attracting significant public attention. You may have been involved in an especially difficult or high-profile case at some point in your career that involved serious harm to victims—perhaps related to organized crime, public corruption, terrorism and extremism, or ethnic division.”

Ask: “Think about a time when you handled a case that attracted significant public (or even international) attention. This could be a case that was complex, high profile, or involved serious harm to victims. What pressures or challenges did you face? What were the sources of pressure? How did you respond?”

Note: This is a chance for participants’ expertise to inform the discussion—in facilitating the discussion, the instructor should draw out their experiences handling high-profile cases and the pressures faced—for example, pressure from the public, media attention, demands by victims’ families who want justice, and issues of political will when dealing with powerful and influential defendants (*10 minutes for discussion*).

Ask: “Based on the experiences you described, how might the challenges in dealing with mass atrocities compare to other high-profile cases?”

Possible answers: Can discuss structural issues of cost, domestic capacity, and consulting with victims and managing expectations. Mass atrocities require the involvement of society as a whole—this is different from “ordinary” crimes in this sense. How do you achieve justice and move forward as a society when a whole society has been involved in perpetrating or permitting mass atrocities? When an entire or large part of a community has suffered mass atrocities? How do you deal with the fact that the communities who have suffered may still be marginalized? How do you avoid re-traumatizing survivors

MODULE 8: REDRESS FOR MASS ATROCITIES: THE AFTER STAGE

who have to retell their stories multiple times for documentation and legal testimony? Instructor may wish to remind participants of the leadership principles discussed in Module 6, in particular the discussion about positional and personal power (*5 minutes for discussion*).

Slide 8

Say: “In the field of mass atrocity prevention, we talk about transitional justice. *Transitional justice* refers to a range of measures—judicial and nonjudicial, formal and informal, retributive and restorative—employed by countries transitioning out of armed conflict or repressive regimes to redress legacies of atrocities and to promote long-term, sustainable peace.”

Slide 9

Note: Instructor may refer participants to the Module #8 handout at this point.

Say: “Many of the tools employed in transitional justice are adapted from tools already in use by domestic criminal justice systems, although operating on a different scale.”

Key points to address

- Give a brief explanation of each of the tools (mechanisms) mentioned (refer to the Module #8 Handout).³
- Highlight which tools might involve criminal justice professionals (both obvious and not-so-obvious—for example, criminal justice actors may be involved in truth-telling bodies, as in the case of the South African Truth and Reconciliation Commission).
- Refer participants to United States Holocaust Memorial Museum’s handbook on pursuing justice for mass atrocities for more information.⁴

Slide 10

Note: Instructor may remind participants of the chart with criminal justice tools for prevention shared in the Module #4 Handout. While these are listed as prevention tools, many of them are relevant to the after stage as well.

³ More information on the transitional justice tools can be found in chapter 3 of the [Guide to Criminal Justice and Preventing Mass Atrocities](#). See also the “About Transitional Justice” article on the United States Holocaust Memorial Museum’s website: <https://www.ushmm.org/genocide-prevention/simon-skjodt-center/work/ferencz-international-justice-initiative/transitional-justice> or the US Department of State website: <https://www.state.gov/transitional-justice-policy-paper-series/>.

⁴ Sarah McIntosh, *Pursuing Justice for Mass Atrocities: A Handbook for Victim Groups* (United States Holocaust Memorial Museum, 2021), <https://www.ushmm.org/genocide-prevention/reports-and-resources/pursuing-justice-for-mass-atrocities>.

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Say: “These tools are about protecting people, especially members of vulnerable or potentially targeted groups, and ensuring equality and respect for the rights of everyone.

In deploying these tools after atrocities, criminal justice professionals can support justice, including restorative justice, at a local or domestic level, in ways that have significant impact. Examples include

- Participating in truth-telling commissions to share evidence or acknowledge personal responsibility for complicity or neglect that led to mass atrocities, as they did in the South African Truth and Reconciliation Commission
- Establishing documentation centers not only to collect evidence for potential prosecution, but also to help survivors find out what happened to missing relatives, as Simon Wiesenthal did
- In close consultation and coordination with affected communities, offering official apologies for institutions’ past misconduct or failure to prevent violence, as an American police chief did in connection with the racially motivated murder of a young African American man decades earlier, or as the British prime minister David Cameron did after the release of a commission report on the military’s excessive force in Northern Ireland in the early 1970s
- Taking opportunities to resolve legal injustices that perpetuated a group’s marginalization, as the Bangladesh High Court did in its 2008 decision confirming the citizenship rights of a linguistic minority
- Conducting systematic community outreach to collect restorative justice ideas from survivors, as nongovernmental organizations did in Guinea, and where the community recommended reparation from the state in the form of paving a road to the local market to support livelihoods and renaming the road as a memorial to victims
- Connecting communities with other resources and philanthropic initiatives through which they can obtain economic development assistance, as a Nigerian police official did when he engaged an organization to assist with repairing a dam in a state struggling with herder-farmer violence⁵

Slide 11

Say: “Transitional justice tools can be used together and within the bigger context of peacebuilding and political transition or reform.”

