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The Death of the Perpetrator, or the Uncountable Time of his Eternity

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(author postprint)

To the Videla family,

Here is the body. Without filing a request for *habeas corpus*, you have the body. A few forms to fill, and it is yours, you can take away your relative's mortal shell. You have a body. You will notice that it is delivered to you without any burns or bruises. We could at least have given it a richly deserved beating. We, however, prefer not to do the things that the body that you are going to bury did. We did not throw it out of a plane, we did not encourage it to "squeal" using electric shocks. To squeal, for example, about where our bodies, those of our comrades, are. We did not rape it. We did not put its child on its chest while we cranked the generator. We did not shoot it in order to pretend that it died in a stand-off. We did not encase it in concrete. We did not bury it in an unmarked grave somewhere. We did not steal its grandchildren. Here, the body is yours.¹

Written by the Argentine journalist Jorge Kostinger, this letter was sent on 19 May 2013 to the family of General Jorge Rafael Videla. For, two days earlier, at the age of 87, this "face" of the military junta of the late 1970s had died in a prison in Marco Paz, near Buenos Aires – "sitting on his cell toilet," as some sources would describe.² The death from natural causes of this unrepentant ideologue of state terrorism, who took a vast number of secrets to his grave with no apparent regret or remorse, gave rise to both relief and anger in Argentina. The body of the man who had been found guilty on several occasions of crimes against humanity and of the theft of the babies of the "disappeared" of the military dictatorship – those people who, classed as being "without entity" and "neither dead nor alive," were reduced to the "price to pay in order to win the war against subversion"³ – immediately became the centre of a raging controversy. It was not welcome anywhere. Initially meant to be buried in the family vault in the municipal cemetery of Mercedes (Videla's home town), the general's "unwelcome"⁴ body was the target of vehement protests organized by the town's inhabitants, and the subject of much debate in the press. The outright refusal to accept the dictator's remains was based on two main arguments: outrage at the idea of his being buried alongside his own victims (twenty-two inhabitants of Mercedes disappeared under the

* Translated from French by Jonathan Hensher.

¹ "Flia. Videla: Ahí está el cuerpo. Sin habeas corpus, ahí tienen el cuerpo. Unos papeles y es suyo, llévense el envase de su pariente. Cuentan ustedes con un cuerpo. Que les conste que lo reciben sin quemaduras ni moretones. Podríamos haberlo golpeado al menos, que ya hubiera estado pago. Pero nosotros preferimos no hacerlo, eso que sí hizo este cuerpo que ustedes van a enterrar. No lo tiramos desde un avión, no lo animamos a cantar con descargas de picana. Que cante, por ejemplo, adónde están nuestros cuerpos, los de nuestros compañeros. No fue violado. No tuvo un hijo acostado en el pecho mientras le daban máquina. No lo fusilamos para decir que murió en un enfrentamiento. No lo mezclamos con cemento. No lo enterramos en cualquier parte como NN. No le robamos a sus nietos. Acá tienen el cuerpo."

² See, for example, *Libération*, May 17, 2013, and *Le Nouvel Observateur*, May 21, 2013.

³ See Videla's declarations during his televised press conference on 14 December 1979, <https://youtu.be/07xcXSppBvo> (accessed December 18, 2017), as well as his testimony as recorded and published by the journalist Ceferino Reato (Ceferino Reato, *Disposición Final. La confesión de Videla sobre los desaparecidos* (Buenos Aires: Editorial Sudamericana, 2012).

⁴ "Malvenido" was the main headline on the front page of the Argentine daily *Página 12*, May 21, 2013.

Videla regime), and the fear that his tomb would become a site of pilgrimage for the “Argentine fascist right.”⁵ Rumours then began to circulate regarding a possible cremation that had not been authorized by the courts. Jorge Videla’s “burial in the shadows”⁶ would eventually take place, without military honours,⁷ around fifty kilometres outside Buenos Aires. His tomb, which allegedly bears a false name, is in Pilar, in the town’s private cemetery (known as the “Memorial”), and it quickly became the target of *escraches*.⁸ The same site was already the resting place of the no less reviled remains of his accomplice, Admiral Emilio Eduardo Massera, and those of the dictatorship’s Economics Minister, José Alfredo Martínez de Hoz.

