

Spoilers or Governance Actors?

Engaging Armed Non-State Groups in
Areas of Limited Statehood

Ulrich Schneckener



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DFG Research Center (SFB) 700
Freie Universität Berlin
Alfried-Krupp-Haus Berlin
Binger Straße 40
14197 Berlin
Germany
Phone: +49-30-838 58502
Fax: +49-30-838 58540
E-mail: sfb700@zedat.fu-berlin.de
Web: www.sfb-governance.de

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Ulrich Schneckener

Abstract

Armed non-state groups pose a severe challenge for peace- and state-building processes. Depending on the situation, they may act as both spoilers and governance actors. This paper aims at presenting a framework for analysing armed groups as well as forms of engagement for international actors. It first describes various armed groups, which need to be distinguished in order to highlight specific profiles, as ideal types. Secondly, a number of strategies for dealing with these groups will be introduced and discussed by referring to realist, institutionalist and constructivist approaches. Thirdly, the conclusion will point to key problems and limits of these approaches when addressing the spectrum of armed groups. The argument here is that these approaches - despite their differences - by and large are directed to similar profiles of armed groups while other forms of non-state violence are systematically neglected.

Zusammenfassung

Nicht-staatliche Gewaltakteure sind eine besondere Herausforderung für Peace- und State-building-Prozesse. Je nach Situation agieren bewaffnete Gruppen als „Störenfriede“ oder als Governance-Akteure. Dieses Papier verfolgt die Absicht, einen konzeptionellen Rahmen für die Analyse von nicht-staatlichen Gewaltakteuren sowie der Gegenstrategien durch internationale Akteure bereitzustellen. Zunächst werden verschiedene Profile von bewaffneten Gruppen in Form von Idealtypen unterschieden. Zweitens werden eine Reihe von Strategien im Umgang mit solchen Akteuren eingeführt und diskutiert, wobei zwischen realistischen, institutionalistischen und konstruktivistischen Ansätzen unterschieden wird. Drittens verweist das Papier auf zentrale Probleme und Grenzen dieser Ansätze. Insbesondere wird deutlich, dass sich diese Strategien – ungeachtet ihrer inhaltlichen Differenzen – auf ähnliche Profile bewaffneter Gruppen konzentrieren, während andere Formen von nichtstaatlicher Gewalt systematisch vernachlässigt werden.

Abbreviations

AAA	Alianza Anticomunista Argentina (Argentine Anticommunist Alliance)
ALN	Ação Libertadora Nacional (National Liberation Action, Brazil)
ANC	African National Congress, South Africa
AUC	Autodefensas Unidas de Colombia (United Self-Defense Forces of Colombia)
DIE	Deutsches Institut für Entwicklungspolitik (German Development Institute)
ELN	Ejército de Liberación Nacional (National Liberation Army, Colombia)
EZLN	Ejército Zapatista de Liberación Nacional (Zapatista Army of National Liberation, Mexico)
FARC	Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia)
FMLN	Frente Farabundo Martí para la Liberación Nacional (Farabundo Martí National Liberation Front, El Salvador)
GAM	Gerakan Aceh Merdeka (Free Aceh Movement, Indonesia)
ICG	International Crisis Group
LRA	Lord Resistance Army, Uganda
LTTE	Liberation Tigers of Tamil Eelam, Sri Lanka
PAGAD	People Against Gangsterism and Drugs, South Africa
POLISARIO	Frente Popular para la Liberación de Saguía el Hamra y Río de Oro (Popular Front for the Liberation of Saguia el Hamra and Río de Oro, Western Sahara)
PSC	Private Security Company
PMC	Private Military Company
RENAMO	Resistência Nacional Moçambicana (Mozambican National Resistance)
SPLA	Sudan People's Liberation Army
TIT	Türk Intikam Tugayı (Turkish Revenge Brigades)
UCDP	Uppsala Conflict Data Program
UÇK	Ushtria Çlirimtare e Kosovës (Kosovo Liberation Army)
UDA	Ulster Defense Association
UNITA	União Nacional para a Independência Total de Angola (National Union for the Total Independence of Angola)

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1. Introduction: Spoilers or Governance Actors?¹

Be it pirates, mercenaries, warlords, bandits, partisans or tribal chiefs: Armed non-state groups have been constant companions of wars and violent conflicts for centuries. From a historical point of view, the figure of the non-state armed actor can be seen as the antagonist to the state's monopoly on the use of force, which was successively established in Europe and later elsewhere against the various forms of non-state violence – either by exerting power and containment or through negotiations with and incorporation of these actors into state structures. Armed groups are therefore neither a novel phenomenon nor a new challenge for state actors. The current interest in these groups, however, is due to the fact that for a successful conflict resolution as well as for post-conflict state-building promoted by external actors the engagement with armed groups has become an issue of crucial importance. There can be no doubt that armed non-state groups of different type dominate the situation during and after armed conflict in manifold ways. On the one hand, they are responsible for violence against unarmed civilians as much as for the establishment of criminal and informal shadow economies. On the other hand, armed groups are often the result of socio-economic and political problems, they may see themselves as advocates for such grievances and may build on broad support within the population.

A glance at the data delineates the quantitative dimension of the problem: The Uppsala Conflict Data Program (UCDP) registered a total of 124 armed conflicts between 1989 and 2007, of which 91 were intrastate and 26 internationalised intrastate conflicts.² In these conflicts at least one armed non-state actor is involved but normally multiple militant groups will be implicated. Looking only at rebels fighting a government, the researchers conclude that, for example, in 2002 and 2003 more than 30% of the active conflicts involved more than one rebel group (Harbom/Melander/Wallensteen 2008: 697). Moreover, the UCDP has introduced “non-state conflict” as a new category, which refers to violent encounters between non-state actors only. In 2002, 36 “non-state conflicts” were registered (compared to 32 conflicts involving a state actor), in 2006 the figure was 24 (compared to 33 with state involvement) (see Human Security Centre 2007).³ In the absence of a reliable database that sheds light on the approximate total of armed groups, the IISS Military Balance 2007 may serve as an illustration: It lists 345 armed non-state actors worldwide, 50 of whom are active in India alone, 25 in Iraq, 21 in Pakistan and half a dozen in each Bangladesh and Nigeria (see Hackett 2007: 422-438).

1 The paper did profit from a research project (2008-2010) funded by the German Foundation for Peace Research on the role of NGOs in dealing with armed groups. I therefore would like to thank the Foundation for its support and in particular my colleague Claudia Hofmann for helpful comments at various stages of the drafting process of this paper.

2 http://www.pcr.uu.se/publications/UCDP_pub/UCDP_dyadic_dataset_1.0_Online_appendix.pdf; 20.9.2009.

3 The UCDP has listed 27 countries which have been affected by “non-state conflicts” since 2002: Mexico, Guatemala, Ecuador, Colombia, Brazil, Senegal, Cote d'Ivoire, Ghana, Nigeria, DR Congo, Burundi, Uganda, Kenya, Sudan, Chad, Ethiopia, Somalia, Iraq, Palestine/Israel, Afghanistan, India, Pakistan, Nepal, Sri Lanka, Bangladesh, Myanmar, Philippines. See <http://www.pcr.uu.se/gpdatabase/search.php>; 9.5.2009.