Ask (*10 minutes for discussion*):

- “What tools suit your particular situation? Which tools—if any—have been used in the past, and what was their impact?”
- “Which tools could further the goals of stability and societal healing, or potentially exacerbate tensions or increase risks?”
- “What is the risk of implementing transitional justice tools? How do you balance this risk with trying to make progress within a community?”

⁵ References can be found in Chapter 3 of the [Guide to Criminal Justice and Preventing Mass Atrocities](#).

Video and Discussion: Transitional Justice After Mass Atrocities (20 minutes)

Slides 12–13

Say: “After World War II, in 1949, Germany became two countries on opposite sides of the Cold War. West Germany underwent significant democratic and legal reform while criminal prosecutions of suspected war criminals took place in international and domestic courts. This included a new constitution enshrining fundamental human rights, restoration of citizenship to victims, efforts to remove Nazis from government positions, and financial reparations, among other measures. In practice, some of these reforms and their implementation met with controversies and challenges. Administrative processes for restoration of citizenship and financial reparations have been burdensome, many government officials who served under the Nazi regime were once again restored to their positions, and so on. However, Germany’s postwar reforms and political practices are noteworthy in seeking to shape an order based on fundamental rights, nondiscrimination, democratic values, and rule of law that is more resilient than past systems against atrocity risk.

“In the next segment, we will view a short video that features criminal justice professionals speaking about their own participation in efforts to pursue justice and accountability in the wake of mass atrocities, as well as a representative from a community that suffered mass atrocities.”

Ask: “As you watch the video, consider these questions

- What reasons did the interviewees give for pursuing transitional justice efforts? How might the motivations of criminal justice professionals and victims vary in pursuing transitional justice efforts?
- What are the challenges of the transitional justice tools described?
- How might the transitional justice efforts described in the video have contributed to reducing the risk of future violence or mass atrocities?”

After watching the video, the instructor may select from the questions above for a facilitated discussion; however, the instructor should ensure that there is adequate discussion time for the last question (How might these efforts have contributed to reducing the risk of future violence or mass atrocities?) to emphasize the connection between redress efforts and atrocity prevention. Instructor may wish to have participants divide into small groups to discuss the questions before reporting out to the larger group (*15 minutes for discussion*).

Conclusion (1 minute)

Slide 14

Ask: “In this session, we have shared a number of transitional justice tools that can be used to promote justice and accountability in the aftermath of mass atrocities, as well as to prevent future atrocities. You know your country and community the best—from your personal and professional experience, what tools do you think you could use to promote reconciliation in your own community?”

Note: This is not intended to be a discussion question—instead, the instructor should encourage participants to take a few minutes to reflect on this question individually and write down their answers. Tools may be those mentioned in the session or another tool that comes to mind for participants. Instructor should encourage participants to think about why they chose that specific tool, to revisit their answer to this question during the subsequent action planning session (Module 9), and to save and revisit it after the course as well.

Optional Add-On: Transitional Justice Examples Exercise (30 minutes)

Slides 16–21

This exercise is intended to allow participants to engage more deeply with the various transitional justice tools and may be inserted after the tools are introduced on slide 11. The video examples of each transitional justice tool may be viewed and discussed together as a large group, or the instructor may choose to divide participants into smaller groups and assign each group one of the four videos to discuss, followed by reporting out to the larger group. The video clips range in length from roughly 3 to 6 minutes.

While participants view the video clip(s), the instructor should ask them to jot down their notes in response to the following question:

Ask: “What are the potential challenges and benefits of this tool for leaders trying to respond to mass atrocities?”

Participants may then share their responses to this question either in their small groups or with the larger group, or both. Some additional considerations the instructor may choose to highlight during the discussion include

- Consideration of how soon specific tools should be implemented in the aftermath of mass atrocities—will they further the goal of promoting societal healing and preventing recurrence, or will they potentially exacerbate divisions or spark further violence? How can they be implemented in a way that avoids re-traumatizing survivors?
- What are the cultural considerations for these tools?

- Consideration of how these tools might be implemented in a way that helps survivors overcome social stigmas associated with speaking out, encourages the meaningful participation of women and other marginalized groups, or combats ongoing barriers for affected groups, such as children of sexual violence who might have trouble receiving papers and accessing education.
- What is the cost, political viability, and so on?
- Can they think of examples in their own country or other examples they are familiar with where the community wanted something in addition to or instead of criminal trials? What role, if any, might criminal justice professionals play in pursuing transitional justice efforts beyond trials?

Optional Add-On: Memorial Site Visit (60–90 minutes)

Instructor may wish to augment the course content by arranging for a visit to a memorial site or museum that commemorates victims of a mass atrocity. Examples include Holocaust memorial sites or museums, the Kigali Genocide Memorial, or other local monuments, memorial sites, or museums to victims of mass atrocities. In the absence of an appropriate local site, the instructor could also consider a virtual tour of a memorial site or museum. The purpose of this optional add-on session is to provide an experience that maximizes the “power of place,” demonstrates the human impact of mass atrocities on victims and communities, and opens discussion for participants about how societies commemorate mass atrocities. When used in conjunction with Module 8, this add-on session is designed to help participants engage more deeply with benefits and challenges of memorialization as a transitional justice tool. It can also be used in conjunction with Module 3 or Module 6 to provide additional historical background about the Holocaust (if visiting a Holocaust memorial site or museum) and to empower participants to discuss the role of the criminal justice system, especially before and during mass atrocities. The session should be conducted in a way that encourages dialogue among participants and critical engagement with the history presented.