The decade in which Videla met his end also saw the deaths of numerous other mass criminals. His death came soon after those of Idi Amin, Slobodan Milošević, Augusto Pinochet, Saddam Hussein, Alois Brunner, Osama Bin Laden, Muammar Gaddafi and Kim Jong-il. It was followed by those of Erich Priebke, Jean-Claude Duvalier and, more recently, one of the last remaining Danish members of the SS, Søren Kam, and the “first lady” of the Khmer Rouge regime, Ieng Thirith. In all of these cases, and in spite of their very different circumstances, these utterly individual deaths all pose precisely the same questions: when and how did these criminals die? What should be done with their remains? How should their legacy be dealt with, in terms of the memory of who they were and what their crimes were?

These are not new questions. Throughout history, they have always been among the major issues raised by the corpses of all dictators, tyrants, despots, architects of genocide and other perpetrators, such as Mehmet Talaat Pasha, Benito Mussolini, Adolf Hitler, Josef Stalin, Rafael Leónidas Trujillo, Francisco Franco, Mao Zedong, Josip Broz Tito, Nicolae Ceaușescu, Jean-Bedel Bokassa and Saloth Sar (aka Pol Pot), to cite but a few contemporary examples. To these, in the specific context of international terrorism and Islamist suicide attacks, must be added the particular set of questions raised by the corpses of jihadis, as exemplified by the treatment of Bin Laden’s body: what should be done with the corpses of these “enemies without a territory” who claim not to belong to any state, to any land, but rather to the Umma, a global community without any borders?⁹

These questions crystallize around three main thematic axes: the specific details of the (putting to) death in question, the *post-mortem* treatment of the body, and the question of patrimonialization. These themes are linked to some very practical considerations: do mass criminals always meet an ignominious end? What does the eventual fate of their corpses tell us? What is their final destination? Are their remains always given a burial and, where this is the case, do their tombs always become sanctuaries? And what, considered as a whole, do the various answers to these questions tell us?

The Dead Body

In the aftermath of the Second World War, the social sciences began grappling with the radically new set of questions raised by the phenomenon of genocide and the mass murder of civilians, as well as, more recently, that of international terrorism, and approaching these issues from a variety of perspectives. At the same time the theme of the body has, over the past few decades, come to span many different branches of the social sciences. Yet, in spite of the great quantity of work devoted to the body on one hand (Body Studies), and to extreme violence on the other (in particular Genocide Studies), the question of the production of dead bodies *en masse* remains largely

⁵ *Página 12*, May 21, 2013.

⁶ “*Entierro en las sombras*” was the front-page headline in *Página 12*, May 29, 2013.

⁷ A resolution issued by the Minister of Defence, Nilda Garré, in force since 2009, forbids the presentation of military honours at the funerals of any members of the armed forces implicated in human rights abuses during the military dictatorship.

⁸ This term is used in Argentina (and in other Spanish-speaking countries) to refer to a particular type of demonstration where individuals are publicly denounced in front of their homes, workplaces or places of burial.

⁹ Riva Kastoryano, *Que faire des corps des djihadistes ? Territoire et identité* (Paris: Fayard, 2015).

unexplored. As Elisabeth Anstett has pointed out, only “archaeologists and anthropologists specializing in the field of funerary rituals have actually looked at the precise social, religious and political significance with which the dead body is invested in a context of war or epidemic.”¹⁰ Indeed, those who have turned their attention to these very issues, in the context of atrocities which fall outside the strict definitions of war or natural disasters, remain marginal.¹¹ It was out of this gap that, in 2012, the interdisciplinary research programme entitled “Corpses of Mass Violence and Genocide” (ERC Starting Grant, Stg n° 283–617), was conceived in order to examine the legacy of the mass violence and genocides of the contemporary era. The project proceeds from the following assumption: the treatment and ultimate fate of the corpses and other remains of the countless victims of such crimes (remains which for the most part are still unidentified, abandoned or inaccessible) provide a further analytical perspective through which to approach the mechanisms of the implementation and the subsequent abatement of the episodes of violence in question, and the impact of these more generally.¹²