The debate about the role of non-state armed groups is by and large shaped by two opposing angles: The first perspective which dominates the political discourse and the literature on counter-insurgency perceives these actors mainly as a “problem”. They are not only seen as actors who may cause and trigger violent conflicts, but also as actors who make it increasingly difficult to end wars and restore peace and stability. After armed conflicts, they still act as “spoilers” who have the potential to disturb, undermine, or completely truncate processes of post-conflict state building, leading to violence flare-ups.⁴ Thereby, these actors constantly question the concept of the state’s monopoly of the use of force. Moreover, in many instances, such as Somalia, DR Congo, Sierra Leone, Liberia, Palestine, Iraq, Afghanistan or Pakistan armed groups are not only a “local” affair, but they act across borders and may destabilise entire regions; some – such as transnational terrorist networks – even pose threats to international security. And, finally, external actors, ranging from UN peace operations to development NGOs, are in many ways directly affected by these actors who may attack or threaten international troops, police officers or aid workers: they may take foreigners as hostages, prevent humanitarian aid from being delivered to the population, or cause a lack of international investment and of development. The underlying assumption of the “spoiler” perspective is that these actors show no interests in peace processes and state stability because of various political and socio-economic reasons. However, in the literature reference is made to various types of spoilers (Stedman 1997) as well as to various methods of spoiling (e.g. the selective or the indiscriminate use of violence, see Kalyvas 2006: 146-209).

In contrast, the second perspective does not refer to these actors as “problems”, but rather asks whether and under which conditions these groups may serve as “governance actors” who are willing and able to provide basic services beyond their own membership for larger segments of the civilian population – be it protection, access to resources and jobs, taxation, supply of food, water and medical care or even elements of jurisdiction. In some instances, these services may work as “functional equivalents” to regular state activities and assure a certain degree of stability in areas of limited statehood although the distribution of goods may often be selective and arbitrary as well as based on a patron-client-relationship. From this point of view, the question arises whether or not armed groups and their leaders also have the potential to serve as “stabiliser” and to become “part of the solution” in state- and peacebuilding processes.⁵ In the literature, this approach has been substantiated by empirical research and by concepts such as “legitimate oligopolies of violence” (Mehler 2003, 2006), which are established at local level by various armed groups in order to secure a minimum of stability, an “outsourcing of statehood” (Zürcher 2007) where state institutions *de facto* hand over governance functions to non-state actors, “commercialised security” (Chojnacki/Branović 2007) where various armed actors offer their services on a “security market”, or forms of “transnational security governance” (Schneckener/Zürcher 2007). The latter refers to situations where international and local actors, including armed groups such as militia, clan chiefs or (former) warlords, cooperate in an informal

4 For the spoiler concept see: Stedman (1997); Schneckener (2003); Newman/Richmond (2006); Greenhill/Major (2006).

5 For example, in a report the International Crisis Group (see ICG 2006) asked the question whether Iraq’s militant Shiite leader Muqtada Al-Sadr is a “spoiler” or “stabilizer”.

or formalised way so as to achieve a secure environment and to deliver services to the local population (see e.g. the international involvement in Kosovo or Afghanistan). These arrangements usually emerge in an ad hoc fashion, for instance in the context of coordination or consultation bodies (e.g. for aid delivery), in which both international and local actors are represented. Some of these forms of governance have proved to be long-standing, others turn out to be rather transient phenomena that vanish as soon as the local situation changes.

Both perspectives lead to different forms of engagement with armed groups. In the first case, military, police and law-enforcement measures or containment strategies seem to be appropriate, whereas from the second perspective attempts for integration and socialisation of these groups may be seen as more promising. However, armed non-state actors are usually both – spoilers as well as governance-actors – at once. With regard to some issues or particular actors they may behave as spoilers, whereas in other areas they have an interest in delivering to local constituencies, cooperating with others and showing compliance with certain agreements. In other words, it remains an empirical – and not a conceptual – question under which circumstances armed groups behave in one way or another. The aim of this paper is not to answer this question but to present a general framework for analysing armed non-state actors, their typical characteristics and behaviour as well as possible forms of engagement for international actors, be it a government, an international organisation or an NGO. Therefore, the paper will first describe various armed groups, which need to be distinguished in order to highlight specific profiles, as ideal types. Secondly, a number of strategies for dealing with these groups will be introduced and discussed by referring to realist, institutionalist and constructivist approaches. Thirdly, the conclusion will point to key problems and limits of these approaches when addressing the spectrum of armed groups. The paper, however, does not link particular strategies with particular types of non-state armed groups. This would not seem to be appropriate, since a number of factors which can not be discussed in this paper in detail would determine the success or failure of these strategies, the type of armed group being just one of them. The argument here is much more moderate in stating that these approaches – despite their differences – by and large are directed to similar profiles of armed groups while other forms of non-state violence are systematically neglected.

2. The “Universe” of Armed Non-State Groups

Generally speaking, *armed non-state groups* are (i) willing and capable to use violence for pursuing their objectives and (ii) not integrated into formalised state institutions such as regular armies, presidential guards, police or special forces. They, therefore, (iii) possess a certain degree of autonomy with regard to politics, military operations, resources and infrastructure. They may, however, be supported or used by state actors whether in an official or informal manner. Moreover, there may also be state officials who are directly or indirectly involved in the activities of armed non-state actors – sometimes because of ideological reasons, but not seldom due to personal interests (i.e. corruption, family or clan ties, clientelism, profit). Finally, they (iv) are shaped through an organisational relationship or structure that exists over a specific period of

time (e.g. spontaneous riots would not qualify). Against this background, the following typology aims at identifying the most important and most frequently encountered armed non-state actors as well as at highlighting their specific characteristics, based on definitions and concepts found in the literature as well as illustrated by some examples.⁶

Rebels or **guerrilla fighters**, sometimes also referred to as *partisans* or *franc tireurs*, are the archetype of armed non-state actors. They seek the “liberation” of a social class or a political community (“nation”). They fight for the overthrow of a government, for the secession of a region or for the end of an occupational or colonial regime. In that sense, they pursue a political agenda, most often based on a social-revolutionary, ethno-nationalistic or religiously inspired ideology. They see themselves as ‘future armies’ of a liberated population or community. Hence they sometimes wear uniforms and emblems, they have a command and rank structure as well as internal rules of the conduct of violent actions. In their military operations they avoid direct confrontation with their opponents; therefore, guerrilla warfare typically begins in rural areas, mountainous regions or in remote areas that are beyond the central government’s control.⁷ Some writers have propagated the concept of an urban guerrilla that is supposed to function as a vanguard for the rural guerrilla.⁸ According to the doctrine of guerrilla warfare as developed by *Mao Tse Tung*, *Ernesto Che Guevara* or *Frantz Fanon*, guerrilla fighters depend on the local population for logistic and moral support. In reality, however, the most significant support comes from foreign governments or various non-state actors that provide safe havens, weapons, equipment and know-how. Historical examples are among others the partisans during World War II who fought against German occupation, the anti-colonial movements after 1945 as well as the VietCong and the Red Khmer in the 1960s and 1970s. More recent examples are RENAMO in Mozambique, the FMLN in El Salvador, UNITA in Angola, the Zapatista EZLN in Mexico, the FARC and the ELN in Colombia, the Maoist rebels in India and Nepal or a number of rebel movements in DR Congo, supported by Rwanda and Uganda. Also separatist movements such as the SPLA in Southern Sudan, POLISARIO in West-Sahara, GAM in Aceh/Indonesia, the LTTE in Sri Lanka or the UÇK in Kosovo developed rebel-style politics.