Selecting a Memorial Site and Planning a Visit

Instructor may select a monument, memorial site, museum, or walking tour experience that commemorates victims of a mass atrocity event. Where appropriate, the instructor may wish to contact the relevant site in advance to arrange for group entry, tours, and so forth. The visit may take place on a date prior to the run of the 8-hour course, or it may be incorporated into the course day itself. While for the purposes of this facilitator guide 60–90 minutes has been budgeted for this exercise, the instructor should communicate with the site to determine the correct length for a visit and, where appropriate, to arrange for meeting/debrief space for a conversation at the end of the visit. Instructor should plan to visit the site on their own prior to the group’s visit to ensure that the site is compatible with the goals of the course.

Possible criteria to consider when selecting a site include

- Site commemorates a mass atrocity event (as opposed to war memorials, etc.)
- Narrative of the site fits into the overarching narrative of the inquiry question (information on how to develop an inquiry question for this session follows this list)
- Site showcases early warning signs and dynamics that lead a society to mass atrocities
- Ability to highlight criminal justice angle through the content presented at the site
- Spatial requirements—site is located within a reasonable distance for participants to travel to it either individually or through pre-arranged group transportation and is large enough to accommodate the group
- Power and impact of topography—ability to showcase something that you couldn't get in the classroom either through the physical location of the site, the memorial/museum itself, or both
- Ability of the site to create disequilibrium/dissonance for participants (i.e., participants recognize that while the specific historical context might feel foreign, aspects related to the professional functions and roles of the institution contain familiar elements)
- Availability of additional meaningful primary source materials (testimonies, documents, photographs, etc.) linked to the site that may be used to augment the discussion
- Availability of resources in multiple languages (where relevant, if the primary language used in resources at the site does not match the languages spoken by participants)
- Ability to showcase multiple perspectives at one location (victim, perpetrator, criminal justice, witness, etc.)

Prior to the visit, the instructor should develop an inquiry question to frame the visit for participants. This inquiry question may be developed in tandem with educators from the site or shared with them in advance of the group's visit. Possible themes for the inquiry question include

- How the choices of individuals and institutions at various stages influence the trajectory of mass atrocities
- The central role played by criminal justice institutions/actors in mass atrocity scenarios
- The benefits and challenges of memorialization as a transitional justice tool in the wake of mass atrocities

Sample inquiry questions from a walking tour of Holocaust sites in Budapest, Hungary, during the 2022 “Lessons in Leadership” course

1. What factors created an environment that made mass atrocities possible in the 1940s in Hungary?
2. What role did criminal justice professions play in this environment? In what ways did the roles of these professions transform or stay the same during this time?

Facilitating a Debrief/Discussion at the Conclusion of the Site Visit

Where possible, the instructor may wish to work with educators at the memorial site to develop a few questions for a facilitated discussion with participants at the end of the visit. Below are some questions to choose from that may be tailored based on the nature of the site:

Observations and general impressions of the site

- What do you see/observe/feel?
- What are your impressions?
- What catches your attention most?
- What story does this site tell and why?
- As criminal justice professionals, how do you reflect on the story told by this site?

Role of ordinary people and professionals in mass atrocities

- What risk factors, warning signs, or triggers are present in this narrative?
- What does the narrative at this site tell you about individual choices?
- Who is responsible for the mass atrocities that occurred in this case?
- What led people in this community/society to participate in and commit mass atrocities?
- What and who does it take for something like this to happen? What is the role of criminal justice professionals in this?
- How do laws influence what is considered “normal” or “acceptable” in a society? How do the policies and practices of criminal justice institutions affect this?
- Who is considered part of the community, and how does state action shape this understanding?

Memorialization

- Who created this memorial and why?
- How are these events commemorated by this memorial site/museum? What do we choose to remember, and why does that matter?
- Who is missing from this memorial/who is not represented? (Where relevant)
- Who is or should be responsible for preserving memory? Is there a role for criminal justice professionals to play in this?
- What makes dealing with the past difficult/challenging? What is complex about commemorating these events?
- What is the role of memorialization and public dialogue in transitional justice? (Can touch on collective responsibility and guilt—the impact of ignoring society’s guilt/lack of dialogue on cycles of violence)
- Why might dialogue about memorials be important? What can be the consequences of different narratives about these events?
- What does commemorating these events mean for us today? What is the impact of this site on public memory?