The Dead Body of the Perpetrator

The present special issue, then, fits into this wider research context. However, it approaches the issue from a radically different perspective by examining how the bodies, not of the victims, but rather those of their killers have been treated – another gap in our thinking, a “taboo within a taboo.” Within the sub-field of Dead Body Studies, relatively little work has been done on the issues surrounding the remains of perpetrators (identified or identifiable as belonging to these individuals). Yet perpetrators are everywhere: in the news, the press, in novels and other creative works, as well as in specialized academic literature. Nevertheless, when they (re-)appear – to give some purely illustrative examples from recent French publications – they are most often discussed in terms of their childhood and psychological development,¹³ their ideologies and motivations,¹⁴

¹⁰ “[L]es archéologues et les anthropologues spécialistes du champ funéraire s’interrogent en effet précisément sur l’investissement social, religieux ou politique dont le corps mort fait l’objet en contexte de guerre ou d’épidémie.” Elisabeth Anstett, “Des cadavres en masse. Sociétés et sciences sociales face à l’impensé,” in *Le cadavre en procès*, ed. Hervé Guy, Agnès Jeanjean and Anne Richier, *Techniques & Cultures*, no. 60-1 (2013): 127. In particular, see Catherine Rigeade, *Les sépultures de catastrophe. Approche anthropologique des sites d’inhumations en relation avec des épidémies de peste, des massacres de population et des charniers militaires* (Oxford: Archaeopress, 2007); Michel Signoli and others, eds., *Peste: entre épidémies et sociétés* (Florence: Firenze University Press, 2007); Michel Signoli and Yves Desfossés, eds., “La Grande Guerre des Corps,” *Corps*, no. 12 (2014).

¹¹ See, for example, the field of enquiry opened up by: Luis Fondebrider, “Reflections on the Scientific Documentation of Human Rights Violations,” *International Review of the Red Cross* 84, no. 848 (2002): 885–91; id. and Mercedes Doretti, “Science and Human Rights,” in *Archeologies of the Contemporary Past*, ed. Victor Buchli and Gavin Lucas (London: Routledge, 2001), 138–44; see also Roxana Ferlini, ed., *Forensic Archaeology and Human Rights Violations* (Illinois: Thomas Books, 2007); id., *Silent Witness: How Forensic Anthropology is Used to Solve the World’s Toughest Crimes* (Ontario: Firefly Books, 2012). For one of the most important recent studies, see Francisco Ferrándiz and Antonius C. G. M. Robben, eds., *Necropolitics: Mass Graves and Exhumations in the Age of Human Rights* (Philadelphia: University of Pennsylvania Press, 2015).

¹² See Elisabeth Anstett and Jean-Marc Dreyfus, eds., *Destruction and human remains. Disposal and concealment in genocide and mass violence* (Manchester: Manchester University Press (MUP), 2014); id., eds., *Human remains and mass violence. Methodological approaches* (Manchester: MUP, 2015); id., eds., *Human remains and identification. Mass violence, genocide and the ‘forensic turn’* (Manchester: MUP, 2015); id., eds., *Human remains and society. Curation and exhibition in the aftermath of genocide and mass violence* (Manchester: MUP, 2016). See also Finn Stepputat, ed., *Governing the dead. Sovereignty and the politics of dead bodies* (Manchester: MUP, 2014) and the online journal *Human Remains and Violence: An Interdisciplinary Journal*, published by MUP (site: www.manchesteruniversitypress.co.uk/journals/hrv).

¹³ Véronique Chalmet, *L’enfance des dictateurs* (Gennevilliers: Prisma, 2013).

