



ian populations. Likewise, civilian targeting carried out by state forces could serve as a warning sign that militias may be likely to follow suit. This can be used to more effectively target and sanction those actors responsible for civilian victimization.

Second, to prevent such atrocities, **earlier interventions are more likely to be successful**. It is likely to be more difficult to reverse practices that have become established or that has spread. The fact that governments seem to be complementing their violence with militia violence also raises important concerns about steps towards ending impunity for state repression. One response may be to further increase pressure to end impunity, to increase the probability of being put on trail for such offences, and to impose higher costs in terms of punishment for breaking the laws of war for both states and militias.

Last, the studies discussed above suggest that the lack of evidence for the delegation logic requires a rethinking of militias—their purposes, their goals and how to mitigate the violence they employ. There is important variation between different militia groups, and the violence they

commit follows certain logics—but perhaps not the logics we have assumed. ■

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THE PROJECT

The Conflict Trends project aims to answer questions relating to the causes, consequences and trends in conflict. The project will contribute to new conflict analyses within areas of public interest, and works to produce thorough and quality based analysis for the Norwegian Ministry of Foreign Affairs.

THE AUTHOR

Ragnhild Nordås is Research Director at PRIO and the Deputy Editor of *Journal of Peace Research*. She holds a PhD in political science and is project leader for the Sexual Violence in Armed Conflict (SVAC) research project funded by the Norwegian Research Council. This project funded research on sexual violence that is reported on in this brief.

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Peace Research Institute Oslo (PRIO)
PO Box 9229 Grønland, NO-0134 Oslo, Norway
Visiting Address: Hausmanns gate 7

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Civilian Targeting by Militias

The important role of states

Recent scholarship sheds new light on militia violence. First, states often control militias, even if they claim to not be able to do so.

Second, violence by militias and state forces are closely related – when one commits atrocities the other also usually does. Third, recent evidence also contradicts the assumption that states delegate violence to militias to claim plausible deniability for war crimes.

Brief Points

- Militia violence does not replace violence by state forces – i.e. it is not 'delegated'
- Militias are often controlled and influenced by states in terms of how they fight
- When militias start using sexual violence, states generally increase their use of such violence
- Sexual violence by militias is linked to their recruitment practices

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Conventional wisdom vs. evidence

In recent wars, there have often been militias fighting alongside government forces. Research shows that *conflicts involve more repression of human rights when such pro-government militias are present* (Mitchell et al. 2014).

Some scholars argue that this correlation exists because governments are unable to control militias, groups who are often perceived as inherently violent (Mitchell et al. 2014).

Militias are defined as:

- (1) pro-government or sponsored by the government (national or sub-national),
 - (2) not a part of the regular security forces,
 - (3) armed and
 - (4) organized to some degree
- (Carey et al. 2013)

Militia violence has alternatively been interpreted as the result of a deliberate strategy by governments to outsource or delegate bad behavior and to enable governments to claim plausible deniability for breaking the laws of war. Indeed, conventional wisdom and previous research has maintained that governments delegate extreme, gratuitous or excessively brutal violence to militias.

Which of these interpretations holds true? Recent evidence—presented in a special issue of the Journal of Conflict Resolution—sheds new light on this question.

The picture that emerges challenges previous assumptions about militias – most notably the delegation argument.

The conventional delegation argument:

States have been assumed to delegate committing atrocities in war to militia groups in order to claim plausible deniability for breaking the laws of war. If this holds true, what patterns would we see?

Delegation of violence to militias has some straightforward observable implications – the

most obvious being substitution. As a general rule, we would not expect states and militias to be simultaneously committing violations if the delegation argument was valid—after all, why would states expend the effort to create militias unless they could then task the most unpleasant or internationally deemed reprehensible violence to them? From the delegation logic we would expect to see a significant decline in atrocities by state forces once militias enter the scene. However, this does not seem to be the case.

The contradictory evidence:

The delegation logic is not supported by recent empirical evidence. Most importantly, we see this because *militia violence and violence by governments are closely correlated*. When governments choose to target civilians they generally enlist both their regular military forces and militia forces in carrying out this violence (Stanton 2015; Cohen & Nordås 2015). We could draw from this that violence by militias is perhaps not primarily the consequence of breakdown of control by states, and also not a result of states trying to avoid reputational or other costs associated with committing atrocities against civilians.

When governments choose to target civilians they generally enlist both their regular military forces and militia forces in carrying out this violence.

Civilian targeting: — whether massacres, scorched earth campaigns, ethnic and religious cleansing, deliberate bombing and shelling of civilian targets, or sexual violence—occurs in many conflicts and are tactics used by many



armed groups, but certainly not by all (Stanton 2015). If the delegation argument does not hold, what can explain this variation? Why might some militias engage in severe forms of violence against civilians, while other militias do not?

What recent research has taught us is that there is important variation between different militia groups. We have also learnt that the violence perpetrated by militias often follows a logic—but perhaps not the logic scholars have long assumed.

One key lesson from emerging research is that *the role of governments is important*. As suggested above, government behavior can be a strong signal of what to expect from militia groups.