MODULE #8 HANDOUT: TRANSITIONAL JUSTICE AND ACCOUNTABILITY MECHANISMS

Transitional Justice Mechanisms¹

TYPE OF ACCOUNTABILITY MECHANISM	KEY ROLE IN PROMOTING JUSTICE
Trials or Legal Accountability	Targets individual wrongdoing (criminal trials) or state responsibility (United Nations, International Court of Justice, domestic courts or commissions).
Fact-Finding or Truth-Telling Bodies	Allows victims and survivors the ability to share and publicly legitimize their experiences. Can reveal previously unknown information about violence and can promote social healing.
Reparations	Makes amends to victims of violence, through restitution, compensation, official apologies, or other means.
Lustration and Vetting	Removes perpetrators and architects of violence from future governance structures.
Memorialization	Recognizes and preserves the memory of past violence. Educates future generations.
Legal and Institutional Reform	Incorporates lessons from the past into reformed laws, agencies, and political institutions to prevent abuses from recurring. Signals to survivors and society at large that the dynamics that led to mass atrocities will not be tolerated again.

¹ For more background and practical perspectives on justice and accountability after atrocities, see Sarah McIntosh, [Pursuing Justice for Mass Atrocities: A Handbook for Victim Groups](#) (United States Holocaust Memorial Museum, 2021).

Foreign Legal Accountability: Jurisdictional Types

TYPE	DEFINITION	EXAMPLES
Extraterritorial Jurisdiction	A government may initiate a case when nationals—either victims or perpetrators—of the country where atrocities took place seek residence or citizenship on the government's territory.	The United States, France, Belgium, Canada, and other governments have initiated or completed investigations against Rwandan nationals who resided in those countries and who were accused of committing crimes during the Rwandan genocide.
Universal Jurisdiction	States may invoke the principle of universal jurisdiction, which is premised on the idea that some crimes are so heinous that any state can prosecute them, even if the state is not directly connected to the events in question.	Israel's prosecution of Adolf Eichmann in 1961; a Spanish court's indictment and subsequent attempt to extradite former Chilean dictator Augusto Pinochet in 1998

Domestic and International Legal Accountability Mechanisms

MECHANISM	DEFINITION	EXAMPLES
Domestic Court	Ordinary court system and informal alternative justice	Rwanda: ordinary courts and gacaca; Central African Republic (CAR): ordinary courts
Specialized Chamber of Domestic Court	Specialized chamber operating within domestic system. Often has special applicable procedures and sometimes international funding and staff.	Rwanda: International Crimes Chamber; CAR: Special Criminal Court
Hybrid Court	Located <i>in situ</i> and embedded to varying degrees in the local justice sector. Local and international funding and staff.	Special Court for Sierra Leone (SCSL); Extraordinary Chambers in the Courts of Cambodia (ECCC)
Ad Hoc Tribunal	Created by the UN Security Council to prosecute crimes from a particular period and region.	International Criminal Tribunal for the Former Yugoslavia (ICTY); International Criminal Tribunal for Rwanda (ICTR)
The International Criminal Court (ICC)	ICC can assert jurisdiction as a court of last resort over member states, their nationals, and with UN SC referrals, respecting the norm of complementarity.	ICC investigations in Democratic Republic of Congo (DRC), Sudan, Uganda, Kenya, CAR, Côte d'Ivoire, Mali, and Libya

LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES FOR PREVENTING MASS ATROCITIES

MODULE 9: Action Planning and Change Management



United States Army Sergeants Major Academy group of International Officers visit the United States Holocaust Memorial Museum on May 5, 2011. *US Holocaust Memorial Museum*

MODULE 9: ACTION PLANNING AND CHANGE MANAGEMENT

The purpose of this module is to enable participants to identify practical applications of the course content in their own work. This structure tracks basic components of an Atrocity Risk Assessment¹ through which participants can sharpen understanding of their domestic context, clarify the role they or their respective agencies can play in preventing or mitigating mass atrocities, and develop clear recommendations for action.

The module involves reflection and discussion on how the course content relates to course participants' roles as criminal justice leaders in mass atrocity prevention. It also explores how applying change management tools can support mass atrocity prevention. The module introduces some basic theory on change, including the different perspectives and systems that can be useful if implementing new approaches in one's domestic context. The module will also review some practical course tools and approaches. The draft plan can involve small or large actions; it can focus on one or more than one action.

Guiding questions for this module

- After participating in this course, how has your understanding of your profession changed?
- How can criminal justice professionals include mass atrocity prevention in their daily work?

Module objectives

- Participants are better able to connect the course themes, frameworks, and tools to their own professional realities.
- Participants leave the course with a draft action plan to help improve prevention.

¹ The components highlighted here are drawn from the United States Government [Interagency Conflict Assessment Framework](#) (2008) and USAID and US Department of State, [Atrocity Assessment Framework](#) (2015). The Atrocity Assessment Framework was prepared by the US Department of State's Bureau of Conflict and Stabilization Operations and USAID's Center of Excellence on Democracy, Human Rights, and Governance. Updated version of the [US Atrocity Risk Assessment Framework](#) (2022). *See also* USAID, [Conflict Assessment Framework](#), Version 2.0 (June 2012).