Militias are irregular, paramilitary combat units that aim at protecting and defending the interests of the government and/or certain segments of the society. They usually act on behalf of, or are at least tolerated by, the political establishment (see Ero 2000; Francis 2005). Militias are often created, funded, equipped and trained in anti-guerrilla tactics (counter-insurgency) by state authorities or directly by ruling elites but they are generally not legalised, i.e. they do not

6 For similar attempts, see Mair (2003); Wulf (2005: 54-62); McCartney (2006: 3-4).

7 On the tactics of guerrilla warfare, see Münkler (1992: 152-162); Daase (1999); O’Neill (2005: 45-65). On organisational and political aspects of rebel movements see in particular Weinstein (2007).

8 One of the most prominent proponents of urban guerrilla was the Brazilian *Carlos Marighela*, whose *Handbook of Urban Guerrilla Warfare* (1969) inspired numerous (mostly leftist) guerrillas and terrorist groups. Marighela himself founded the ALN (*Ação Libertadora Nacional*) that became known to a larger public through the terrorist attacks it launched.

act under written and transparent provisions.⁹ Their task is often to fight rebels or criminals, to threaten specific groups (i.e. minorities) or to intimidate members of opposition parties. On behalf of the government they may handle the dirty business of targeted kidnappings and killings, massacres, ethnic cleansing or even genocide as in the case of the Hutu extremist group Interahamwé in 1994, sponsored by the government of Rwanda. Nevertheless militias often evade government control and, in the course of a conflict, develop their own agenda. One prominent example would be the development of the anti-rebel movement *Autodefensas Unidas de Colombia* (AUC) in Colombia (see Richani 2007). Self-proclaimed defenders of a status quo such as 'protection forces' (*Schutzbünde* or *Heimwehren*), political party militias or armed vigilante groups (e.g. Ku Klux Klan in the US) also fall into this category when they protect the (reported) interests of segments of the population that benefit from the current political situation and do not want to lose their political or economic status (such as land owners, former combatants, officers, dominant ethno-national groups). Some of these groups may therefore also attack the political establishment or state institutions when their privileges or superior role are put into question. Another sub-type is self-help defence forces or anti-gang militias who claim to try to protect a certain community against crime and corruption because the state is unable or unwilling. Often, however, these groups themselves pose a threat to their neighbourhood by ignoring laws and violating human rights – an example is the South-African group *People Against Gangsterism and Drugs* (Pagad), mainly based in Western Cape and KwaZulu-Natal, who were responsible for a number of attacks on local ANC politicians reportedly involved in organised crime or corruption (Ero 2000: 26-27). Due to the elusiveness of the militia concept, a variety of groups can be subsumed under this heading such as the right-wing extremist White Hand in Guatemala, the Argentine Triple A (*Alianza Anticomunista Argentina*), the anti-Kurdish Turkish Revenge Brigade (TIT), the protestant Ulster Defence Association (UDA) in Northern Ireland, the pro-Serbian Arkan Tigers in Bosnia and Kosovo, the pro-Indonesian groups *Aitarak* (thorn) and *Besi Merah Putih* (red-and-white iron) in Timor-Leste or the government-backed Janjaweed militia in Western Sudan (Darfur).

Clan chiefs or **Big Men** are traditional, local authorities who head a particular tribe, clan, ethnic or religious community.¹⁰ In other words, they are the leaders of an identity-based group, deeply rooted in history and traditions. Thus, they have usually attained their positions as leaders according to traditional rules, whether by virtue of their age and experience, ancestry or personal ability (charisma). In this regard, they can be seen as legitimate representatives of their people. Most often, they control a certain territory which may range from a few peripheral villages or settlements to larger regions. While this control can be formalised in para-state kingdoms or chiefdoms with a certain degree of autonomy, it may also be more informal since in many cases it either exists parallel to or cuts across administrative units of the state (von Trotha 2000). Most chiefs or big men also command an armed force recruited from male members of their tribe

⁹ However, in some countries private citizens are allowed by constitution or special laws to acquire and to carry firearms (see e.g. the 2nd amendment to the US constitution or the Colombian Decree 3398 of 1965). These provisions are often regarded as the legal basis for the establishment of militia groups.

¹⁰ This definition does not include corrupt and autocratic African presidents or politicians (e.g. the former president Mobutu of Zaire) which in the literature are also sometimes called 'Big Men'.

or clan. These forces are mainly set up for the purpose of protection and self-defence as well as for assuring the political order and for deterring and fighting internal rivals. Examples of this type can be found mainly in clan-based societies in sub-Saharan Africa (see the various clan families in Somalia, the Tuaregs in Mali, the Baganda in Uganda and the Zulu in South Africa), in Central Asia or in the Pacific region as well as in countries like Yemen, Afghanistan or Pakistan (e.g. Pashtun tribal areas along the Afghan-Pakistani border).¹¹

Warlords are local potentates who control a particular territory during or after the end of a violent conflict.¹² They secure their power through private armies which are recruited and paid by the warlord himself. The relationship between warlord and fighters is therefore primarily based on personal loyalty and to a much lesser degree on ethnic ties or ideology. An early definition of the term refers to the historic case of the Chinese warlords (*junfa*) in the 1910s and 1920s: A warlord is a man who “exercised effective governmental control over a fairly well-defined region by means of a military organisation that obeyed no higher authority than himself” (Sheridan 1966: 1, quoted in Vinci 2007: 315). Moreover, warlords themselves – Max Weber used the term *Kriegsfürst* – are independent from any higher authority (see Giustozzi 2003: 2; Jackson 2003: 134). Modern warlords are a typical by-product of long-standing civil wars. Some of them, however, manage to perpetuate their position also after the end of combat activities and shape the post-war order. Quite often they attempt to legalise the benefits they acquired during the war by running for public office. Generally, warlords benefit in particular from the lack or the breakdown of state structures. They use war or post-war economies by exploiting resources (such as precious metals, tropical timber, commodities or drug cultivation) and/or the local population (for instance, through looting or levying ‘taxes’). In doing so, they frequently capitalise on cross-border ties and links to global networks and illicit markets. In particular, this kind of political economy highlights their “parasitic nature” which separates a warlord organisation “from the state, tribe, or other form of political community” (Vinci 2007: 327-328). Prominent examples of warlords – some of them later assumed high-ranking political positions in the government – are Mohammed Farah Aidid (Somalia), Charles Taylor (Liberia), Laurent-Désiré Kabila (Zaire/DR Congo) and Abdul Rashid Dostum (Afghanistan).

Terrorists use violent means for spreading panic and fear among the population in order to achieve political goals, be they based on left- or right-wing, on social-revolutionary, ethno-national or religious ideologies (see Guelke 1995; Waldmann 1998). They use violence not only to shock and intimidate society but also to mobilise sympathisers and supporters as well as to contribute to the radicalisation of a conflict. In this sense, terrorism is a “communication strategy” conveying political messages to friends and foes alike (Waldmann 1998: 13). Terrorist groups are typically organised in a clandestine way, most often in small groups and cells, sometimes also in larger cross-border networks. Most long-standing terrorist groups have a certain degree of hierarchy with a leadership and command level at the top; however, the cell

¹¹ See the classic analysis by Sahlins (1963). For more recent examples of clan politics see Englebert (2002); Ssereo (2003); Collins (2004, 2006); Schatz (2004).

