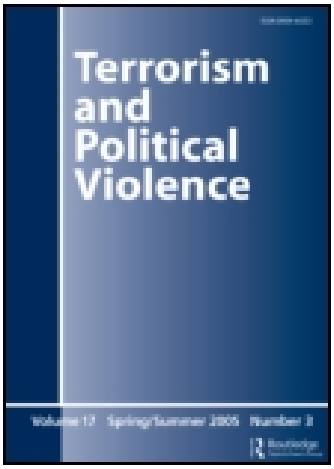

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The Role of State-Sponsored Militias in Genocide

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This article explains how and why armed, non-state actors collaborate with states to inflict massive levels of violence. Regime type and state capacity interact to provide state elites a menu of repertoires for implementing violence, some emphasizing direct state action, others emphasizing cooperation and alliance between state and armed, non-state actors. Rather than struggling in vain to build strong states to eliminate armed non-state actors and establish a monopoly over the use of force, averting genocide might necessitate recruiting and strengthening the power of indigenous, armed non-state actors.

Keywords conflict resolution, genocide, mass violence, militias, paramilitaries

Early notions of genocide emphasized the role of strong states with totalitarian ideologies methodically orchestrating mass destruction, as in the Nazi Holocaust or the Soviet Union. In the past decades, however, genocide has taken place in territories where states are too weak to govern effectively. Today, the greatest dangers to human security—ethnic cleansing, civilian massacres, banditry, enslavement, and child soldiers—seem to stem from the incapacity of states to secure and maintain order. Violence is often carried out not by legally sanctioned state agents but by armed non-state actors, acting either with commission and license from the state or in outright rebellion against it.[1]

This article addresses the role of armed non-state actors acting in collaboration with the state in contemporary genocide. Building on theories of violence in civil wars and circumstances of state frailty, it emphasizes how structural conditions of state strength or weakness interact to create opportunities to enact specific repertoires of violence, affecting how and when militias become involved in mass killing.[2] A similar repertoire of coercion and cooptation that mobilizes civilian populations to implement genocide, though, can also be deployed to incite resistance to mass violence. Rather than trying in vain to build strong states that will eliminate armed non-state actors and establish a monopoly over the use of force, the paper argues that averting genocide might necessitate recruiting indigenous non-state actors as local powerbrokers and allowing weak states to recede.

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The Neglected Role of Non-State Actors

Contemporary conceptualizations of genocide are only beginning to take into account the role of armed non-state actors. Early notions of genocide focused on totalitarian regimes like Nazi Germany and the Soviet Union, which created elaborate industrial complexes for mass killing. Irving Louis Horowitz, for instance, defines genocide as "a systematic destruction of innocent people by a state bureaucratic apparatus."[3] Omer Bartov states that "the mechanized, rational, impersonal, and sustained mass destruction of human beings, organized and administered by states · has become a staple of our civilization."[4] In this conceptualization, a strong state with a robust bureaucracy and powerful army is necessary for the enactment of mass killing. As Anton Weiss-Wendt puts it, genocide "requires the machine of the state to implement its utopian vision of society."[5] Similarly, Dan Chirot and Clark McCauley argue that "state power has made genocide and ethnic cleansing possible."[6]

Max Weber's description of the state as the successful claimant to the "*monopoly of the legitimate use of physical force* within a given territory" is the cornerstone of our understanding of state strength and weakness.[7] The police, the army, and their appending bureaucracies are the organs through which this legal monopoly is upheld. Preventing genocide, then, requires limiting the behavior of those state organs. The policy recommendations drawn from this state-centered understanding of the causes of genocide are essentially libertarian. Introducing democratic checks and balances and shrinking or taming the state's coercive institutions will diminish the risk of mass violence and genocide.[8]

Yet no state has ever fully achieved Weber's ideal-type definition. Michael Mann notes that "most historic states have not possessed a monopoly of organized military force and many have not even claimed it."[9] In fact, in many circumstances states actively or passively collaborate with a bevy of armed actors that remain outside their legal and bureaucratic boundaries. Such devolution of violence empirically belies Weber's notion of a monopoly over violence held by legally authorized organs of coercion and directed through linear, bureaucratic, and rational chains of command.

The nomenclature attached to such groups veers between pejorative (e.g., "collaborators") and euphemistic (e.g., "self-defense forces"). To avoid further entanglement in an already dense normative thicket, here they are referred to collectively as state-sponsored militias, or simply, militias. These militias take many different forms. Some are closely tied to the state, receiving training or even weaponry from it, such as armed wings associated with the ruling political party, or police and military officers carrying out assassinations in an off-duty or unofficial capacity. Some may emerge in a more organic manner and are co-opted by the state, such as village guards or neighborhood watch associations. These tend to have much less training and only simple weaponry. A militia's connection with the state may be covert, as in an organized crime syndicate that works with government agents against a common enemy. During periods of civil war and insurgency, warlords and other armed factions commonly switch sides and may ally with the state temporarily. In all of these cases, such armed groups do not enjoy the recognition and authority offered by international norms or domestic law, and thus are a type of state-organized crime.[10]

Turning to the issue of genocide specifically, violence has occurred in states that fall far short of the Weberian criterion of legal, bureaucratic violence and

makes extensive use of militias of various kinds. As Mark Mazower notes, the insistence on using the Holocaust (and the Soviet mass killing) as an historical benchmark blinds analysts to the fact that "most other states that have perpetrated acts of mass violence over the past century were less efficient, differently organized, and motivated by different sets of belief and strategies."[11] The Armenian genocide during World War I, which is often cited as a precursor to the Shoah, entailed massive involvement by Kurdish militias armed and recruited by Ottoman authorities desperate to hold together a crumbling empire. Even the Holocaust itself has been subject to new historical scrutiny that casts doubt on the commonly accepted notion of a centrally controlled industrialized killing symbolized by the gas chamber and crematorium. As Tim Snyder and others have documented, this understanding is too simple and too clean.[12] Much of the killing in Eastern Europe in the 1930s and 1940s was not the direct result of methodical, centralized bureaucracy. Rather, much of the death was the product of a concatenation of haphazard but nonetheless lethal decisions to deny particular populations access to food and shelter or to liquidate individual towns, villages, and ghettos by low-level Nazi functionaries, collaborating local auxiliaries, and partisans.