MODULE 9: ACTION PLANNING AND CHANGE MANAGEMENT

Module length: 95 minutes

SEGMENT	LENGTH
Introduction and Reflection on the Course	15 minutes
Change Management Principles	15 minutes
Action Planning Worksheet and Discussion	60 minutes
Conclusion	5 minutes

Required materials

- Module #9 PowerPoint
- Module #2 Handout (Risk Factors, Warning Signs, and Triggers of Mass Atrocities) and Module #9 Handout (Action Planning Worksheet)
- Chart paper and marker (optional)

Further reading

- Key Resource: United States Holocaust Memorial Museum, [Guide to Criminal Justice and Preventing Mass Atrocities](#) (2023), Chapter 4
- [Interagency Conflict Assessment Framework](#) (2008)
- United States Agency for International Development (USAID), [Conflict Assessment Framework](#), Version 2.0 (June 2012)
- United States Agency for International Development (USAID) and United States Department of State, [Atrocity Assessment Framework](#) (2015)
- United States Department of State, [US Atrocity Risk Assessment Framework](#) (2022)

LESSON PLAN

Introduction and Reflection on the Course (15 minutes)

Slides 1–2

Explain: “As we conclude the course, this action planning session has two goals:

- To set aside some time to reflect on and connect the course content to your own work and context
- To develop a draft action plan on how to integrate atrocity prevention into your work”

Ask: “I would like to begin this session with a few minutes for us to reflect on the course as a group. What stood out for you today? What is a new concept or new information you are still thinking about? What did today’s material make you think of in your own work?”

Note: Instructor may choose to give participants a few minutes to reflect and write down their answers before sharing with the group, or they may dive right into a group discussion. Instructor should note which concepts are highlighted by participants so those can be referenced during the action planning exercises (*10 minutes*).

Slide 3

Say: “You will need to have the Action Planning Worksheet (Module #9 Handout) in front of you for this session. The worksheet tracks the basic components of an atrocity risk assessment:

- Situation Analysis
 - Consideration of risk factors, warning signs, potential triggers or windows of opportunity, resilience (conditions or events that decrease, mitigate, or counteract risk), and core grievances
- Key Actors
 - Which actors increase or decrease risk?
 - Who are potential perpetrators, targeted groups, and influential third parties?
 - What are the motives and means?
- Agency and Individual Role
 - Organizational role in prevention and mitigation
 - Laws, policies, personnel, practices, and mindsets that influence the organization’s ability to prevent or respond to risks
 - Individual role within the organization

MODULE 9: ACTION PLANNING AND CHANGE MANAGEMENT

- Recommendations to Include in a Plan of Action
 - Recommendations that are specific, achievable, and realistic
 - Recommendations that set out a goal, the outcomes required to achieve the goal, and the steps to achieve each outcome (who does what, resources required)

“This worksheet is purely yours—you do not have to hand it in; it is here for you to make notes and reflect on the material however you like. The intent is to take time while this content and experience are fresh to capture what you hope to keep thinking about and working on. This plan can then serve as a resource to you beyond the conclusion of this course.”

Slide 4

Say: “As you draft your action plans in this session, we will discuss some basic principles of how change happens (change management). Change can involve

- Implementing a new reform or initiative
- Applying preexisting laws or approaches more effectively
- In atrocity prevention, actions and changes to counter risk factors and warning signs and build resilience

“These tools could be external or internal. *External* refers to a goal or change that happens outside your agency. *Internal* refers to a goal or change that would happen inside your agency. External change might require some internal change, such as building mediation skills among mid-level officers in order to conduct better community outreach. Internal change could require external change, such as connecting with women’s or human rights groups or UN agencies to help lobby for resources for the gender violence crime unit.”

Change Management Principles (15 minutes)

Slides 5–9

Slide 5

Say: “We often think that implementing new approaches or cultures will look like this.”

Slide 6

Say: “In fact, change usually looks like this—nonlinear with ebbs and flows.² Change can be messy; we have to think of failure and setbacks as necessary for learning and sustaining positive change. We should let stakeholders or colleagues know that the process of change may be different from what they expect or hope it will be. This way they won’t be discouraged and look at a healthy process as ‘failing’ and give up too soon.

“As leaders, we can emphasize that for others, that change can be slow and messy—and the process often does not move forward in a straight line. Failure is very possible; think of it as necessary for learning and sustaining positive change. Being aware of this from the start might reduce frustrations when there are bumps in the road.”

Slide 7

Say: “To implement change, we need to look beyond the problem we see in front of us and look at patterns, structures, and mental models. We need to look at relationships within the system (power and trust relationships) and relationships that form resistance to change.”

Slide 8

Say: “This Iceberg Model—which you have in your handout—helps us visualize those levels of a problem that are often below the surface—that we might not easily see until we stop to look carefully at the challenge in depth.

“Events: Above the water are events. Events are what just happened (you find them in newspaper headlines: the military attempts a coup, cattle herders and farmers clash over land rights, protesters set fire to police cars). These are things we can see. But these are often symptoms of the problem and not the cause. If we stay at this level (above the water) and just address the symptom, the problem may go away temporarily, but it won’t be resolved.

“Patterns and Trends: We need to go deeper and look at the events in context. Look at the patterns and trends over time. The history of the system is important, as patterns and trends by nature repeat themselves.