¹² On warlordism see Reno (1998); Nissen/Radtke (2002); Jackson (2003); Giustozzi (2003, 2005); Vinci (2007).

structure is often organised in a network style with various nodes linking rather autonomous cells or groups. One may distinguish between local terrorists who aim primarily at changing an existing political order at the national level (e.g. change of political regime, separatism) and transnational terrorists such as Al Qaida or Jemaah Islamiyyah who address the international order or the state-system in a wider region and who are linked by a transnational ideology which bridges national, ethnic, geographical or linguistic differences (see Schneckener 2006). Militarily speaking, terrorists are relatively weak actors who use terrorist attacks primarily as a means for getting attention for their ideology and grievances. Typical tactical means include kidnapping, hostage-taking, sabotage, murder, suicide attacks, vehicle bombs and improvised explosive devices as well as potentially the use of material for weapons of mass destruction (e.g. “dirty bombs”). Potential targets range from military sites, police stations and official government buildings to companies, airports, restaurants, shopping malls and means of public transport. Historic and current examples of groups and organisations who primarily use terrorist means are the Red Army Faction in Germany, the Action Directe in France, the Basque ETA, the Northern Irish IRA, the Kurdish PKK, the Islamic Jihad in Egypt or the various Islamic groups in India, Pakistan and Indonesia.

Criminals are systematically involved in illegal activities in order to gain material benefits.¹³ They are often organised in Mafia-type structures, syndicates, gangs or larger networks. The list of possible crimes and offences is long and includes smuggling, robbery, fraud, blackmailing, piracy, contract killing, money laundering, trafficking of human beings, product piracy and, in particular, illegal cross-border trading of drugs, weapons, nuclear material, human organs, timber and commodities. Most groups today are not specialised in one area but tend to be involved in various fields, depending on the opportunity structure at hand. Organised crime groups, at least their leaders, sometimes seek political influence in order to secure their profit interests. For that matter, they use means such as bribery, blackmailing, intimidation and murder against politicians, policemen and judges.¹⁴ Therefore, criminals do not fight against the state or a particular government but rather aim at infiltrating and undermining public authorities. Usually criminals use violent means selectively so as not to receive too much attention from law enforcement bodies. However, in some instances, violence may escalate to a war-like level, in particular when competing criminal groups fight each other and the state reacts by activating special forces or the military. For example, the most recent drug-related struggle in Mexico, involving four drug cartels (*Sinaloa, Tijuana, Juárez* and *Gulf*), caused more than 10.000 deaths between 2006 and 2008 (see Hoffmann 2009). Prominent historic and current cases of manifest criminal structures, sometimes developed over decades and generations, are the US-American *La Cosa Nostra*, the Italian mafias (the Sicilian *Cosa Nostra*, the Calabrian *Ndrangheta*, the Neapolitan *Camorra* and the Apulian *Sacra Cordona Unita*), various Japanese *Yakuzas*, the Chinese Triads and

¹³ The UN Convention Against Transnational Organized Crime (2000) defines in Art. 2 an “organized crime group” as “a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit.”

¹⁴ For an overview on organised crime see Krasmann (1997); Williams (2001); Galeotti (2001); Naim (2005). See also a special issue of *Global Crime* (2004) on criminal networks.

the Asian *Big Circle Boys*, the Russian *mafia* groupings (e.g. Solntseva, Tambov), the Taiwanese *United Bamboo Gang* or drug cartels in Colombia/USA (e.g. *Cali, Medellin, Norte del Valle*). Other examples are the A.Q. Khan network in Pakistan, which dealt illegally with material and know-how about weapons of mass destruction (see Heupel 2008) or the activities of the Russian arms trader Victor Bout who had built up a network of firms in order to provide arms in a number of conflicts (e.g. Angola, West Africa, Afghanistan) despite international sanctions (see Farah/Braun 2007). Most criminal organisations operate across borders, they have links and presences in a number of countries, frequently based on family ties, ethnic networks or migration patterns. They are nevertheless often organised hierarchically with a single patron or a “committee” of gang leaders at the top level.

Mercenaries and private security/military companies (PSCs/PMCs) are volunteers usually recruited from third states who are remunerated for fighting in combat units or for conducting special tasks on their own. They can serve different masters, ranging from the army of a state to warlords who promise rewards. Therefore, in civil wars mercenaries are frequently found fighting on all sides. Often these mercenaries are demobilised soldiers or former rebel fighters who now offer their know-how to other warring parties. Mercenarism has a long-standing tradition: Among its famous precursors are the *Condottieri* – contractors who led bands of mercenaries hired for protective purposes by Italian city-states or princes from the 15th century onwards. Other historic examples are mercenaries in the 30 Years War (1618 to 1648) or during the post-WW2 period of decolonisation, e.g. the activities of former German Wehrmacht officers in Congo (‘Kongo-Müller’). This category also includes professional ‘bounty hunters’ who hunt down wanted (war) criminals or terrorists either on behalf of a government or on their own account in return for financial rewards. While traditional mercenaries are banned under international law, modern private security or military companies usually act on a legalised and licensed basis. They have professionalised and commercialised the business of providing combatants, trainers or advisers, or other forms of operational or logistical support, and are contracted by governments, companies or other non-state actors.¹⁵ Moreover, some are actively involved in combat situations, often for counter-insurgency purposes. Because of the different services, Kümmel (2005: 146-151) distinguishes between “military provider firms”, “security provider firms”, “military and security consultant firms” and “military and security support firms”. A large number of these companies, typically set up by former army or police officers as well as intelligence and security experts, are based in the US, Great Britain, South Africa, France, Canada or Israel (see Kinsey 2006: 4-6). Prominent and well-documented examples are the activities of the South African company *Executive Outcomes* in Angola and Sierra Leone, the British *Defence System Ltd.* in Colombia, the US firm *Military Professional Resources Incorporated* (MPRI) in Croatia and Bosnia or US companies such as *DynCorp* or *Blackwater* in Iraq and Afghanistan.

¹⁵ For private military and security companies see Mandel (2002); Singer (2003); Krahnemann (2005); Leander (2005).

Marauders by contrast are demobilised or scattered former combatants who engage in looting, pillaging and terrorising defenceless civilians during or after the end of a violent conflict. They display a relatively low level of organisational cohesion and move from one place to another. A particular version is the so-called *sobel*, a neologism combining the words soldier and rebel (soldiers by day, rebels by night). As described paradigmatically in the case of Sierra Leone, sobels are members of an under-funded, disorganised army; after work they aim at making private profit out of criminal and commercial activities such as looting, robbery, the collection of protection money, abductions, lynching (see Richards 1996). Marauders are therefore beneficiaries of a chaotic situation triggered by the central government's loss of control over (parts of) its territory. In some cases, however, marauders may be deployed strategically by regular armed forces, paramilitaries or political movements as auxiliaries to handle the "dirty business" of ethnic cleansing, massacres of the civilian population or the persecution of political opponents.