More recent history shows that civilians have suffered massive harm even—and perhaps especially—in the absence of well-equipped, professionally trained armies and police. Rather than the legally sanctioned personnel of the army, police, and their bureaucratic adjuncts, state-sponsored militias like the *janjaweed* in Sudan, the *interahamwe* in Rwanda, or the special groups in East Timor have been the primary perpetrators of destruction. In other cases rebel groups have been seen to inflict severe violence as well.[13]

The prevalence of these groups is a significant puzzle for state-centric theories of genocide. As Chirot and McCauley note,

> The kind of genocidal killing most difficult to explain is when civilian perpetrators or temporary members of local militias murder their neighbors and fellow countrymen, especially when there seem to be no central authorities organizing and leading them. . . . [These cases] may have had leaders and were often backed by complicit armed forces or police, but they nevertheless were partly, often largely, perpetuated by eager volunteers.[14]

Indeed, some of the greatest threats to human security seem to stem not from strong states overzealous in the application of their power but rather from weak states incapable of controlling violence within their own territory. It is no surprise, then, that current policy orthodoxy has, in many ways, come full circle to embrace what Francis Fukuyama calls the "imperative of state-building."[15]

Still, the nexus between violence, state weakness, and armed non-state actors remains underexplored. On one hand, Benjamin Valentino, for example, offers a top-down approach that recognizes, but still seems to minimize, the role of militias. A "small group of people, usually members of a military or paramilitary organization" are involved in carrying out violence, often when they fear their hold on power is weakening in the midst of civil war or revolution. Thus, Valentino acknowledges that non-state actors are involved in violence, but slights their autonomy and impact. In general, civilians lend passive support in implementing the killing.[16] On the other

hand, Stathis Kalyvas offers a bottom-up argument that focuses on the behavior of private and local forces that become active when states are weak. Such forces, he argues, play an enormous role in violence and often operate on agendas of personal greed and grievance that supersede any directives from the state. They may ally with rebels or state factions based on their own, local calculus of political advantage.[17]

Drawing from historical sociology, Michael Mann and Christian Gerlach examine the emergence of coalitions encompassing state elites, perpetrators of violence, and a public that supports violence either actively or passively. Mann claims that states resort to escalating violence to combat what they see as an ever-increasing existential threat in the midst of democratization. State elites exhort their population to participate in the violence by various means, making the perpetrators of violence manifold in type, from professional police and army officers, to hard-core ideologues, to sociopaths, to petty criminals and thugs.[18] Gerlach parallels Kalyvas in describing how "governments may give orders and try to manipulate people . . . [but] the agendas of non-state actors often have a major impact on determining the targets, timing and forms of assault."[19] State and non-state actors alike have their own varying agendas and motives for violence. The fact that state elites seem to favor violence at a specific moment is often seen as an opportunity, not a command, for militias. This helps explain differences in the geography, intensity, and form of violence.

Indonesia's mass killing of 1965–1966 is another useful illustration of the function of such shifting coalitions of violence. The violence began when a group of mid-level cadres associated with the Indonesian Community Party (PKI) kidnapped and killed several top-ranking military officials. It remains unclear whether this constituted a botched coup or was a fabricated pretext for the military to retaliate against PKI and unseat the left-leaning president Sukarno. Regardless, while the high command instigated the repression of suspected communists, military officers could only be said to have overseen, rather than executed, the bulk of the violence. Internationally, the U.S. and Great Britain, eager to prevent the spread of Soviet influence, backed the move diplomatically. Domestically, Indonesia's major Islamic organizations saw the chance to strike a blow against PKI, their principal domestic rival, and readily joined the military's campaign. The Islamic youth movements, armed with scythes, swords, and other primitive weapons, served as vigilantes. Especially in rural areas, where the military control was weakest, the violence resembled more a mob attack or pogrom than a military operation. Civilians seized the opportunity to settle local scores that were only tangentially related to the military leadership's objective. Thus, in Robert Cribb and Colin Brown's words,

> In Aceh, [PKI] followers were loathed as infidels by the local Muslim community; in North Sumatra they were hated by sections of the indigenous Batak community for promoting the interest of the Javanese settlers. . . . In the cities of the archipelago, many Chinese fell victim of the PKI's close association with the People's Republic of China. In Bali, the PKI had attacked the practice of Hinduism. . . . In the countryside of Central and East Java . . . the PKI's promotion of land reform won it bitter enemies, but here it was especially detested by orthodox traditional Muslims.[20]

The individual victims of violence, then, were not those categorically associated with communism per se, but those whose status was defined in a local or even

personal context—atheists, animists, and other practitioners of rituals deemed unorthodox by Islamic authorities, labor organizers, ambitious peasants who had benefited from land reform, internal colonists from the Javanese mainland, Chinese landlords, and petty merchants.