¹⁴ Sophie Chautard, *Les dictateurs du XXe siècle* (Paris: Studyrama, 2006). In 2015, the French magazine *Historia* published a special issue entitled “Geniuses of evil” (“Les génies du mal”), on “Hitler, Stalin, Mao, Pol Pot, Bin Laden and others” (no. 22, March-April 2015), while issue 820 (April 2015) bore the title “Hitler. How he was inspired by 1920s America” (“Hitler. Comment il s’est inspiré de l’Amérique des années 20”).

their private lives,¹⁵ their wives,¹⁶ or their offspring.¹⁷ There are occasional examples of critical analysis of the mechanisms of the mythification of the figure of the perpetrator.¹⁸ However, their deaths (or how they were put to death) and the fate of their remains are rarely considered.¹⁹ Along with confessions and other testimony collected by journalists,²⁰ there has been a noticeable surge in interest among academics in the words of perpetrators as a rich and direct source of information.²¹ Few, though, have turned their attention to decoding the body of the perpetrator following the latter's death.²²

The present special issue, then, seeks to explore a so far little-developed area of enquiry by examining the complex issues surrounding the death of the perpetrator. A death which, even when it results from natural causes, is never banal. If, as Dostoyevsky might say, "the degree of civilisation in a society can be judged by the way it treats its dead," not all the dead are equal. Of particular relevance in this respect are the pioneering studies by Verdery and Borneman, which pose fundamental questions regarding the political lives of the remains of figures of authority at the end of the Second World War and after the fall of the former communist bloc.²³ Their work reveals both the significance and the specific nature of the *post-mortem* life of political bodies in the period following the decline of totalitarian or "patricentric" regimes.

In any case, the deaths of perpetrators, and the fate of their remains, are never mundane or random, and are more often than not violent. These bodies, which continue to speak long after they have died – but what do they tell us, and what do they talk about? – may be anonymized or lionized, abandoned or commemorated, they may receive homage or be surreptitiously spirited away, they may be honoured or defiled. They always find themselves at the centre of complex and unusual politico-symbolic trajectories, which are themselves tied up with a multitude of beliefs, mixing the popular with the ideological, the religious and the magical.

¹⁵ Marc Lefrançois, *Dans l'intimité des dictateurs* (Paris: City, 2014). In the same year, magazine *Books* published a dossier on "Hitler in Private" (no. 51, February 2014).

¹⁶ Diane Ducret, *Femmes de dictateurs*, 2 vols. (Paris: Perrin, 2011 and 2012).

¹⁷ Jean-Christophe Brisard and Claude Quétel, eds., *Enfants de dictateurs* (Paris: First, 2014).

¹⁸ As, for example, in Jonathan Littell's novel, *Les Bienveillantes* (Paris: Gallimard, 2006); see Charlotte Lacoste, *Séductions du bourreau. Négation des victimes* (Paris: PUF, 2010). For a more recent study, see Joanne Pettitt, *Perpetrators in Holocaust Narratives. Encountering the Nazi Beast* (London: Palgrave Macmillan, 2017).

¹⁹ Diane Ducret and Emmanuel Hecht, eds., *Les derniers jours des dictateurs* (Paris: Perrin, 2012). One notable exception is *The President* (2014), directed by the Iranian filmmaker Mohsen Makhmalbaf, which follows the downfall of and subsequent hunt for a former dictator, up until his eventual execution. It draws directly on the events of the Arab Spring, in particular the fate of Gaddafi.

²⁰ Such as the testimony given by Videla (see above, note 3).