2.1 Similarities and Differences

Despite their different profile, there is a number of common features which makes it increasingly difficult to distinguish analytically between these types. In particular, three trends have contributed to this: First, most of these armed non-state actors frequently use – albeit to a different degree and by different means – violence against unarmed civilians. Sometimes this happens accidentally but in most cases this is part of a strategy in order to exploit, intimidate or deter people, to provoke reactions from the government and to undermine the authority and legitimacy of state institutions who are apparently not able to protect the population. In other words, non-state armed actors generally do not care a great deal for the distinction made by humanitarian international law between combatants and non-combatants. If anything, such a distinction may have played a role for classical rebel or guerrilla movements, who avoided using excessive violence against the civilian population, since the latter represented a source of – at least temporary – support for the insurgents. They primarily attacked members of the regular armed and security forces; however, they tended to view as 'combatants' all representatives of the state apparatus (e.g. politicians, policemen, judges) and thereby extended the notion of combatant far beyond the rather strict definition by international law. Most often, the reference to this distinction is purely rhetorical and an act of propaganda. In contemporary conflicts, especially intra-state ones, most parties do not respect the difference between combatants and non-combatants. On the contrary, far from receiving special protection, the civilian population has for a number of reasons become the primary target of various armed non-state actors pursuing political and economic gains.

Second, another trend emerging since the 1990s has been the process of transnationalisation which has various dimensions: Some groups simply cooperate across borders with other organisations. In other cases, groups build up their own transnational ties and networks, mainly for support and financial and logistical purposes, by using for example diasporas, NGOs, cultural organisations, business men, ethnic and religious ties. A group may turn into a transnational actor which operates simultaneously in various states and regions. In any case, transnationali-

sation offers new opportunities and room for manoeuvre. Transnationalisation not only facilitates the linking-up of war or post-war economies with cross-border smuggling routes and global 'shadow' markets; it moreover fosters the transmission of political agendas and ideological propaganda that are disseminated through supporters and international media. The degree of transnationalisation varies from one type of group to another: In particular, numerous terrorist and criminal organisations make use of transnational relations; the same is true for many rebel groups and warlords as well as for mercenaries and private security companies who operate in different states. On the other hand, processes of transnationalisation are less relevant for clan chiefs, marauders and most militias.

Closely linked to the transnationalisation issue, a third trend can be recognised: Armed non-state actors move more and more from a hierarchical organisation into the direction of rather loose network structures. One can conclude: This seems to be more likely, the more the groups act across borders. Again, terrorist and criminal networks are the precursors of this trend, as well as rebels, warlords, marauders and to a lesser degree other groups, which increasingly show elements of network structures that include flat hierarchies, a high degree of flexibility and rather autonomous sub-units linked to each other. In other words, actors become more fragmented and the leadership and command levels become less able to achieve coherence in strategic and ideological terms.

Yet, despite these similarities, from an analytical point of view, four criteria in particular bring the differences between these types into perspective (see Table 1):

1. *Change versus status quo orientation*: Some armed non-state actors seek a (radical) change of the status quo; they demand a different government, a different political system, the secession of a region, a new world order, etc. By contrast, other groups – whether driven by own interests or instigated by those in power whom they serve – aim at securing and consolidating the status quo. The former position applies to terrorists as well as rebels and guerrilla fighters, whereas the latter applies to warlords and criminals who generally seek to secure their achieved political and economic privileges. The same is often true for clan chiefs and *big men*, in particular when they are integrated into the political system by means of co-optive rule or neo-patrimonial structures. The prototypes of a status quo movement, however, are militias or paramilitary organisations, which are deployed to protect the rule of a regime or the dominance of particular groups. Mercenaries or marauders, by contrast, behave rather opportunistically; sometimes they may serve the interest of status quo forces, while at other times they may challenge them.
2. *Territorial control versus non-territorial tactics*: In how far are armed non-state groups able to control a larger territory and, thereby, provide some key governance functions for the population concerned? Both guerrilla movements and warlords, in principle, aim at the conquest of and – if possible – the permanent control over territory in order to establish state-free regions. Mercenaries and private military companies are usually employed for similar purposes. Clan chiefs are also often connected to a particular "homeland" or region. Terrorists,

on the other hand, might have territorial ambitions (e.g. the creation of their own state); however, they lack the capabilities to conquer territory and defend it by military means. The same applies to marauders if one neglects the temporary control of town districts or villages. Criminals are typically interested in the control of particular functions in towns and regions (such as transactions, flows of goods, movement of people, protection) but not in a state-like control of territories. Militias may be characterised by both variants. Some (especially large) militia organisations are capable of securing or re-conquering territory from rebels, whereas other units are assigned special tasks apart from territorial control, such as the persecution of dissidents.

3. *Physical versus psychological use of violence:* Each act of violence entails a physical and psychological aspect; however, for some groups one aspect may be more important than the other. Rebels and guerrilla movements pursue their goals primarily by relying on the physical dimension. Their aim is to weaken their opponent's military strength, defeat it or force it to surrender, and subsequently take its place. Terrorists, by contrast, use violence because of its psychological effects. Between these two extremes other armed non-state actors are to be found: Clan chiefs or mercenaries primarily use physical violence in order to defeat rivals or opponents, while for marauders and criminals the threat and use of violence is often merely a means of intimidation. Finally, militias and warlords are rather ambivalent with regard to the type of violence they use; depending on the group itself and the general circumstances they make use of both forms of violence.
4. *Political/ideological versus profit-driven motivation:* Whereas guerrilla movements, militias, clan chiefs, big men and terrorist groups pursue – at least rhetorically – a socio-political agenda, often based on ideologies which they need economic resources for, the reverse usually holds true for warlords and criminals. They are primarily interested in securing economic and commercial privileges and personal profits. Political power and public offices as well as the use of violence serve the realisation of their selfish economic interests. In that sense warlords and criminals are not “apolitical” actors; yet, their motivation for joining the political struggle for power is different from that of other political actors. Similarly, mercenaries and marauders primarily pursue narrowly defined profit interests.

Table 1: Types of Armed Non-State Actors

	Change vs. Status Quo	Territorial vs. Non-Territorial	Physical vs. Psychological Use of Violence	Political/Ideological vs. Profit-Driven Motivation
Rebels, Guerrillas	Change	Territorial	Physical	Political
Militias	Status quo	Territorial Non-territorial	Physical Psychological	Political
Clan Chiefs, Big Men	Status quo	Territorial	Physical	Political
Warlords	Status quo	Territorial	Physical Psychological	Profit-driven
Terrorists	Change	Non-territorial	Psychological	Political
Criminals, Mafia, Gangs	Status quo	Non-territorial	Psychological	Profit-driven
Mercenaries, PMCs/PSCs	Indifferent	Territorial	Physical	Profit-driven
Marauders, 'Sobels'	Indifferent	Non-territorial	Psychological	Profit-driven

To be sure, this characterisation constructs ideal-types and does not result from in-depth empirical studies. In reality, however, cases do not always fit in neatly with these categories since groups sometimes undergo transformation in the course of a conflict. Rebel leaders or *big men*, for instance, may turn into warlords; militias or warlords may degenerate into ordinary criminals; criminals become involved in terrorist networks and vice versa; militias, rebels or warlords increasingly employ terrorist methods, and so on. Often what has started as a so-called national liberation movement ends in terrorism against unarmed civilians (see cases in Northern Ireland or Palestine). And the other way around: Some groups start with terrorist attacks in order to mobilise the population, to recruit more and more volunteers and to become a rebel organisation (see e.g. development of UÇK 1996-99). Moreover, in many cases we deal with hybrid forms that are characterised by features of different ideal types. Examples include the Tamil Tigers in Sri Lanka, the FARC in Colombia, the Hizbullah in Lebanon or Maoist rebels in Nepal. These organisations could not only control significant territory but also launched terrorist attacks in other parts of the country. They employed physical as well as psychological means of violence and pursue far-reaching economic interests, some of them – like FARC – are additionally involved in large-scale criminal activities (drug economy and kidnapping). Therefore, these organisations are difficult to categorise.