Recognizing the need to incorporate militias into the purview of theories of genocide can lead in different conceptual directions. Gerlach, for one, seeks to replace state-centric theories with his own overarching concept of "extremely violent societies." Doing so, though, lumps heterogeneous cases together in a way that elides more than it elucidates. In the eastern European Bloodlands, for instance, the SS had far more control over their anti-partisan auxiliaries than Indonesian army officers had over the various militias they mobilized. Given the diverse conditions within extremely violent societies, it is little surprise that Gerlach himself is flummoxed in trying to offer a clear etiological account.[21]

An alternative approach is to develop a more finely grained taxonomy of different types of genocidal events along a continuum of state/non-state involvement, depicted in Figure 1. At one extreme, we could imagine massive violence conducted entirely by the state. Scenarios (mercifully yet unfulfilled) of global thermo-nuclear war would be the ultimate example of state-implemented genocide in which only a tiny fragment of the state executive has any substantive role.[22] At the other extreme are incidents of violence committed under the conditions of civil war or state failure, a Hobbesian anarchy in which state authority is nil. In these cases the army and police have receded or collapsed, leaving violence in the hands of various competing insurgent factions and increasingly autonomous paramilitaries and extra-judicial groups.

Between these poles are two intermediate sub-types. The first is bureaucratic/industrial mass killings that involve concentration and death camps. This appears on the continuum closer to nuclear war, but still admitting the agency of non-state actors in a number of ways. Conventional aerial bombardment against civilian targets, as the Allies practiced against Germany and Japan in World War II, would probably fit slightly to the left of bureaucratic/industrial mass killing. Though carried out by state agents alone, it requires a far more significant mobilization of manpower and resources to achieve destruction on a scale comparable to nuclear war and thus is more susceptible to individual mutiny, defection, and other types of behavior not authorized by the state executive.

Second, and further to the right, would be the violence of insurgency and counterinsurgency, which often involves a mixture of formal state personnel (army, police, etc.) and locally raised militia forces as well as rebels. Actions by non-state actors (both pro- and counter-state) involve a combination of political and pecuniary motives.[23] Insurgency and counterinsurgency can quickly slide into outright state failure. The civil wars in Afghanistan (1978–1992) and Somalia (1988–1991) show that militias armed with little beyond abandoned assault rifles and machine guns

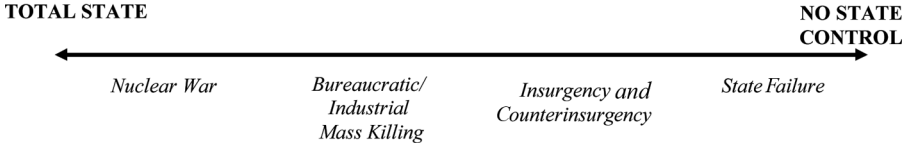

Figure 1. Spectrum of state/non-state actors in mass killing.

are capable of inflicting catastrophic violence. While such groups often claim the vestigial authority of the defunct state apparatus, they align with specific ethnic or tribal factions, becoming both forces of self-protection and aggrandizement. Still, the appearance of anarchy can also be a mask behind which state power operates, albeit indirectly. In the case of Indonesia, violence abated once Sukarno abdicated power in favor of General Suharto and the PKI no longer posed a serious threat. The Islamic leadership sought to carry on the assault to purify Indonesia of non-Islamic cultural influences, but was restrained by its erstwhile military allies and eventually sidelined politically.

Current thinking about genocide stems historically from the cases of strong states and massive repression, closer to the left-hand side of the continuum. Certainly, this element is still present. The "dirty wars" in Argentina and Chile in the 1970s, for instance, featured military dictatorships using robust bureaucracies to systematically abduct and execute suspected leftists. But far more genocidal events since World War II seem to have clustered on the right-hand side of the spectrum, where the state's role was muted or indirect and militias far more prominent. As a category, most recent cases of genocide share more in common with Indonesia, Somalia, or Rwanda than Hitler's Germany and Stalin's Soviet Union.

Structure, Agency, and the Repertoires of Repression

Why are some forms of genocidal violence more common than others and what patterns are observable in their emergence? Charles Tilly highlights two structural factors that contribute to different types of collective violence. The first factor is the state's capacity to govern, particularly in the application of force. In general, the greater the state capacity, the more likely the state will be to use violence to suppress activities it deems illegal or threatening. The second factor is regime openness or democracy. In general, the greater a regime's commitment to broad political participation and equality of political rights, the less likely it will be to resort to violent repression.

Based on these intersecting dimensions, Tilly describes different zones of coercion. First is the zone of fragmented tyranny, where states have low capacity and little democracy. Here, Tilly asserts, "warlords, bandits, and other political predators typically work their ways in collusion with or in defiance of the nominal rulers." This is the zone where insurgency, counterinsurgency, and outright state failure are most likely. Consequently, militias are most prevalent in the enactment of mass violence under these conditions. Second is the zone of authoritarianism, with very high governmental capacity and limited democracy. Since these states tend to meet opposition with violence and possess the type of infrastructure necessary to enact violence directly, such conditions yield industrial-bureaucratic types of genocide. Third is the zone of citizenship, where there is both high governmental capacity and a relatively strong commitment to broad and equal rights and obligations of citizenship. Though repression and even genocide are certainly possible in high functioning democracies, they are relatively rare. Such states can be, on one hand, more permissive toward most forms of opposition and, on the other hand, selectively aggressive toward those forms of opposition deemed outright threats.[24] Though Tilly does not address the issue directly, it is worth mentioning low capacity democracies. Tilly, like Mann and others, argues that democratization in conditions of weak institutionalization can lead to mass violence, yet they do not specify the form that

violence will take. Sri Lanka's protracted and bloody counterinsurgency campaign against minority Tamil rebels is illustrative. Sri Lanka has inclusive franchise, regular elections, and rigorous parliamentary debate, although the state systematically privileges the Sinhalese majority at the expense of the Tamils and other minorities. In fighting the Liberation Tigers of Tamil Eelam (LTTE) and other Tamil separatists, the Sri Lankan government has made ample use of state-sponsored militias, including setting up Sinhalese home guard militias to defend Sinhalese settlers dispatched to Tamil-dominated regions and recruiting collaborating Tamil militias to help fight the LTTE. Overall, this suggests that at lower levels of capacity, democracies implement mass violence in much the same manner as autocracies, by relying on a mixture of state and non-state forces.[25]