²¹ See the various academic studies dealing with perpetrators' memoirs (for example, Valentina Salvi, *De vencedores a víctimas. Memorias militares sobre el pasado reciente en Argentina* (Buenos Aires: Biblos, 2012), and Duygu Tasalp, "The Unionists' Memoirs and the Armenian Genocide," *Papers of the Strassler Center for Holocaust and Genocide Studies*, paper 19, 2015, <http://commons.clarku.edu/chgspapers/19> (accessed December 18, 2017)), their confessions (for example, Paloma Aguilar and Leigh A. Payne, *Revealing New Truths about Spain's Violent Past. Perpetrators' Confessions and Victim Exhumations* (London: Palgrave Macmillan, 2016)) or with their perceptions of the justice system (Damien Scalia, Mina Rauschenbach and Christian Staerklé, "Paroles d'accusés sur la légitimité de la justice pénale internationale," *Revue de sciences criminelles et de droit pénal comparé*, no. 3 (2012): 727–46). More generally, see: Leigh A. Payne, *Unsettling Accounts: Neither Truth nor Reconciliation in Confessions of State Violence* (London: Duke University Press, 2008); the special issue on "Perpetratorhood" of *The International Journal of Human Rights* 19, no. 5 (2015); as well as the Perpetrator Studies Network and the newly-created *Journal of Perpetrator Research*: <https://perpetratorstudies.sites.uu.nl>. This questioning of the words of perpetrators, with the aim of gaining a better understanding of the criminal phenomenon and its *mechanisms*, is also present in the important work of the American filmmaker Joshua Oppenheimer (see *The Act of Killing*, 2012 and *The Look of Silence*, 2014).

²² See in particular Eyal Weizman and Thomas Keenan, *Mengele's Skull: The Advent of Forensic Aesthetics* (Berlin: Sternberg Press, 2012).

²³ Katherine Verdery, *The Political Lives of Dead Bodies. Reburial and Postsocialist Change* (New York: Colombia University Press, 1999) and John Borneman, ed., *Death of the Father. An Anthropology of the End in Political Authority* (New York and Oxford: Berghahn Books, 2004).

Methodology

Following on from what we have outlined above, this special issue therefore sets out to investigate the varying fortunes of the bodies of mass criminals in the contemporary era. A strongly interdisciplinary and qualitative approach is adopted with the objective of improving our understanding of the specific issues and questions raised by the (putting to) death of perpetrators and the fate of their remains, faced with their victims' calls for justice and reparation.

An interdisciplinary approach, first of all, is needed to grasp an object of study which brings the fields of law, history, anthropology, sociology, literature and psychology into mutual dialogue: the death of the perpetrator is placed at the intersection of these various paths and summons together a range of voices which must be heard as an ensemble. A qualitative approach, secondly, allows the analysis to draw on a series of paradigmatic case studies which represent a range of specific historical, cultural, political and judicial contexts from across the twentieth and twenty-first centuries. The perpetrators found in this special issue come from various continents (Europe, Africa, Asia, South America) and symbolize three "turning points" or key divisions in the chronology of contemporary history: the periods following the First and Second World Wars, which saw the development of the concepts of war crimes, crimes against humanity and genocide; the Cold War and decolonization, which ran in parallel to the construction of international law and human rights; and, lastly, the post-Cold War period, with the rapid growth of international criminal justice and, more generally, of so-called transitional justice.

The use of the term "perpetrator" also needs to be clarified. It will be used here with the meaning applied to it in Genocide and Mass Atrocities Studies. That is to say, with the sense of the author of mass crimes (either ordering these or carrying them out directly) which involve the most serious violations of human rights. The perpetrators discussed here are all architects of genocide, criminals against humanity, war criminals, dictators, tyrants or agents of international terrorism.

The three stages marked by the (putting to) death of the perpetrator, the fate of his remains and his subsequent patrimonialization (or lack thereof), are tied up with the construction of national narratives and the foundation of collective memory. They are also linked to the success or failure of political transitions, along with the question of legal treatment of the criminal past. Yet, no single model or general law is applicable to every case: the situations in which the death of the perpetrator occurs vary greatly in nature. Nevertheless, the variations and specificities found in each of the cases explored here do not rule out the possibility of uncovering certain lines of force and points of intersection.