Nonetheless it does make sense to hold on to these distinctions, because they allow for making assessments regarding the extent to which particular groups or individuals correspond to these ideal type categories. More importantly, in order to analyse the transition of a particular group, criteria that distinguish one situation from another are necessary and can be provided by the proposed typology. This method not only has international legal and sociological implications but is also relevant for practical policy purposes since it may be helpful for developing coun-

ter-strategies and counter-measures and to assess which actors are more or less likely to spoil international state- and peace-building efforts.

3. Engaging Armed Non-State Groups

Generally speaking, international efforts in peace- and state-building, implying the strengthening or reconstruction of state structures and institutions, do challenge the position of most armed non-state actors – a notable exception are commercial security and military companies which largely depend on government contracts. On the whole, capable state structures would limit their room for manoeuvre and opportunities to pursue their political and/or economic agendas. Some groups would face disarmament and, eventually, dissolution. Others would probably be forced to transform themselves, i.e. to become political forces or to integrate into official state structures, while criminals, mercenaries or marauders would simply risk economic profits and face law enforcement measures. Therefore, these groups are more likely to challenge than to support any steps that would strengthen or (re-)establish the state's monopoly on the use of force. This behaviour can be observed in almost every international intervention, ranging from Bosnia and Kosovo to Somalia, Haiti, Afghanistan, and DR Congo. In these cases, the international community is confronted with the following dilemma: On the one hand, peace- and state-building activities have to be implemented against the vested interests of these armed actors in order to achieve positive results in the long-run. On the other hand, progress regarding a secure environment is often only possible if at least the most powerful of these actors can be involved in a political process which grants them some kind of political influence (e.g. posts in an interim government) and/or economic and financial privileges which may in turn undermine the whole process of state-building.

In other words, armed non-state actors are not only part of the problem but must, as stated in the beginning, sometimes also be part of the solution (for case studies, see Ricigliano 2005). In particular with regard to already established para-state structures by warlords, rebels, *big men* or militias, the question is whether it is possible to use these structures as temporary solutions and building blocs for reconstructing statehood, or whether this would simply increase the risk of strengthening and legitimising them so that the establishment of the state's monopoly on the use of force becomes even less likely. In other words, those actors who in theory have the greatest potential for state-building and security governance are also the ones who can mobilise the greatest spoiling power. Moreover, the international community runs the risk of sending the wrong message ("violence pays") by devoting too much attention or by granting privileges to armed non-state actors who have already benefited from war and shadow economies. This may not only trigger increasing demands by these actors but also seriously harm the credibility and legitimacy of external actors vis-à-vis the general public ("moral hazard" problem). The task becomes even more difficult the more the three trends mentioned above prevail: If an actor has been or is involved in gross human rights violations, if an actor becomes transnationalised and can exploit opportunities across borders, and if an actor is characterised by a loose network

structure where central decision-making can no longer be assured – all these factors may make deals by international mediators or facilitators with these actors more and more difficult.

3.1 Options for Dealing with Armed Non-State Actors

Clearly, there are no satisfying answers to these questions. Considering past experience, context-specific, flexible arrangements in dealing with armed non-state actors will always be necessary. However, more broadly speaking, in principle the international community has a number of options for “spoiler management” at its disposal. One prominent attempt to systematise strategies for dealing with non-state armed groups is Stedman’s (1997), which distinguished three so-called spoiler management strategies: positive propositions or inducements in order to counter demands made by non-state armed groups; socialisation in order to bring about situational or even normative changes of behaviour; and arbitrary measures in order to weaken armed groups or force them to accept certain terms. A study conducted by the German Development Institute (Deutsches Institut für Entwicklungspolitik, DIE) identified avoidance of engagement, disregard/observation/involuntary engagement, apolitical action/equidistance, exclusion, and cooperation as possible courses of action for development agencies when dealing with non-state armed groups (see Grävingholt/Hofmann/Klingebl 2007). Under closer scrutiny however, these approaches lack theoretical substantiation and do not cover the complete range of options available.

The benefit of using International Relations theory in this respect is that different camps and strategic orientations in dealing with armed groups can be better structured and understood. As each of these approaches is linked to particular paradigms and world views, which explicitly or implicitly carry with them assumptions about the character of the underlying conflict as well as about the nature and the typical behaviour of armed groups when they are confronted with particular situations, means and actions. Firstly, *realist approaches*, which ultimately focus on the elimination of, the suppression of, or the control over non-state armed groups in order to force them to adapt to a new situation; secondly, *institutionalist approaches*, which aim at changes of interests and policies of these groups; and thirdly, *constructivist approaches*, which concentrate on a change in norms (such as non-violence) and in self-conception (identity) of the respective actor. Thus, the directions do not only differ regarding strategies and instruments, but also show different underlying assumptions with respect to learning processes of armed groups, ranging from pure adaptation to changes of preferences to changes of identity. Accordingly, the approaches base themselves on different mechanisms and result in different degrees of behavioural change: The realist approach mainly rests on the application of force and the use of leverage, which may precipitate a behavioural change only as long as force is applied. Under such pressure from the outside, non-state armed groups may change their policies but usually inherent preferences will remain unchanged – on the contrary, their positions may become even more hard-line than before. The institutional approach focuses on bargaining as its key mechanism, which may achieve a sustainable result but relies heavily on the respective actor remaining a part of the bargaining system. Only the continuous application of an institutional

setting offers enough incentives and guidance in order to first change policies and later possibly preferences. Constructivists rest their efforts on persuasion: a result may be difficult to achieve but if a behavioural change occurs it is – in theory – sustainable as the motivation to behave conformingly and may over time be internalised by the actor (see Table 2). The literature accounts for an array of approaches which may roughly be assigned to these differing tendencies (see Schneckener 2003, 2006b; Newman/Richmond 2006).

Table 2: *Approaches for Dealing with Armed Non-State Groups*

Approach	Key Mechanism	Behavioural Change Based on	Result
Realist	Force/Leverage	Adaptation	Non-Sustainable (based on the constant application of force)
Institutionalist	Bargaining	Adaptation; Policy/Preference Change	Sustainable (within institutional framework)
Constructivist	Persuasion	Adaptation; Policy/Preference Change; Identity Change	Sustainable

3.2 Realist approaches

1. *Coercion*: International actors may use coercive measures, including the use of force and coercive diplomacy (see Art/Cronin 2003; George 1991, 1996). Typical instruments are military or police operations aimed at fighting or arresting members of armed groups, the deployment of international troops in order to stabilise a post-war situation or the implementation of international sanctions (e.g. arms embargoes, no-fly zones, economic sanctions, freezing of foreign assets, travel sanctions, war criminal tribunals), which could harm the interests of at least some non-state armed groups, in particular paramilitaries, rebel leaders, warlords and clan chiefs. This approach is often accompanied by law enforcement measures at national and/or international level. An example for the latter are the activities by the International Criminal Court (ICC) or other international courts against war criminals or persons committing serious crimes (e.g. use of child soldiers).¹⁶
2. *Control and containment*: This strategy aims at systematically controlling and containing the activities of armed non-state groups and, thereby, reducing their freedom to manoeuvre and communicate. The aim is to maintain a certain status quo and to put these groups under strict surveillance (by using police and intelligence measures). This can be done in

¹⁶ For instance, the ICC has issued warrants of arrest against five leading members of the rebel-style *Lord Resistance Army* (LRA) in Uganda, including its commander-in-chief Joseph Kony, as well as various warrants of arrest against leaders of armed groups in the DR Congo in 2005.

particular with groups who are concentrated in a certain territory which can be cut off (e.g. by the use of fences or check points) from the rest of the country (see Palestine/Israel).