Regime type and state power combine to produce necessary, but not sufficient, conditions for different forms of genocidal violence. Put another way, these factors provide only the opportunity for different types of violent escalations; it takes specific acts of agency to make these forms of violence happen. To understand the processes that link these structural factors to genocidal outcomes, we must examine the specific repertoires that state and non-state armed groups deploy. Repertoires are sets of practices that armed groups routinely engage in as they make claims on other political or social actors. They are akin, in a sense, to the scripts performed by a veteran theater troupe, perfected with practice and solidified with repetition.[26] Especially in military organization, the formalization of standard operating procedures, incentive structures, and norms makes attempts to replace an institutional format progressively harder and duplication easier. Once established, specific patterns of behavior become locked in and path dependent.[27]

Like any dramatic performance, though, repertoires evolve over time through the manipulation of expert actors. Strategically minded agents further their own agendas by choosing from a menu of latent repertoire options. They constantly seek to find new applications for old repertoires by borrowing, imitating, and learning from past experience and examples. They assume different identities or roles, thus changing their relationship with other actors and deploying repertoires in ways that are orthogonal or even contradictory to their original purposes. Again, this is especially true in the military domain, where adaptation and the accumulation of expertise and technology are critical. Thus, while repertoires are embodied in institutions that have the inertia of long-standing cultural and historical continuities, they are enacted purposefully.[28]

Different repertoires of violence construe different kinds of relationships between state and non-state actors. Strong states emphasize separation between the state's legal apparatus and the illegal civilian sphere. By training and institutional culture, professional militaries and police typically consider themselves to have exclusive claim to legitimate use of coercion and abhor uses of force by civilians. Non-professionals are expected to forswear violence and rely on the state to settle their disputes with other civilians. To set state-initiated violence apart from unsanctioned or criminal (i.e., civilian) behavior, the use of force is couched in legalistic formulae appropriated from more banal forms of governance. When strong states launch mass killing campaigns, then, they often resort to seemingly euphemistic bureaucratic terminology and draw from administrative expertise accumulated in other spheres. A case in point is the Nazi gas chambers. Before gassing was used to kill Jews on the eastern front, the technique was developed during the 1930s euthanasia program, itself depicted in the seemingly benevolent public health phrase

of "cleansing" the nation.[29] Similar forms of applying bureaucratic procedures to kill on an industrial scale are evident in cases like the Anfal in Iraqi Kurdistan.[30]

Yet many states lack comparable infrastructural power to enact violence in this way. Over time, weak states develop repertoires of governance that emphasize not exclusive control, but collaborative relationships with armed non-state actors. This is part and parcel of what Joel Migdal calls the "dirty tricks" of leadership survival, which often include building up alternative bases of power that can rival, or even enfeeble, formal state institutions.[31] Instead of stigmatizing the independent initiation of force, vigilantism is glorified as a means of protecting both state and society. The Indonesian military, for instance, began to mobilize civilians as armed auxiliaries during the War of National Independence (1945–1949). By the 1950s, the idea of recruiting, directing, and controlling civilian militias was incorporated into the official doctrine of the Indonesian military. Moreover, civilians themselves were accustomed to organizing young men into armed bands who cooperated with state forces to hunt down those deemed a common threat, such as sorcerers, thieves, and other deviants or disturbers of the peace. It was an easy step from these routine practices to the initiation and orchestration of mass violence in 1965, repeated again in the violence in East Timor beginning in the 1970s.[32]

Every repertoire has inherent functional limitations that constrain strategic action. Though clothed in distinctive cultural accoutrements, repertoires are fundamentally functional; they persist because of their usefulness in addressing particular problems. The repertoire of mobilizing militias by the state, for instance, brings with it a number of practical risks. Those who maintain autonomous sources of funding and independent leadership are inherently fickle. Militias may use violence to pursue private vendettas, attacking simply for personal or pecuniary gain. Militias might also eventually resist the state itself, refusing to stand down if and when the state seeks to reassert its prerogative over force.[33] Noted Lt. Col. Sarwo Edhie, who trained and coordinated militias in Java and Bali,

> Whereas in Java I was concerned to encourage people to crush Gestapu [the Communist plot], on the other hand, [in Bali] the people were already eager to crush Gestapu to the roots. The important thing was not to let that enthusiasm be misused by certain people, leading to anarchy. That is what we had to prevent.[34]

Non-state actors might coalesce to overwhelm the states' forces entirely. Militarily, the devolution of violence to non-state actors also jeopardizes the regular army's ability to organize a concerted defense against external attacks by making it harder to coordinate, much less control, all of the factions wielding force. Thus, the Indonesian high command took considerable risk in encouraging civilian mobilization during the 1965–1966 mass killing in the midst of its *Konfrontasi* with British-backed Malaysia. Indicatively, the generals covertly sought assurances that Great Britain would refrain from seizing the opportunity to gain strategic advantage in disputed regions of Borneo while the Indonesian army was preoccupied with neutralizing the PKI.[35]

The case of Rwanda and the role of the *interahamwe* militias in the 1994 genocide further illustrate how repertoires are enacted and the limitations therein. Scott Straus and Gérard Prunier both argue that historically the Rwandan state was exceptionally strong (at least by the standards of post-colonial Africa).[36] The

administrative layers of prefectures, communes, and cells gave the state a dense penetration over Rwanda's rugged, mountainous terrain. More importantly, obedience and hierarchy were deeply engrained in Rwandan culture. The state inherited pre-colonial customs like the *corvée* and mandatory night watch and was thus habituated to impounding civilian labor. Civilian patrols were put to use during the 1963–1964 civil war and were a well-established repertoire of coercion comparable to the practice in Indonesia. Reflected a senior Rwandan military official,