² Adapted from Vivienne O’Connor, “[A Guide to Change and Change Management for Rule of Law Practitioners](#)”

“Underlying Structures of Systems: Then go even deeper and look at the underlying structures of systems (e.g., the criminal justice system) and see how those structures are influencing a pattern or event. Structures include policies, procedures, laws, processes, perceptions, purpose (incentive structures—why people get hired, fired, paid, or promoted). We often find that structural issues support recurring problems and we need to look at the structures in order to deconstruct the problem. What are the relationships between the parts?”

“Mental Models: Dealing with structural issues is important for change, but true change may go even deeper, to “mental models.” Mental models include assumptions, beliefs, values, mindsets, and attitudes. What beliefs keep the system in place? This is where transformative change occurs.”

Slide 9

Say: “Next, we need to shrink the change. We don’t need to fix the whole system at once. Big problems do not necessarily need big solutions. We shrink the change and start small. Too much change at once is extremely difficult to do.

“We act locally within our sphere of influence to address a problem. Our sphere of influence is where we are, with the skills, resources, and connections that we have.

“So think about

- Where do you have influence?
- Where can small actions have the most impact?
- What relationships across the whole system can help?
- Is now the right time to act? (‘Ripeness’ or window of opportunity)”

Slide 10

Say: “Shrinking the change also involves looking for high leverage points, meaning points in the criminal justice system where relatively small actions lead to big results. We can’t always know a high leverage point in advance. But high leverage points often emerge when we bring together diverse groups of stakeholders.

“People know intuitively where leverage points are. These people can also assess ripeness or identify windows of opportunity to start change.

“High leverage points can be counterintuitive. They can be symbolic actions that carry a great deal of meaning for people. We are also looking at resilience: for bright spots, things that are already working.

“Again, do not worry if the proposed solution seems small. Even though there is an obvious urgency to building the rule of law after conflict, for instance, what multiple experiences show is that quick-fix solutions usually do not work. Instead, we commit to smaller, local solutions within immediate reach, where we know we can achieve small wins.”

Slide 11

Say: “Finally, think about the following: How can I support the people required to make this change a success?” [Refer to the section of the Module #9 Handout on supporting change. Instructor may wish to refer back to the previous point that change is often not linear—it involves some chaos and discomfort.]

“Consult widely to

- Build relationships and trust—expect mistrust at first
- Connect and create change networks
- Share new information through networks
- Encourage wide participation from diverse perspectives
- Celebrate the small wins
- Address resistance to change—each type of resistance needs its own strategy:
 - Some people want things to stay the same. The status quo benefits them (e.g., because of power, financial benefits)
 - Some resist because of a lack of clarity or confusion about the change
 - Some resist because they feel excluded or not heard
 - Traumatized individuals may resist because they find it difficult to engage with that particular problem or change

“Be aware of political realities. Find allies and make alliances. Stay connected to the opposition, even though it is hard. Engage the voices of those who disagree with you. Involve yourself with those who have opposing views, and try to understand their perspective. Sell pieces of your idea first. Wait for *ripeness*, meaning a time when people are most receptive to your idea.”

Action Planning Worksheet and Discussion (60 minutes)

Slides 12–15

Instructor should introduce the Action Planning Worksheet in the Module #9 Handout and explain to participants that they will begin the action planning process with a situational analysis (considering potential risk factors, warning signs, and triggers as well as opportunities and resiliencies in their own context) followed by an analysis of key actors. Framing for this exercise should emphasize the challenges of reflecting on our own contexts and that each country has some level of risk. Participants may wish to

MODULE 9: ACTION PLANNING AND CHANGE MANAGEMENT

have the Module #2 Handout available for reference during this exercise with the risk factors, warning signs, and triggers.

For each of the three sections of the worksheet, participants should be given 10 minutes to fill out the section and 10 minutes to discuss with a partner, in small groups, or with the larger group. Points for the instructor to highlight in each section include

- Situation Analysis and Key Actors (slide 12): It is important to note that participants do not have to agree with their partners about which risks are present or which risks matter; the purpose of the exercise is simply to better articulate how each individual views the risks in their own context. To the extent that differences of opinion exist, this provides an opportunity for the instructor to highlight the potential for our own biases to affect situation analysis and for the group to discuss what they can do to mitigate their own biases and seek out alternative opinions when doing an analysis like this.
 - This exercise draws on concepts from Module 2 (Prevention: Identifying Risk Factors, Warning Signs, and Triggers), Module 4 (Before Mass Atrocities: Criminal Justice Tools for Prevention), and Module 5 (Deeper Dive: Dangerous Speech OR Community Dialogues).
- Agency and Individual Role (slide 13): Instructor can frame this exercise in relation to the discussion of the iceberg model and “high leverage points” from the change management section.
- Recommendations (slides 14–15): Participants should identify whether their recommendations target the period before, during, or after mass atrocities and identify steps for implementation. Instructor may also encourage participants to think back to the leadership principles introduced in Module 6 (Leadership, Motivations, and Rationalizations during Mass Atrocities) to consider what leadership qualities might be important for implementation.