Governments are likely influencing the behavior of militias, possibly via trainings and more informal forms of diffusion and socialization. Although little systematic information is available to verify exactly what takes place in militia training, studies find a clear relationship between states training militias on the one hand and militias engaging in civilian targeting on the other (Stanton 2015).

Is sexual violence delegated?

We could assume government forces would particularly like to evade responsibility for civilian targeting in the form of sexual violence. However, even this form of violence does not follow the delegation logic.

In fact, **when militias are first reported to start to commit sexual violence, state forces subsequently increase their use of sexual violence** (Cohen & Nordås 2015). Instead of following a delegation logic, the evidence shows that **states commit sexual violence as a complement to—rather than a substitute for—violence perpetrated by militias** (Cohen & Nordås 2015).

The result cannot be attributed to more intense fighting overall, as it is not a result of the general severity of the conflict measured in battle deaths.

In all but *one* case of militia-perpetrated sexual violence, state forces were also reported to be perpetrators (Cohen and Nordås 2014). Addi-

tionally, in all but four countries, perpetrating state forces committed sexual violence either to the same or to a higher degree than the militias.

These findings present a strong challenge to arguments that states delegate the most reprehensible forms of violence to militias.

The findings above are based on a global analysis of all militias in armed conflicts from 1989-2009 (Cohen & Nordås 2015) from a recent dataset on sexual violence in armed conflict, the SVAC dataset (Cohen & Nordås 2014).

The data also reveals that far from all militias use sexual violence. Of the 224 militia groups active in conflicts during this period, only 38 groups, or about 17%, were reported as perpetrators of sexual violence. Militia groups in Africa are overrepresented on this statistic, but even here they constitute a minority (about 30%) (Nordås & Cohen 2013).

The table below lists countries in which militia groups have been reported to perpetrate sexual violence in the period 1989-2009, based on data from Cohen & Nordås (2014).

Table 1: Countries with reports of sexual violence by militias in conflict, 1989-2009

Afghanistan	Nepal
Algeria	Philippines
Burundi	Rwanda
Central African Rep.	Serbia
Colombia	Sierra Leone
Congo, Rep.	Sudan
Cote d'Ivoire	Tajikistan
DR Congo	Thailand
Haiti	Turkey
Liberia	Uganda

Note: see Cohen & Nordås (2014) for details regarding the data and potential reporting biases.

Which militias use sexual violence?

Two characteristics of militia groups increase the probability that they perpetrate sexual violence:

- Militias that have recruited children are associated with higher levels of sexual violence

- Militias that were trained by states are associated with higher levels of sexual violence

The first finding lends support to a socialization hypothesis, in which sexual violence may be used as a tool for building group cohesion, as was also found by Cohen (2013) for rebels and state forces.

Cohen argues that this finding is the result of a dilemma faced by groups that randomly recruit through abduction – how to create a coherent fighting force from a group of frightened and mistrustful strangers. In such groups, she argues, rape, and particularly gang rape, can be used to create bonds of loyalty.

In the study of militias, there is no data available on recruitment by abduction, and a measure of child recruitment is therefore used as a proxy indicator. It has been found that groups that engage in child recruitment also often recruit by force and abduction.

The relationship between child soldier recruitment and sexual violence use is strong. A cross-tabulation below of militia groups on these two dimensions illustrates this.

Table 2: Sexual violence and child recruitment by militias

Data shown as % (N)		Child Recruitment	
		No	Yes
Sexual violence	No	88 (155)	66 (31)
	Yes	12 (22)	34 (16)
		100 (177)	100 (47)

Source: Cohen & Nordås (2015)

The second finding – that sexual violence occurs more frequently among government-trained militias than others -- provides evidence for sexual violence as a “practice” of armed groups, a concept introduced by Elisabeth Wood (2012), indicating that violence is tolerated rather than ordered, in contrast to opportunistic or strategic behaviour. It also shows that a similar pattern exists for sexual violence as for civilian targeting more broadly.

In sum, these results are complementary and suggest that militia-perpetrated sexual violence follows a different logic than both delegation and indiscipline – contradicting two prominent understandings of how militias operate.

The fact that government-trained militias are associated with more sexual violence suggests that sexual violence is, at a minimum, implicitly sanctioned by these states

The fact that government-trained militias are associated with more sexual violence suggests that sexual violence is, at a minimum, implic-



itly sanctioned by these states, and that sexual violence spreads between armed actors as a “practice”.

What does this mean for policy

How can civilian victimization be prevented? Which policies can be put in place to stop sexual violence by militias as well as other forms of civilian abuse?

First, **policy (and advocacy) should be geared towards holding states accountable for atrocities committed by their own forces and the militia groups they train**, perhaps in particular through strengthening command responsibility (e.g. Nordås 2013; Wood 2015).

Civilian targeting and sexual violence by militias may be in part the result of diffusion from state practices. Reports of sexual violence or other targeting of civilians by militias is therefore a sign that the regular state forces could be engaged in such atrocities, or that they are likely to start committing such atrocities against civil-