> Civilian defense is not a characteristic of this war [i.e., the 1990–1994 period]. It is a characteristic of all wars we have. Each time there is an armed crisis in Rwanda, the civilian population is mobilized. Some are used for counter-infiltration. Some are used for roadblocks. Others are used to transport military equipment.[37]

These civilian patrols provided a ready script by which to recruit and unleash the *interahamwe* against Tutsis and other perceived political opponents. Those who refused to participate in violence were themselves targeted. As Straus argues, "attacking the Tutsis was like a 'law'" and disobedience carried a heavy price.[38]

But this is strength of only a very specific kind.[39] While the difference between state violence and criminal extortion is often blurry in practice, the distinction between a law and something *like* a law remains crucial to the Weberian notion of the state. Straus notes that at least at the beginning of Rwanda's mass killing, top local officials were largely passive and some even organized resistance. He describes three levels of participants in violence at the local level. At the top were rural elites who organized, legitimated, and directed the killing. Some of these were formally vested with administrative responsibilities, but others were merely civilians with high local standing (i.e., large landowners, skilled professionals, etc.). Next were the small group of aggressive young men associated with the *interahamwe* militia—"political party youths, unemployed youths, 'delinquents,' army reservists, former soldiers, and policemen." These "thugs" had the crucial task of enforcement and intimidation. Finally, there was "the large group of mostly male civilians, who ultimately made up the largest proportion of attacks."[40] Most of these individuals had no legal authority to demand compliance, much less to use violence. Rather than overemphasize the reach of Rwanda's military and bureaucracy, Luke Fletcher argues that at the local level the violence resembled "a thousand civil wars; distinctive, if not unconnected." While the killing was most probably planned in Kigali by high officials in the army and ruling party, it was articulated through both state channels (the police and the army) and non-state channels (the *interahamwe*). As such, it was never thoroughly under state control. Rwanda was not simply a case of state-led genocide, then, but "the overpowering of the organs of the state by organized non-state extremists."[41]

The Rwandan case also illustrates again the trade-offs between internal and external components of coercion. The *interahamwe* militia network proved astonishingly efficient at intimidating everyday citizens and killing unarmed Tutsis and other alleged regime opponents. At the same time, though, Rwanda's armed forces were no match for the (relatively) well-armed and well-trained Rwandan Patriotic Front (RPF), the Tutsi-led rebel group backed by Uganda. The RPF army overran the country and drove out the remnants of the old Hutu regime in a matter of months.[42] Thus, for all its capacity for mobilization, Rwanda lacked the basic military

apparatus necessary to defend its own territory—further *prima facie* evidence of fundamental state frailty.[43]

Ultimately, any explanation of the role of militias in genocide must account for the interaction between structural conditions, actors' strategic calculations, and the set of available repertoires. On one hand, when state capacity is high and the regime autocratic, repertoires dictate a mode of repression that is bureaucratic and industrial, using direct application of overwhelming state power. The idea of devolving power to non-state militias is anathema; it appears too dangerous or inefficient. On the other hand, when state capacity is low, regardless of regime openness, states have no choice but to recruit armed non-state actors to augment their capacity for coercion. This repertoire is not invented whole cloth, though, but is built up by day-to-day governmental practices premised on collusion between state and non-state actors.

Genocide Prevention and the Repertoires of Resistance

Just as etiological theories about genocide tend to focus on the state to the exclusion of militias, policy prescriptions for preventing genocide also tend to concentrate on ways of deterring or incentivizing state behavior while ignoring militias and other proxy warriors. This intellectual blind spot has had severe consequences. An American official noted after the Rwandan genocide, "we were psychologically and imaginatively too limited" to understand the destructive potential of Hutu militias.[44]

While cases like Indonesia show how non-state actors can form the tip of the spear in a coalition of violence, non-state actors might also be the Achilles heel. Individuals often have a specific interest in attacking their neighbors to gain property or prestige. But such localized manifestations of violent repertoires can be self-limiting. During the Armenian genocide, for instance, one Ottoman official noted that the government had ordered the Kurds in Mush "to exterminate the Armenians, but they were more eager to loot than to kill."[45] Extortion works best when violence is threatened but not used. In addition, cultural norms that justify violence, such as honor, feud, and clan solidarity, often also entail obligations of reciprocity that might lead fighters to demur from escalating to levels of genocidal aggression. In cases of counterinsurgency campaigns, states like Indonesia have been adept at triggering the former and dampening the latter.

Preventing genocide means doing the reverse, peeling away militias from the coalition of violence. There are several specific policy options that help accomplish this. International sanctions must be applied not only against states that sponsor non-state militias, but also against the militia leaders themselves. Violence devolution has been seen as a way for states to gain plausible deniability for the actions of purportedly autonomous and independent non-state actors.[46] Sudan's Defense Minister, for instance, claimed that the *janjaweed* were nothing but "gangs of armed bandits" whom the government is unfortunately powerless to stop.[47] So long as they remain in the state's good graces, militias operate with impunity from domestic law.