Conclusion (5 minutes)

Instructor may conclude with a discussion of how planning and preparation can help prevent mass atrocities or limit their impact on innocent civilians. Instructor should emphasize the frontline role criminal justice professionals play in mass atrocity prevention, and how they are positioned to recognize warning signs and take actions that protect vulnerable groups and preserve human dignity. Instructor should highlight the ways participants may already be involved in prevention through their current work or initiatives. Participants should be encouraged to share the action plans created during this session with colleagues or supervisors as appropriate.

MODULE #9 HANDOUT: ACTION PLANNING WORKSHEET

The Action Planning Session for this course has two aims:

1. Dedicate time to reflect on course themes, frameworks, and tools, and connect them to your job and context
2. Develop a draft plan of action for integrating atrocity prevention into your work

The draft plan can involve small or large actions; it can focus on one or more than one action.

This Action Planning Session includes a set of questions drawn from the day's sessions. It involves reflection and discussion on how the course content relates to your role as a criminal justice professional in atrocity prevention.

MODULE 9: ACTION PLANNING AND CHANGE MANAGEMENT

The process of thinking about how to prevent atrocities in practice tracks basic components of an atrocity risk assessment.¹ This structure provides a tested framework through which professionals can sharpen understanding of their domestic context, clarify the role they or their respective agencies can play in preventing or mitigating mass atrocities, and develop clear recommendations for action. Assessment components include

- **Situation Analysis**
 - Consideration of risk factors, warning signs, potential triggers or windows of opportunity, resilience (conditions or events that decrease, mitigate, or counteract risk), core grievances
- **Key Actors**
 - Which actors increase or decrease risk?
 - Who are potential perpetrators, targeted groups, and influential third parties?
 - What are the motives and means?
- **Agency and Individual Role**
 - Organizational role in prevention and mitigation
 - Laws, policies, personnel, practices, and mindsets that influence the organization's ability to prevent or respond to risks
 - Individual role within the organization
- **Recommendations to Include in a Plan of Action**
 - Recommendations that are specific, achievable, and realistic
 - Recommendations that set out a goal, the outcomes required to achieve the goal, and the steps to achieve each outcome (who does what, resources required)

The session will cover these components via questions in this Action Planning Worksheet. By the end of the session, participants will have developed a draft action plan containing observations, comments, and reflections under each of these components and grounded in course content.

Through developing a draft action plan, participants will have considered how course content relates to their own context, sharpened skills in Atrocity Risk Assessment, and identified specific actions they may wish to further develop and implement with their colleagues.

¹ The components highlighted here are drawn from the United States Government [Interagency Conflict Assessment Framework](#) (2008) and USAID and US Department of State, [Atrocity Assessment Framework](#) (2015). The Atrocity Assessment Framework was prepared by the US Department of State's Bureau of Conflict and Stabilization Operations and USAID's Center of Excellence on Democracy, Human Rights, and Governance. Updated version of the [US Atrocity Risk Assessment Framework](#) (2022). See also USAID, [Conflict Assessment Framework](#), Version 2.0 (June 2012).

1. Situation Analysis and Key Actors

Situation Analysis

Diagnose the Problem: Name one risk factor, warning sign, or potential trigger you would like to focus on in your local context. Why does it seem especially important to address this specific element?

If no action is taken, how might things get worse? Describe what one or more of these worst-case scenarios might look like.

Key Actors

Who increases risk? Who are potential perpetrators? What are their motives and means?

Who are potential targeted groups? What resources are available to help them reduce risk or improve protection?

Who decreases or *could* decrease risk?

2. Agency and Individual Role

Shrink the change: Where do you have influence? Over who or what do you have influence (thinking about high leverage points)?

Ensure key stakeholders are invested and supported: What would you need from your department or from the public to take action to address this risk factor, warning sign, or trigger you identified?

What sources of resistance can you expect and how could you respond to this resistance?

3. Recommendations

Over the course of this Action Planning Session, you have conducted a mass atrocity risk assessment. You have analyzed your situation, key actors, and your own role in prevention. Based on your assessment, what plan or recommendations have you generated to reduce mass atrocity risk?

How do you anticipate this plan will help prevent mass atrocities? Does it address risk or resilience before, during, or after mass atrocities?

Can you identify two or three steps to implement this plan and its recommendations?

What leadership qualities are important to implementing this plan and its recommendations?

