THE RESISTANCE OF STATES SYSTEM AGAINST NONSTATE VIOLENCE: INTERNATIONAL COOPERATION TO PRESERVE STATE MONOPOLY OF FORCE

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THE RESISTANCE OF STATES SYSTEM AGAINST NONSTATE VIOLENCE: INTERNATIONAL COOPERATION TO PRESERVE STATE MONOPOLY OF FORCE

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Thesis Abstract

Erdem Kaya, "The Resistance of States System against Nonstate Violence: International Cooperation to Preserve State Monopoly of Force"

With the combined impact of the phenomena of state failure and globalization in the post-Cold War period, violent nonstate actors (warlords, militias, terrorist organizations, insurgents, pirates, transnational criminal organizations) in general became transnational players. As the violent nonstate actors threatened the security of more states other than the targeted one(s), governments tended to work together to fight against them. Governments cooperated through diverse methods to re-establish and to preserve state monopoly on the use of violence against the challenge of these actors. Particularly since the late 1990s, states have been forming an international security regime against nonstate violence through mainly multilateral conventions and UN Security Council resolutions. Within the framework of this anti-nonstate violence security regime, cooperation among states is performed via the United Nations and other international, regional and sub-regional intergovernmental organizations. This study contends that the security regime-facilitated international cooperation works to preserve state monopoly of force, which is the main building-block of the existing states system. Therefore, states system has been developing a resistance against nonstate actors' resurgence to posses the means of large-scale violence.

Tez Özeti

Erdem Kaya, "Devletler Sisteminin Devlet-dışı Şiddete Karşı Direnci: Devletin Silahlı Güç Kullanımındaki Tekelinin Korunmasına Yönelik Uluslararası İşbirliği"

Soğuk Savaş sonrası dönemde başarısız devlet olgusu ve küreselleşmenin etkisiyle, şiddet kullanabilen devlet-dışı aktörler (şavaşbeyleri, milisler, terör örgütleri, silahlı isyan hareketleri, deniz haydutları, ulusötesi suç örgütleri) ulusötesi aktörler haline geldiler. Şiddet kullanabilen devlet-dışı aktörler hedef aldıkları devlet(ler) dışındaki devletlerin de güvenliğini tehdit etmeye başlayınca, devlet otoriteleri bu aktörlere karşı birlikte hareket etmeye başladı. Devletler söz konusu devlet-dışı aktörlere karşı çeşitli yöntemlerle işbirliğine girerek devletin silahlı güç kullanımındaki tekil statüsünü yeniden tesis etmeye ve muhafaza etmeye çalışmaktadır. Özellikle 1990'lı yılların sonlarından beri, devletler çok taraflı sözleşmeler ve BM Güvenlik Konseyi kararları aracılığıyla devlet-dışı şiddete karşı bir uluslararası güvenlik rejimi inşa etmektedir. Devlet-dışı şiddete karşı geliştirilen bu güvenlik rejimi kapsamında, devletlerarası işbirliği Birleşmiş Milletler ve diğer uluslararası, bölgesel ve daha yerel çaptaki hükümetlerarası teşkilatlar üzerinden gerçekleşmektedir. Bu güvenlik rejimi çerçevesinde yürütülen uluslararası işbirliği, devletler sisteminin temel niteliği olan devletin silahlı güç kullanımındaki tekelinin korunmasına yönelik işlemektedir. Devletler sistemi, devlet-dışı aktörlerin geniş çaplı şiddet kullanmaya muktedir olabilecek kadar güçlenmesine karşı bir direnç geliştirmektedir.

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CONTENTS

CHAPTER 1

INTRODUCTION

In the wake of September 11[1], the United States President George W. Bush initiated "war on terrorism" against al-Qaeda, a nonstate actor that is allegedly responsible for the attacks. The ensuing US invasion of Afghanistan was then expanded into a battle between the coalition of regular armies and an armed group holding out in the rugged mountains at Tora Bora. The War in Afghanistan is still going on with more troops and in a larger area against another nonstate agent, the Taliban movement. Nine years later, the US President Barack H. Obama at the Nuclear Security Summit in April 2010 pointed to the threat of nuclear weapons that might fall into the hands of terrorists. The US President explicitly declared that al-Qaeda and other terror groups which are trying to acquire nuclear weapons must be stopped through international cooperation.[2] The likelihood of a nuclear weapon being used by a nonstate actor is today a great concern for the community of states.