In her prologue, Elodie Tranchez examines the question of whether tyrannicide is compatible with international law (is it not the case that the right to life, one of the most firmly-established of all human rights, protects everyone, even the most merciless of tyrants? Can one justify tyrannicide under international law today?). Several case studies are then presented, each of them analysing the different circumstances surrounding the (putting to) death of a perpetrator. They are presented in chronological order and illustrate the specific contexts arising from three different types of death: natural or suspicious death (Pol Pot, Franco and Pinochet), constituting *death as a way out* and symbolizing impunity; judicial putting to death (as, for example, in the case of the Nazi leadership), literally constituting a *death sentence* (by hanging) in order to effect a public atonement imposed by third parties (this is the least common variety); and extra-judicial execution (Talaat Pasha, Mussolini, Bin Laden), which spectacularly inflicts *death as revenge*. The papers presented here are a selection from a previously published volume of essays edited by myself and simultaneously published in French (as *La mort du bourreau. Réflexions interdisciplinaires sur le cadavre des criminels de masse*, Paris: Editions Pétra) and Spanish (as *La muerte del verdugo. Reflexiones interdisciplinarias sobre el cadáver de los criminales de masa*, Buenos Aires: Miño y Dávila) in 2016.

Case Studies

Talaat Pasha, the chief instigator of the Armenian genocide, died at the hands of an assassin in 1921 in Berlin, where he was living in hiding under a false name. His killer, the survivor and avenger of the genocide, Soghomon Tehlirian, sought to use his own trial as a platform to condemn the acts of the murderer of his people – a perpetrator who had already been sentenced to death *in absentia* in his own country by a court-martial in Constantinople. This execution enabled Berlin's central criminal court to be transformed into a "tribunal of history," putting the architect of genocide on trial and acquitting his killer, and all in the same Germany which had previously been an ally of the Ottoman Empire. Talaat Pasha would be buried amidst great pomp in Berlin, before his remains were transferred to Istanbul on Hitler's orders in 1943. Since then, he has lain in a mausoleum built in memory of the "heroes of the fatherland" on the hill of the Monument of Liberty (*Abide-i-Hürriyet Tepesi*) alongside his erstwhile Minister of War, Enver Pasha, right in the heart of the Turkish capital. My chapter aims to shed light on the link between the perpetrator's violent end, the treatment of his remains and the negationist policy which is still in place in Turkey.

Mussolini, meanwhile, did everything in his power to cast so long a shadow over the memory of the Italian people that he could not fail to become an imaginary figure. The *duce* had foreseen that his destiny would not end with his death, and the strange fate of his corpse, which suffered many vicissitudes, only confirms his prediction. Didier Musiedlak reveals the extent to which the incoherencies and contradictions surrounding his death in 1945 (he was hurriedly shot along with his mistress) have subsequently fuelled an unending narrative which has become an integral part of his personal myth. Mussolini's body would be publicly displayed, abused, subjected to several autopsies and buried in an unmarked grave near Milan, before being stolen by a group of admirers then recovered and hidden by the authorities and finally re-interred in the town of his birth amidst crowds of supporters. Thereafter, his tomb would become both the centre of a cult and a subject of debate. In 2005, his family requested that his remains be transferred to Rome. This complex set of events, far from bringing the history of fascism to a close, has helped facilitate the political resurrection of the perpetrator in question.

At the end of the Second World War, the Nazi atrocities raised some very concrete questions: how should those responsible for crimes on this scale be judged? What means should be employed to execute those criminals who were sentenced to death? What should subsequently be done with their bodies? Those high-ranking Nazis who stood trial were for the most part executed in public, in spite of the fact that this practice of execution as public spectacle had largely disappeared in Europe. In Nuremberg, where ten prisoners were hanged away from prying eyes, the public aspect of their execution was fulfilled by the release of photographs of their corpses. Their remains, and the question of their burial, became the subject of intense debate: how could one show to the world that these criminals were dead, and thereby create the feeling that a new order had been founded and their crimes atoned for, without giving rise to a cult of the "dead hero" and encouraging morbid pilgrimages to their graves? Most of the bodies were incinerated, and their ashes scattered. By examining the history of criminal justice and the "political technology of the body," Nicolas Patin provides a framework for the analysis of the mechanisms put in place following 1945 to deal with these issues.