The international community must develop a more robust set of standards to hold both states and non-state actors accountable for crimes against humanity. Already, militia leaders involved in genocide in East Timor and the Balkans have been brought before international tribunals, but largely on an *ad hoc* basis. While these are important precedents, international legal standards must systematize their

approach to such increasingly prevalent atrocities in order to establish a more credible deterrent to non-state actors participating in coalitions of violence.[48]

Just as states use a combination of bribery and punishment to draw local elites into coalitions of violence, the international community has resources that might entice potential militia leaders to avoid or cease attacks on civilians or even take up arms against a genocidal coalition. Appealing to indigenous and traditional institutions of conflict resolution, such as tribal mediation and local religious leadership, can help resolve disputes without the state's intrusion and subversion. Somaliland, the unrecognized northern breakaway state of Somalia, is an excellent illustration of the potential these methods have for diffusing conflict and building stability. While the central and southern portions of Somalia are still nominally under the sovereignty of a defunct central state and have seen nearly unceasing warfare, piracy, and humanitarian disaster, Somaliland has been largely peaceful for over a decade by relying on customary Somali law and embedding the system of clan rule into its national constitution.[49] The *sungusungu* militias that emerged to protect villages during decades of civil war in eastern Africa are another example of the potential for non-state actors to maintain security on a local scale when states have abjectly failed.[50]

Western policy-makers are only gradually recognizing the need to engage state-sponsored militias directly. A basic premise must be empowering those non-state actors who are already positioned to discipline, control, or even defeat those violent forces that states seek to unleash. How exactly to do so, though, depends on the contexts of the particular conflict. For example, after working with the International Red Cross in Darfur, Markus Geisser recommends invoking customary dispute resolution techniques between nomadic Arab tribes and the sedentary Fur population in order to counter Khartoum's efforts to recruit tribes into the *janjaweed* militia. Tribes that refuse to join the coalition of violence can be rewarded with privileged access to international aid, recognition, and immunity from state control.[51]

Of course the distinction between a village self-defense force and a warlord militia is highly subjective. Collaboration or complicity with armed non-state actors can have negative consequences, both morally and practically. Such unsavory figures represent an uncomfortable reversion to pre-modern, patriarchal forms of rule. Warlords are not pacifists; they will use whatever coercive means they have for their own ends. Once empowered, armed non-state actors are unlikely to yield to state authority voluntarily, perpetuating the very conditions of state frailty from which threats to international and human security seem to stem.[52]

But strongmen are strong for a reason—they have experience and expertise in applying coercion where much of the population does not. This makes them essential participants in any coalition of violence, but also valuable bulwarks against escalating violence.[53] More than just fighting skill, they have better knowledge of the physical and cultural terrain and often have stronger roots in the community than the state does, making it more likely that the local population will cooperate in establishing a mutually beneficial system that ensures societal protection comes at a reasonable price. These strategies have already been put in place in the war against terror, as Western powers seek to recruit local forces, like the Iraqi Awakening council and the Afghan village councils, to prevent infiltration by radical elements.[54] Rather than hope that states can extend their hegemony, a more realistic and probable scenario is for multiple warlords to reach an equilibrium of fragmented power.

Conclusion: Imperfect Solutions to a "Wicked" Problem

Policy-makers and scholars alike struggle to make sense of the dangers militias pose. The face of genocide has changed since World War II, when it was the world's most powerful, industrialized states that perpetrated the most severe violence. Since then, however, genocide has become far more prevalent where states share the prerogative of coercion with local powerbrokers, tribal leaders, and other militia-type actors. Groups like Sudan's *janjaweed*, Rwanda's *interahamwe*, and Colombia's *autodefensas* are just some of the examples of state-sponsored militias that have collaborated with states in the implementation of mass violence. Among low capacity states, modes of governance often emphasize various forms of devolution of violence to powerful non-state actors. When challenged, typically in the context of an insurgency, state elites activate these repertoires, recruiting and mobilizing armed non-state actors to attack those they identify as a common enemy. Such mobilization can also escalate beyond state capacity to manage it, as militias seize the opportunity to pursue private agendas and expand the scope and intensity of violence.

To combat the scourge of anarchical violence, the international community has embraced state-building as a mantra. According to the *The Economist*, an astute conveyor of conventional wisdom, "everyone agrees that more effective government around the world is desirable."[55] This begs the question, though, of how to make governments around the world more effective. Drawing from systems analysis, Ken Menkhaus argues that state frailty is a "wicked" problem. No single solution can be transported from one context to another and every measure is bound to have costly and unintended consequences.[56] As Mann and Gerlach both argue, it is exactly the interwoven processes of industrialization, democratization, and state-building that provided the structural precipitants to genocide. Today's paragons of effective and democratic states, such as the United States, Germany, and Japan, all carried out violence so severe in the process of amassing state power that no one could reasonably recommend a recapitulation of their course.

Rather than waiting for strong states to someday arrive, an alternative is to embrace the non-state actors that are already the primary providers of security. This entails a number of risks. First of all, such a policy harkens to a paternalistic neo-imperialism that undermines the sovereignty and denies self-determination. Indeed, the idea of placing malfunctioning states under some form of international neo-trusteeship has gained considerable traction.[57] Still, there is growing recognition that the right to self-determination should be a tool to help fulfill human potential, not a shield to protect abusive and dysfunctional regimes.[58]

A second and more substantive problem is that collaborating with warlords necessarily comes at the cost of wider goals of political, economic, and social development. Even a trenchant skeptic of state authority must concede that modern ideals of citizenship, education, social security, health, and equality are all dependent on state-created order.[59] Armed non-state actors are unlikely to be capable of, much less interested in, fostering these kinds of broad improvements in human development. But, as Sven Chojnacki and Zeljko Branovic conclude in an extensive study of regions with limited statehood, on the narrow issue of protection from physical force, "violent groups such as rebel organizations and warlord systems can produce internal and external security in a defined territory, just as states can."[60] Contingent as they are on the slim chance of an effective and peaceful state-building effort, we must consider abandoning hopes of full human flourishing. By relying on the very

militias that already wield enormous power, we might move toward the more obtainable goal of basic human security and survival.[61]

While an effective and responsive state may be the best guarantor of human security, only a small fraction of the world's population lives under one—or ever will. Across much of the globe the state remains at most a distant force, with power held locally by a myriad of militias, paramilitaries, and other non-state actors. Given the prominent role of these non-state actors in genocide, it is crucial to identify new ways to enable and enact repertoires that resist the drive to genocide, even if this means further erosion of sovereignty. These measures represent an imperfect, but much needed response to a dire problem.