In the post-Cold War era, the rapid growth of nonstate actors capable of resorting to large-scale physical destruction has engendered the category of nonstate violence against the state use of force. Nonstate violence antedates state violence and has remained relatively inactive as central polities monopolized the means of coercion from the Westphalian rule-setting process onward. However, the world in the last two decades has

[1] On the 11th of September 2001, two hijacked airplanes hit the twin towers of World Trade Center in the United States in the first year of the presidency of George W. Bush.

[2] The April 12-13 Nuclear Security Summit in Washington seemingly achieved the international recognition of the common threat of nuclear terrorism. It is estimated that some multilateral agreements will take effect to protect the supplies of plutonium and highly enriched uranium, and to control the transport of nuclear and other radioactive materials.

been witnessing that nonstate violence has begun to have effect back again defying the norm that state is the sole authority over the means of violence.

I employ the term nonstate violence to refer to the collective violence perpetrated by armed groups which do not possess state status in modern international relations. Warlords, militias, terrorist organizations, insurgency movements, pirates, transnational criminal organizations and youth gangs are the major nonstate agents of violence. Throughout the study, I use the terms *violent nonstate actors* and *nonstate armed groups* (which are commonly used to mean the nonstate perpetrators of violence in literature) for these agents. I take nonstate violence that is emerging as a challenge to the state monopoly of force and as an extension of the collective action of a group of organized people. Therefore, I exclude the actors like intergovernmental organizations (e.g., NATO) since they resort to force in consent with state authorities and individual violence (murder, domestic and other criminal violence, etc.) due to the absence of an organizational structure and orientation in defiance of the state.

Strictly speaking, the second half of the twentieth century experienced the spread of organized nonstate violence mainly during the conflicts of decolonization period and subsequent civil wars. There had also been sporadically emerged cases of collective violence among ideological factions inside many countries as a result of the antagonism between the Capitalist and Communist blocs. However, in the Cold War the phenomena of nonstate violence did not constitute prominent dynamics at international stage. The nonstate agents of violence although they had been part of the covert battle between rival blocks or states, were actors at national scale. The parties of most civil wars fought in this period have largely been local players with rare transnational branches and limited

activity areas. Major threats in world politics remained state-centered potentialities. The priority of national and international security persisted as deterrence of the enemy state(s).

However, the period that started with the fall of the Berlin Wall brought about the circumstances under which nonstate actors have turned out be important components of world politics. The confluence of state failure in post-colonial world and relevant implications of globalization paved the way for the uptrend of nonstate armed organizations. The power vacuum emanated from unsuccessful state-building processes in various territories has made violent nonstate actors players at transnational level. Globalization in illicit economy particularly in illegal arms market and easy acquisition of the advanced communication technologies provided these nonstate agents with necessary resource and technology to exist as nearly self-supplying entities and to wield large-scale physical violence in a highly organized fashion across the world.

The 9/11 attacks illustrating the possible extent of the violence by nonstate groups proved the fact that nonstate violence came to be a major factor to change the course of events in world politics. Unlike traditional international or civil conflicts of the Westphalian states system, the War in Afghanistan was not a result of an interstate enmity or interethnic hatred. The US military's Operation Enduring Freedom (OEF) was launched as a response to the violence employed by a nonstate armed group. International Security Assistance Force (ISAF) was formed to destroy the organization of al-Qaeda and to allow for the establishment of the transitional government in Kabul. On this account, the attacks on September 11 and the ongoing war in Afghanistan represent how violent nonstate actors challenge the state monopoly of force and generate international

cooperation in return. The post-9/11 UN Security Council resolutions accelerated the formation of a new security regime against nonstate violence and international reaction to the organization of al-Qaeda served as a model for the response of states system to the rise of violent nonstate actors.

The ongoing process of strengthening the security regime against nonstate violence gained further prominence with looming threat of the weapons of mass destruction (WMD) terrorism. Weapons of mass destruction is a former military term used by the Soviet officials to mean nuclear, chemical, and biological weapons. The definition of term later on broadened to include any methods of inflicting mass destruction (Bowman, 2002, p. 1-3). In this sense, the WMD terrorism denotes the use of unconventional weapons by violent nonstate actors whose access the necessary technology, material, and production equipments became easier thanks to the globalized illicit economy.