3. *Marginalisation and isolation:* This approach is concerned with reducing the political and ideological influence of armed groups. The idea is to marginalise their world views and demands in public discourse and to isolate them – politically as well as physically – from actual or potential followers and their constituencies. For that scenario, a broad consensus is needed among political elites and societal groups not to deal with these actors and not to react to their violent provocations, but to continue an agreed political process. This approach is an option particularly for rather weak or already weakened actors such as smaller rebel groups, terrorists or marauders.
4. *Enforcing splits and internal rivalry:* Another option aims at fragmenting and splitting armed groups between more moderate forces and hardliners. This can be achieved by different means, be it the threat of using force indiscriminately, by offering secret deals to some key figures or by involving them in a political process, which would encourage them to leave their group or to transform it into a political movement. The strategy, however, can result in the establishment of radical fringe and splinter groups, which may be even more extreme than the former unified group. Such fragmentation processes can often be observed with rebel or terrorist groups.
5. *Bribery and blackmail:* Members of armed groups being corrupted in a certain way – they may be forced or induced to cooperate or silenced through the offering of material incentives, i.e. economic resources or well-paid posts. In some cases, this may also involve attempts to blackmail or to intimidate leaders (e.g. threatening family members) in order to make them more likely to accept money or other offers. This strategy is politically and normatively questionable; however, in some cases it is indispensable for getting a peace process started in the first place (see Afghanistan). In particular, profit-driven actors, such as warlords or criminals have often been receptive to such a strategy.

Most of these approaches involve a mixture of sticks and carrots, occasionally including deals with the group, with the leadership, or with some key members in order to alter their behaviour to conform at least in the short-term. Therefore, in most instances, these strategies are not used exclusively but in combination. For example, the concept of counterinsurgency combines some of these approaches in order not only to fight against rebels or other groups but also to cut off the links between an armed group and its (potential) constituency or supporters among the population (see Galula 2006; Hoffman 2004; Jeapes 2005; O'Neill 2005; The U.S. Army & Marine Corps 2007). Still, the focus is mainly on coercive measures backed by (material) incentives which somehow reflect the underlying assumption that most leaders of armed groups at the end of the day are not driven by ideals but by selfish interests. For realists, the bottom line reads as follows: If one is able to put enough pressure on them and/or offer them some profits, these people will ultimately go along.

3.2 Institutional approaches

1. *Mediation and negotiation*: Using this approach, external actors aim primarily at fostering a negotiation process among different parties, including armed non-state actors, in order to find a political settlement (see Bercovitch 2002; Touval/Zartman 1985; Zartman/Rasmussen 1997; Zegveld 2002). As facilitators or mediators they would try to urge armed actors to refrain from the use of force and to abandon maximalist political demands. For that purpose, informal contacts, multi-track diplomacy and extensive pre-negotiations are often necessary, in particular when direct contacts between the conflicting parties (e.g. a local government and a rebel group) are unlikely. Usually, in such a process pros and cons of possible solutions have to be weighed, incentives and disincentives (e.g. possible sanctions) have to be taken into account and a compromise acceptable for all sides has to be found. Oftentimes arguing and bargaining methods (including cost-benefit analysis) need to be combined in order to achieve such an outcome. These approaches obviously imply a long-term engagement, since during the implementation of agreements mediation may still be necessary. This scenario applies mainly to groups with a political agenda which are strongly tied to a defined constituency (e.g. tribe, clan, ethnic group, political party). The most likely cases, therefore, are clan chiefs, big men or rebel leaders; in some instances terrorists or warlords may also be part of such a process, in particular when they seek to transform themselves into “politicians”.
2. *Cooptation and integration*: Here the basic idea is that non-state armed groups, and in particular the respective leadership, can be co-opted and slowly integrated into a political setting, for example by distributing resources and sharing political responsibility. Therefore, this approach implies a certain degree of informal or formalised power-sharing, be it at national or local level, which would involve leaders of armed groups in day-to-day politics (see Hartzell/Hoddie 2007; ICRC 2003; O’Flynn/Russel 2005; Jarstad 2008). In other words, the attempt would be to give them a role to play, which may then change their attitudes and preferences. This strategy is sometimes based on a formal agreement, brokered by outsiders, but it is often pursued by efforts of building alliances and coalitions among different local groups. A good illustration for that approach was the attempt to gradually integrate Afghan warlords into the newly established political system, not least by offering posts such as governors or ministers but also by granting them a certain political status quo. Similar processes can be observed in various African societies with regard to clan chiefs, big men, or certain militia groups.

At the heart of institutionalist approaches is the establishment of procedures, rules and institutional settings which allow for some kind of peaceful coexistence and, at the same time, open a room for bargaining, negotiation or mediation processes in order to reach a political agreement. Here, in contrast to the realist version, the starting point is that many armed non-state actors are indeed driven by certain grievances and political demands, which can be addressed through negotiations and/or other means. Even if the leadership is corrupt and greedy, in many instances, they must show some kind of political programme or agenda in order to find follo-

wers and supporters in local communities. In other words, even the most selfish leaders are under pressure to deliver – and therefore may be receptive for incentives and guarantees, assured by institutional arrangements.

3.3 Constructivist approaches

1. *Socialisation*: By involving armed non-state actors into processes and institutions, this approach claims that over time chances will increase that spoilers would be successively socialised into accepting certain norms and rules of the game (see in particular Hofmann 2006). Armed groups would undergo processes of collective learning, which would alter strategies and, eventually, their self-conception as an actor. This medium- to long-term strategy may again work best for those armed actors with clear political ambitions who have to address long-term expectations of their constituencies and develop an interest in improving their local as well as international image. Such are primarily rebel movements but also clan chiefs and big men.
2. *Naming and shaming*: The attempt here is to organise social pressure and to campaign publicly, at national and/or international level, against certain practices of armed non-state actors in order to harm their legitimacy within and outside of their (actual or potential) constituencies. The aim is usually to persuade them to accept and respect certain agreements and norms, in particular norms of humanitarian international law and to foster them to refrain from certain violent methods (such as terrorist acts) and from using particular means (e.g. land mines or child soldiers). Often these campaigns are conducted by international NGOs. Again, this approach may be useful in cases involving groups that need moral and material support from abroad.
3. *Amnesty* (i.e. exemption from punishment or mitigation of punishment): Granting amnesty for certain crimes and actions committed by members of armed groups may be an incentive to change behaviour and to respect certain norms in the future. This approach is highly problematic from a normative point of view since it will not give justice to the victims of violence and serious human rights violations. However, it could work under certain circumstances as a final stimulus to end violence or not to return to the use of violence. Generally, amnesty would be part of a greater political package and may not be applied to every crime or every group member. In reality, this option often runs the problem that leading figures of armed groups receive amnesty, whereas lower ranks are punished, which causes a so-called impunity gap. Nevertheless, amnesty might be especially attractive for groups whose members are already willing to opt for a different life and whose leaders are willing to opt for a different political career, thus already displaying signs of genuine behavioural change.