The Iceberg Model

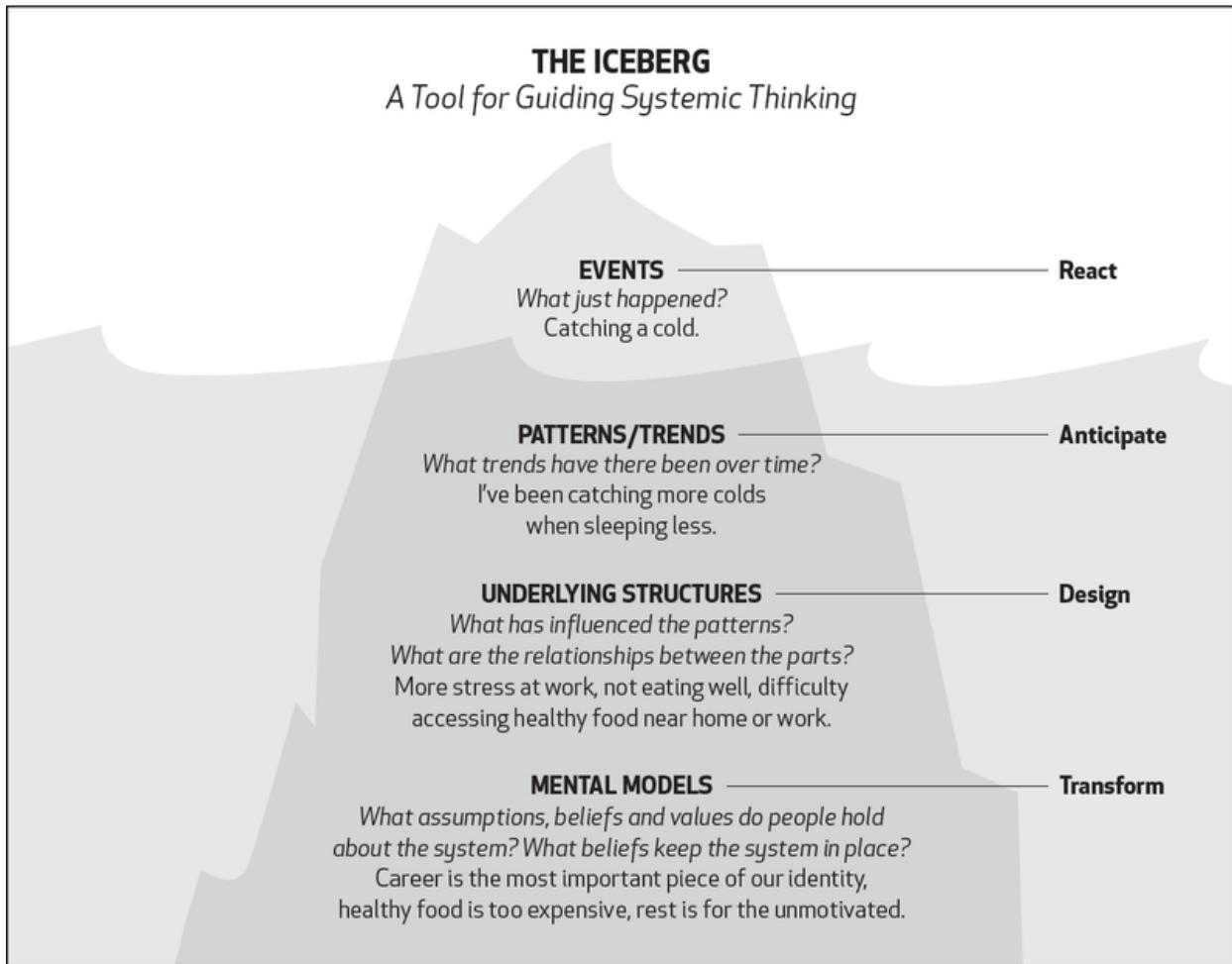


Image courtesy of Ecochallenge.org. Used with permission. ecochallenge.org/iceberg-model/

Supporting Change

<p>BUILD RELATIONSHIPS AND TRUST</p> <p>CONNECT AND CREATE CHANGE NETWORKS</p>	<ul style="list-style-type: none"> • Facilitate dialogue with active listening and safe spaces for engagement • Connect and reach out, socially and professionally • Establish coordination mechanisms among departments or agencies • Consider starting with a small coalition of like-minded people; then invest in broadening the network • Diversity in the network improves the chances for sustaining change
<p>SHARE NEW INFORMATION THROUGH NETWORKS</p>	<ul style="list-style-type: none"> • Shared information creates shared understanding (don't assume all agencies have the same information) • Seek information from all places and people, but beware of overload
<p>ENCOURAGE WIDE, DIVERSE PARTICIPATION</p>	<ul style="list-style-type: none"> • The more people we engage, the more likely change will occur • People may need to personally engage with new changes and ideas before they can accept them
<p>ADDRESS RESISTANCE TO CHANGE AND SETBACKS</p>	<ul style="list-style-type: none"> • Match strategy to type of resistance or setback: <ul style="list-style-type: none"> ○ Preference for or benefits of status quo ○ Lack of clarity or confusion about the change ○ Feeling excluded or not consulted ○ Traumatization • Translate change into behavior and habit formation; provide positive reinforcement
<p>BE AWARE OF POLITICAL REALITIES</p>	<ul style="list-style-type: none"> • Find allies and make alliances • Stay connected to the opposition even though it is hard • Engage the voices of those who disagree with you • Sell pieces of your ideas first (small wins, gradual buy-in) • Wait for "ripeness," a time when people might be most receptive to your idea

Steps for Managing Change

- Adjust perspective (expect some chaos and uncertainty)
- Diagnose the problem or situation (risk and resilience assessment, Iceberg Model)
- Shrink the change: Know your sphere of influence
- Identify "high leverage" points (small acts, big impact)
- Identify the type of change you seek (technical [a new skill] or adaptive [a new practice] or both)
- Support people to adopt the change (see Supporting Change table)
- Consult diverse stakeholders (at appropriate points)