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Notes

1. United Nations, *Report of the Secretary General to the Security Council on the Protection of Civilians*, 9/1999/957 (New York: Author, September 8, 1999); see also Michael Ignatieff, "Intervention and State Failure," in Nicolaus Mills and Kira Brunner, eds., *The New Killing Fields: Massacre and the Politics of Intervention* (New York: Basic Books, 2002), 236.

2. For purposes of this article, the term "mass" is used to qualify killing and violence only in relation to the number of targets of violence, not the numbers of individuals who perpetrated it. As such, mass killing should be seen as a synonym for genocide or politicide.

3. Irving Louis Horowitz, *Genocide: State Power and Mass Murder* (New Brunswick, NJ: Transaction Press, 1976), 18.

4. Omer Bartov, *Murder in Our Midst: The Holocaust, Industrial Killing, and Representation* (New York: Oxford University Press, 1996), 3–4.

5. Anton Weiss-Wendt, "The State and Genocide," in Donald Bloxham and A. Dirk Moses, eds., *Oxford Handbook of Genocide Studies* (New York: Oxford University Press, 2010), 100.

6. Daniel Chirot and Clark McCauley, *Why Not Kill Them All? The Logic and Prevention of Mass Political Murder* (Princeton: Princeton University Press, 2006), 19.

7. Max Weber, "Politics as Vocation," in H. H. Gerth and C. Wright Mills, eds., *From Max Weber: Essays in Sociology* (New York: Oxford University Press, 1958), 78 (italics in original). This emphasis on legal force remains central to many contemporary discussions of the state. See Margaret Levi, "The State of the Study of the State," in Ira Katznelson and Helen V. Milner, eds., *Political Science: The State of the Discipline* (New York: W.W. Norton, 2002), 40; Joel Migdal, *State in Society: Studying How States and Societies Transform One Another* (New York: Cambridge University Press, 2001), 14–15.

8. R. J. Rummel, *Death by Government* (New Brunswick, NJ: Transaction Press, 1997).

9. Michael Mann, *The Sources of Social Power, Volume 1: A History of Power from the Beginning to A.D. 1760* (New York: Cambridge University Press, 1986), 11.

10. Ariel Ahram, *Proxy Warriors: The Rise and Fall of State Sponsored Militias* (Stanford: Stanford University Press, 2011), 8–11. For a statistical overview, see Sabine C. Carey, Neil J. Mitchell, and Will Lowe, *A New Database on Pro-Government Militias*, http://www.sowi.uni-mannheim.de/militias/wp-content/uploads/2011/05/Data-Paper.pdf.

11. Mark Mazower, "Violence and the State in the Twentieth Century," *American Historical Review* 107, no. 4 (2002): 1160.

12. Tim Snyder, *Bloodlands: Europe Between Hitler and Stalin* (New York: Basic Book, 2010). See also Jan Gross, *Neighbors: The Destruction of the Jewish Community in Jedwabne, Poland* (Princeton: Princeton University Press, 2001); Jeffrey Kopstein and Jason Wittenberg, "Deadly Communities: Local Political Milieus and the Persecution of Jews in Occupied Poland," *Comparative Political Studies* 44, no. 3 (2011): 259–283.

13. Of the 617 cases of attacks on unarmed civilians that claim more than twenty-five lives between 1989 and 2008 recorded in the Uppsala Conflict Data Sets' One-Sided Violence dataset, 403 (65%) were carried out by non-state actors. See Kristine Eck and Lisa Hultman, "Violence Against Civilians in War," *Journal of Peace Research*, 44, no. 2 (2007): 233–246.

14. Chirot and McCauley, *Why Not Kill Them All?* (see note 6 above), 92.

15. Francis Fukuyama, *State-Building: Governance and World Order in the 21st Century* (Ithaca: Cornell University Press, 2004).

16. Benjamin A. Valentino, *Final Solutions: Mass Killing and Genocide in the Twentieth Century* (Ithaca: Cornell University Press, 2004), 3.

17. Stathis Kalyvas, *The Logic of Violence in Civil War* (New York: Cambridge University Press, 2006); See also Alex Alvarez, "Militias and Genocide," *War Crimes, Genocide, and Crimes Against Humanity* 2 (2006): 1–33.

18. Michael Mann, *The Dark Side of Democracy: Explaining Ethnic Cleansing* (New York: Cambridge University Press, 2005).

19. Christian Gerlach, *Extremely Violent Societies* (New York: Cambridge University Press, 2010), 3.

20. Ibid., 20.

21. Gerlach recognizes the potential for different causal pathways to mass violence in industrialized vs. non-industrialized societies, as well as between imperialist and internal spheres of killing. Still, in his conclusion (see note 19 above, Chapter 8), Gerlach retreats to the same kinds of structuralist theories he criticizes, concluding that elite-mass conflict and the process of integrating underdeveloped regions into the capitalist world economy were key dynamics contributing to the escalation of violence. Such generality is the only way to account for the Nazi Holocaust on one hand and the destruction of the Australian aboriginals on the other.

22. On nuclear war as genocide, see Martin Shaw, *War & Genocide* (Malden, MA: Blackwell, 2003).

23. Gerlach, *Extremely Violent Societies*, Chapter 5 (see note 19 above); See also, Anthony James Joes, *Resisting Rebellion: The History and Politics of Counterinsurgency* (Lexington: University of Kentucky Press, 2004); and Ian F. W. Beckett, *Modern Insurgencies and Counter-Insurgencies: Guerrillas and Their Opponents Since 1750* (New York: Routledge, 2001).