Examining a different context and a different era, Rosa Ana Alija's chapter compares the fate of the bodies of Franco in Spain and Pinochet in Chile. Although both died of natural causes in their own countries and neither was put on trial for crimes committed during their time in power, quite distinct fates awaited their respective corpses. Franco died from Parkinson's disease while still in power, in 1975, after having been kept alive by artificial means for more than a month. The *caudillo* had made careful preparations for his death and succession, as may be seen from his tomb, which was built while he was still alive: the imposing and much-visited mausoleum in the *Valle de los*

Caidos (the “Valley of the Fallen”), an immense basilica built by republican prisoners which honours the dead of the fascists’ victory in the Spanish civil war. The transferral of the dictator’s remains to a cemetery near his former residence in the palace of El Pardo is currently the subject of debates which are as crucial as they are heated, given the context of impunity surrounding the crimes of Francoism. Pinochet, for his part, died in a military hospital from heart failure in 2006, following a series of famously ill-fated attempts to prosecute him on the grounds of international law, and while legal proceedings were ongoing against him in Chile. He had dreamed of being buried in a monumental mausoleum based on that of Franco. However, the final resting place of his ashes would be a private chapel on an untended patch of land belonging to his family, surrounded by cannabis crops. The comparative study carried out by the author reveals the close links which exist between the treatment of the remains of the perpetrator and the fight against impunity, along with the policy of commemoration, which are pursued – or not – by the state.

In between the deaths of the latter two figures, in 1998, came that of Pol Pot, the political and military leader of the Khmer Rouge. He died officially from a heart attack while he was under house arrest following his conviction by a people’s tribunal after a series of summary “trials.” His death was surrounded by controversy, both regarding the exact cause of death (there were suspicions of suicide by poison in order to escape international criminal justice, then already under way), and even the identity of the deceased. To this day, a strange atmosphere surrounds his modest tomb – half-abandoned, it nevertheless continues to be a tourist attraction, with a vast casino nearby. The tomb, built on the very spot where the perpetrator was cremated (the ashes were apparently scattered in lake Tonle Sap in accordance with his wishes), is the focus of funerary practices resembling nothing else of the sort in Cambodia, the reasons for which are analysed by Anne Yvonne Guillou. She shows how Pol Pot continues to exert an almost supernatural hold over this last bastion of the Khmer Rouge, transformed from the “Brother Number One” into a disembodied being influencing the ideological and the military, the ritual and the religious spheres alike.

In a very different context, the death/execution of Bin Laden seems to mark the culmination of the construction of the figure of the terrorist, with the Abbotabad raid as a sort of final apogee. After years on the run, this “enemy of mankind” who, with his calls for non-state violence on a worldwide scale had truly become a global pariah, was killed by US special forces under cover of darkness in a secret operation from which no images were released. Unlike the “9-11” attacks which were broadcast live to the world, the execution in 2011 of their perpetrator in Pakistan was not played out on screen. His “disappearance” was intentionally carried out rapidly and in secret, in order to prevent the emergence of any cult to his memory; his body was dumped in the sea. Frédéric Mégret considers the nature of this power to put one’s enemies to death as part of the “war on terror.” While this power is rooted in biopolitical methods, as a last resort it may still be compelled to stage spectacular displays of state violence.

Concluding Observations

It is clear that the many configurations in which the death of the perpetrator may come are notable for their diversity. In other words – and this is our first observation – it would seem to be difficult to establish any systematic causal link between a given type of death (natural causes, suicide or execution), a given fate of the corpse (abused, displayed, buried or exhumed) and a given legacy (state commemoration or lack thereof, glorification or abandonment, remembrance or oblivion). The same can be said of any potential link which might generally pertain between the death of the perpetrator and/or the fate of his remains, and the nature of the crimes for which he is responsible. To sum up, it is the specific details of each (putting to) death, along with the particular context surrounding these, which together determine the fate of the corpse and its *post-mortem*

existence. The latter are also closely tied up with the political, judicial and memorial stances taken regarding the perpetrators' crimes and also their victims. The types of correlation between these different factors can vary greatly.