In general, constructivist approaches put an emphasis on the role of arguing and persuading as well as on processes of norm transfer. All three approaches have in common that they try to persuade armed groups to accept, respect and, eventually, internalise norms. The ultimate goal

is to foster long-term transformation processes that not only involve different behaviour for some tactical reasons but also a genuine and sustainable change of the actor's policies and self-conception. The assumption here is that armed non-state actors can be affected by norms and arguments since many of them are concerned with their public image, their moral authority (vis-à-vis their enemies), and their sources of legitimacy. And indeed, a number of leaders refer in their public statements to general norms and, thereby, try to argue their case also from a normative perspective. So, as constructivists would ask, why not take them seriously and engage them in debates about norms and standards?

4. Conclusion: Problems and Limits

The strategies and methods discussed above have their downsides and limitations. In most instances, a combination of approaches will be necessary since typically both incentives and disincentives are needed to achieve behavioural changes, which would eventually lead to the reduction or denunciation of violent means. This renders a linking of particular strategies with particular ideal-types of non-state armed groups impossible. Moreover, there is a number of other factors which may determine the outcome of the strategies. At least four different categories of factors need to be addressed in more detail: (i) the general environment in which the engagement with armed groups does take place (e.g. before, during or after a violent conflict), (ii) the characteristics of the actor that applies certain strategies (e.g. an international organisation, a state or a NGO?), (iii) kind and quality of interaction between the third party and an armed group (e.g. pre-existing links, long-term versus short-term relationship) and (iv) the characteristics of the specific armed groups, including the conditions which enable the group to exist and to perform (i.e. access to resources, recruitment patterns, outside support, capable leadership, organisational skills, transnational ties).

A close investigation of all these factors is beyond the scope of this paper. What it does suggest is that scientific engagement with armed non-state actors faces a number of problems which have largely been neglected by the predominant strategies. In what follows, three of these will be sketched:

First of all, the most important aspect seems to be that the various approaches by and large concentrate on the same pattern of aspects of non-state violence. Despite variation in perspective and analysis all approaches have a tendency to focus mainly on armed groups which are politically or ideologically motivated, who have leaders with personal political aspirations, show an interest in international attention and support and have links with a particular constituency, often in combination with the control over territory. In other words, in particular institutionalist and constructivist approaches tend to concentrate on armed groups who perform – intended or unintended – governance functions vis-à-vis certain segments of the population or who have at least governance potential. The assumption is that in such cases in order to keep or to gain popular support non-state actors are more likely to respond constructively to incentives by third parties. This profile fits best with classical rebel organisations, clan chiefs and militias,

less so with terrorists or warlords; it does not fit at all with criminals, mercenaries or marauders. Only within the realist paradigm also purely profit-driven actors – the extreme type being „greedy spoilers“ (Stedman 1997) – may be addressed, in particular by bribery and blackmail strategies. The approaches are thus not equipped to cover the full range of armed non-state groups as presented in this paper. One could even argue that conceptually and empirically the range of types addressed decreases from the realist to the institutionalist to the constructivist paradigm. Moreover, most of these approaches rest implicitly on the assumption that armed groups are “coherent actors” with identifiable leaders and spokespersons who can be affected by force, incentives or arguments and who would be able to respond in a “coherent” manner (i.e. with “one voice”). They are largely based on a top down-perspective, neglecting the fact that leadership, individual field commanders, foot soldiers, supporters and sympathisers have to be treated differently since they may pursue different interests and motivations. Especially mid-levels and grassroots-levels within armed groups seem to have been systematically neglected so far. If these shortcomings are observed correctly and if the above-mentioned trends about transnationalisation and network structures are equally correct, then these approaches run into the problem that more and more groups or movements can hardly be engaged through these methods, be they based on military and legal counter-measures, on negotiation techniques or on persuasion campaigns. This is already the case with regard to some warlord configurations, criminal or terrorist networks or smaller groups of gunmen who may be hired for all kinds of purposes.

Secondly, the situation in most conflict or post-conflict settings is rather complex since several armed groups with different characteristics and different agendas are involved. Usually a variety of groups exists: Some collaborate, others fight each other. Some are being instrumentalised, some are openly or secretly supported. Some, like militias, are deliberately set up by the national government, while others – in particular rebels or terrorists – are combated. And to make this even more complicated: Many groups change their structure and, eventually, their goals in the course of a conflict. At the same time, a number of external actors such as states, international organisations or NGOs display different means and philosophies when dealing with armed non-state actors. Thus, in many cases a plurality of external “interveners” is involved, be it intended or unintended, applying diverging approaches for dealing with armed groups. As stated above, in theory, the approaches may complement each other. In practice, however, on the operational level the attempts by various “interveners” exist in parallel: They follow different goals, prioritise different means and compete against each other. This problem is further complicated by the fact that external actors do not exchange information about their own strategies vis-à-vis armed groups, which may lead to a number of unintended effects in the field. For example, armed groups are often in a position to play actors off against each other and use their different strategies and lack of communication to their own advantage. Moreover, local actors are aware of the fact that usually time is on their side since external actors will not stay forever but need to leave the country because of limited resources and public pressure at home.

Thirdly external actors often lack knowledge about the armed non-state groups they are dealing with and about the range of options they may have at their disposal in a specific case.

Governments in particular are often unwilling or unable to reflect the full spectrum of possible approaches but tend to deliberately exclude some options (“we do not talk to terrorists”). They tend to choose a certain approach that they are most familiar with or are most capable of applying, but they are not flexible enough to adapt their position to, for example, a transformation of an armed group in the course of the conflict. This has often resulted in the expansion of counter-insurgency or counter-terrorism efforts beyond their original goals due to a previous failure to reach the set goals (“mission creep” problem, see in particular Afghanistan and Iraq). At the same time, abandoning the mission in favour of peace negotiations is oftentimes seen as giving in and awarding the use of violence by non-state actors. Instead, external actors dealing with armed groups need to be aware of the existing range of approaches as well as of their pros and cons. This implies that the international community has to be prepared to make ambivalent decisions, risk backlashes and failures and put up with normative dilemmas (as for example in the case of amnesty). But external actors also need to reflect the changing nature of these groups during and in the aftermath of a conflict in order to apply the appropriate mix of approaches. This, however, requires a much more nuanced understanding of the characteristics, dynamics and opportunity structures under which these different armed groups act.

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The Author

Professor Ulrich Schneckener is one of the coordinators of the research project C1 'Transnational Cooperation and the Provision of Security in the Context of Limited Statehood' at SFB 700. Since September 2009 he holds the chair for International Relations at the University of Osnabrück. Before



he was head of the global issues division at 'Stiftung Wissenschaft und Politik' in Berlin. His research focuses on theories of International Relations, global governance, peace and conflict studies, particularly international conflict resolution, state- and peace-building, the role of armed non-state actors, terrorism and counter-terrorism.

Contact: ulrich.schneckener@uni-osnabrueck.de

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