24. Christian Davenport, *State Repression and the Domestic Democratic Peace* (New York: Cambridge University Press, 2007).

25. Neil DeVotta, "The Liberation Tigers of Tamil Eelam and the Lost Quest for Separatism in Sri Lanka," *Asian Survey* 49, no. 6 (2009): 1021–1051; Robert Rotberg, *Creating Peace in Sri Lanka: Civil War and Reconciliation* (Washington DC: Brookings Institute Press, 1999), 22–23, 60–61.

26. Charles Tilly, *The Politics of Collective Violence* (New York: Cambridge University Press, 2003), 45–61; Elisabeth Jean Wood, "The Social Processes of Civil War: The Wartime Transformation of Social Networks," *Annual Review of Political Science* 11 (2008): 532–561. For an application of repertoire theory to genocide, see Lee Ann Fujii, *Killing Neighbors: Webs of Violence in Rwanda* (Cornell University Press, 2009).

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30. Joost Hiltermann, *A Poisonous Affair: America, Iraq, and the Gassing of Halabja* (New York: Cambridge University Press, 2007); Joost Hiltermann, *The Bureaucracy of Repression: The Iraqi Government in Its Own Words* (Washington DC: Human Rights Watch, 1994); and Human Rights Watch, *Genocide in Iraq: The Anfal Campaign Against the Kurds* (Washington DC: Author, 1993).

31. Joel Migdal, *Strong Societies and Weak States: State-Society Relations and Capabilities in the Third World* (Princeton: Princeton University Press, 1988), 214–222.

32. Geoffrey Robinson, *Dark Side of Paradise* (Ithaca: Cornell University Press, 1995); Robert Cribb, ed., *The Indonesian Killings of 1965–1966: Studies from Java and Bali* (Clayton: Centre of Southeast Asian Studies, Monash University, 1990).

33. Joel Migdal, *Strong Societies and Weak States: State-Society Relations and Capabilities in the Third World* (Princeton: Princeton University Press, 1988), 214–222.

34. Cited in Robison, *Dark Side of Paradise* (see note 32 above), 296.

35. Ahram, *Proxy Warriors* (see note 10 above), 16–22, 47–52.

36. Scott Straus, *The Order of Genocide: Race, Power, and War in Rwanda* (Ithaca: Cornell University Press, 2006); Gérard Prunier, *The Rwanda Crisis: History of a Genocide* (New York: Columbia University, 1997).

37. Ibid., 218.

38. Ibid., 219.

39. Straus (see note 36 above) himself concedes that the Rwandan state was "not powerful in the conventional sense," 202. See also Hillel Soifer, "State Infrastructural Power: Approaches to Conceptualization and Measurement," *Studies in Comparative International Development* 43, nos. 3/4 (2008): 231–251.

40. Straus (see note 36 above), 93.

41. Luke Fletcher, "Turning Interahamwe: Individual and Community Choices in the Rwandan Genocide," *Journal of Genocide Research* 9, no. 1 (2007): 26. This point is buttressed by Filip Reyntjens' observation (five years before the genocide occurred), that bureaucratic norms in Rwanda remained "poor" and that the "official norms of the central authority—efficiency, integration, unity, and nation-building—meet with resistances that are hard to fight." Filip Reyntjens, "Chiefs and Burgomasters in Rwanda: The Unfinished Quest for a Bureaucracy," *Journal of Legal Pluralism* 25/26 (1987): 95.

42. Alan Kuperman, "Provoking Genocide: A Revised History of the Rwandan Patriotic Front," *Journal of Genocide Research* 6, no. 1 (2004): 61–84.

43. Scott quotes a Rwandan military official who notes that one of the reasons for civilian mobilization was that "there was not sufficient military means to cover the country" in the midst of the civil war. James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press, 1998), 218: 711–810.

44. George Moose cited in Samantha Powers, "*A Problem from Hell": America and the Age of Genocide* (New York: Basic Books, 2002), 348.

45. Cited in Kamil Madhan Ahmad, *Kurdistan During the First World War*, trans. Ali Maher Ibrahim (London: Saqi Books, 1994), 166.

46. Stanley Cohen, *States of Denial: Knowing About Atrocities and Suffering* (Malden, MA: Polity Press, 2001), 108–109.

47. *Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General,* January 25, 2005, http://www.un.org/News/dh/sudan/com_inq_darfur.pdf.

48. For a comprehensive survey of the treatment of armed non-state actors in international law, see M. Cherif Bassiouni, "The New Wars and the Crisis of Compliances with the Law of Armed Conflict by Non-State Actors," *Journal of Criminal Law & Criminology* 98, no. 3 (2008): 711–810.

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51. Markus Geisser, "'The Janjaweed' in Darfur: Stakeholders of Conflict and Peace," M.Sc. thesis, School of Oriental and African Studies, University of London, submitted September 14, 2009.

52. Kimberly Marten, "Warlordism in Comparative Perspective," *International Security* 31, no. 3 (2006/7): 41–73.

53. Charles King, "Can There Be a Political Science of the Holocaust," *Perspectives on Politics* 10, no. 2 (2012): 334–335.

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55. "Fixing a Broken World," *The Economist*, January 29, 2009.

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57. James D. Fearon and David Laitin, "Neotrusteeship and the Problem of Weak States," *International Security* 28, no. 4 (2004): 5–43; Stephen Krasner, "Sharing Sovereignty: New Institutions for Collapsed and Failing States," *International Security* 29, no. 2 (2006): 85–120.

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59. Scott, *Seeing Like a State* (see note 43 above), 340.

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61. For a minimalist definition of human security, see S. Neil MacFarlane and Yuen Foong Khong, *Human Security and the U.N.: A Critical History* (Bloomington: Indiana University Press, 2006).