Despite their highly individual characteristics, however, the examples considered here do reveal some broad tendencies. Death by natural causes, even when it is suspicious, allows perpetrators to escape justice and vilification alike, but also denies them immortality. It "humanizes" them but does not repair their crimes. Judicial execution, which is rarer, ensures that judgement is passed in public, thus forestalling private justice by guaranteeing a sense of "order" and providing a framework for the infliction of violence upon the perpetrator's punished body. It offers condemnation but not demystification. Extrajudicial execution, meanwhile, allows a form of revenge (whether individual, collective, or on behalf of the state) which is spectacular and out of the ordinary, yet risks turning a reviled individual into a martyr. It dishonours but does not have a pacifying effect.

It is also to be noted that, in the cases studied here, the death of the perpetrator is not patrimonialized by the state: perpetrators' graves are either non-existent, secret or (semi-) abandoned and are more or less modest, receive sporadic visits and are not sacralized by the powers-that-be. The two symptomatic counter-examples are the mausolea of Talaat Pasha and Franco – the latter being far better known and more frequently visited than the former. Talaat was "heroized" through his assassination while in exile, just as Turkey was preparing an amnesty and an official policy regarding the denial of the crimes of which he was the main instigator. Franco, who died from natural causes while still in office, was the architect of his own *post-mortem* legacy. In both cases, the tight judicial control by the inheritor state over the criminal past maintains, to this day, the "monumentalization" of the perpetrator in forms that have remained very similar, albeit not entirely identical.

More generally, the corpses of mass criminals, and the fate of their remains, continue to raise major issues. Natural death, like death by execution in a judicial or state-organized context, avoids the vengeful display of the tortured and degraded bodies of perpetrators violently torn from power. When they have not been "disappeared" or, conversely, glorified, their remains are interred outside public cemeteries, like the *infâmes* under France's *ancien régime*, criminals and other excluded groups who bore the marks of their expulsion from the body of society.²⁴ In those cases where they do find their way into cemeteries, they must hide their identities or become entirely anonymous, or choose somewhere far from the land of their birth – with the notable exception of Mussolini.

It is also to be noted that the public exhibition – the display – of the corpse is always a key element in providing "proof through images" of the death in question and also, in some cases, in inflicting *damnatio memoriae*. The image functions as more than just a document, it certifies, it bears witness – it fixes a moment. Its absence systematically brings into doubt the veracity and the certainty of the death, giving rise to speculation and thus allowing the most outlandish rumours surrounding the fate – or even the fantasized survival – of the spectralized perpetrator to flourish. However, while this concern with publicity is focused on the (putting to) death itself, it is accompanied by a desire for secrecy regarding the final destination of the corpse of the perpetrator, in order to prevent the establishment of a cult. Yet the fact remains that this is a futile enterprise. The cult of the dead perpetrator is in some ways inevitable: it depends neither on the specific nature of the death in question and how it is made public, nor on the treatment of the corpse and the (non-) existence of a grave, whether secret or openly known, nor indeed on official patrimonialization. The legal handling of the crimes of the perpetrator, of his memory and his victims, along with the state policy regarding these same matters, seek to prevent the appearance of such a cult, but are unable to guarantee its absence.

²⁴ See Michel Porret, "La cicatrice pénale. Doctrine, pratiques et critique de la marque d'infamie," *Sens dessous, Trace[s]*, no. 10 (June 2012): 47–63.

In the final analysis, the death of the tyrant, regardless of the circumstances and context in which it comes, erases nothing. Providing him with a final platform, it fuels his legend. Even when they have (been) “disappeared,” his remains live on in political, judicial or immaterial form. This life beyond the grave accorded to the perpetrator has an extent and a meaning that fluctuate according to the specific configuration in which his end comes, and according to the tangibility of the changes which it brings. But it does not put an end to the “uncountable time of [his] eternity.”²⁵

²⁵ Gabriel García Márquez, *The Autumn of the Patriarch*, trans. Gregory Rabassa (New York: Harper & Row, 1976), 269.