In case of the acquisition of fissile material (plutonium or highly enriched uranium) by a violent nonstate actor, for instance, the magnitude of the threat facing the states is enormous. With the capacity of storage, delivery and detonation of an atomic bomb, violent nonstate actors' potential combat ability may even escalate to the level that surpasses the military power of non-nuclear states. Nevertheless, assessing the risk of the possibility of a WMD terrorist attack is now an integral part of national security strategies of both nuclear and non-nuclear states. The unilateral response of individual states is incapable to eliminate the threat of WMD-related terrorist attacks and to deter the potential perpetrators. States thus are increasingly in need of working together to conduct intelligence gathering, border control and law enforcement mechanisms to build effective

disincentives to the WMD terrorism. This is why governments have been seeking more channels for cooperative steps to prevent nonstate armed groups from possessing the capability of carrying out biological, chemical, and nuclear attacks.

Literature Review

This study in a nutshell attempts to conceptualize the response of states system against the increasing capability of nonstate actors on the use of violence at transnational stage. The independent variable is the post-Cold War rise of nonstate violence and dependent variable is the cooperative behavior of sovereign states against this unconventional threat coming from below. The hypothesis is that nonstate violence once began to matter in transnational domain; it started to face the resistance of the states system, which has emerged in the form of international cooperation. As the violent nonstate actors became powerful transnational players through globalization and threatened the security of more states not just the targeted one, governments tended to work together to fight against them.

In the study, a two-staged research design is adopted. First, the rise of nonstate violence in the post-Cold War period with relevant contexts and major agents is mapped. Secondly, the interstate reaction against growing violent nonstate actors is delineated out of extending international cooperation. Through tracing the process of anti-nonstate violence international cooperative steps, the interaction between violent nonstate actors and state system is presented. The study reaches the conclusion that intensity of cooperative steps of sovereign states against the rise of nonstate violence has dramatically

increased from the late 1990s to the 2000s. States have been developing a systemic response to nonstate violence in order to maintain the state monopoly on the use of force.

The rise of violent nonstate actors has opened the way to a new area of interdependence among states which appeared incapable, when acted on a monadic fashion, to disrupt the transnational threat of nonstate violence. States accordingly have embarked on creating a security regime forming the anti-nonstate violence legal framework. The legal framework of the security regime has been erected mainly out of relevant international conventions and Security Council resolutions. The ensuing strategies and polices adopted by the UN and regional intergovernmental organizations upon the legal framework concerned served as road maps of the international response against nonstate violence. As more states complied with the legal framework and took steps to implement the related strategies, formation of a security regime against nonstate violence started to yield tangible results.

Within the context of the security regime forged to block the rise of violent nonstate actors, interstate cooperation has been materialized in two stages. In the first stage, states cooperate to eradicate the warfare ability of nonstate agents. By deploying multinational task forces and missions, ad hoc programs of disarmament, demobilization, and reintegration are conducted towards nonstate armed groups. In the second stage, states work together to terminate the conditions that serve as safe havens to the violent nonstate actors. Missions focus on state-building programs with the purpose of centralization of violence in the hands of renewed national institutions.

The cooperative response of states to the rise of violent nonstate actors is the resistance of states system against nonstate violence. In order to maintain the monopoly

of force, states have been institutionalizing their common response to violent nonstate actors at systemic level in the post-Cold War period. The resistance originates in the ontological concerns of the Westphalian state to disrupt the rise of another category of actors over the means of violence. Systemic resistance to the rise of nonstate violence proceeds from the fact that state is still the major constituent of the existing world order. Although they share power with other players ranging from intergovernmental organizations to multinational companies in a variety of areas, states stand firm on controlling the means of violence. The initiative to build a security regime to contain the nonstate agents of violence stems from the state authorities. State merely turned to its counterparts, with which it shares a symbiotic relationship, in the face of escalating nonstate violence to preserve the foremost attribute of its existence- monopoly of force. So the terms *states system* and *international system* are used throughout the study with the same meaning to refer to the present international order.

In order to explain the resistance of states system against nonstate violence, this section reviews the existing research on nonstate violence and resultant interstate cooperation. The second chapter examines the underlying conditions for the post-Cold War rise of nonstate violence. The phenomena of state failure and the role of globalization are taken as the major setbacks for the growing significance of violent nonstate actors. Having delineated the rise of nonstate violence, the third chapter focuses the place of nonstate violence within the major theories of international relations. It then discusses possible pathways -ethnic conflict theories and the theory of new wars- to incorporate the violent nonstate actors into international relations theory.

The fourth chapter initially looks at the historical presence of nonstate violence and explains briefly the long period of the monopolization of force by nation-states. Then it displays the emergence of the need for cooperative action to overcome the nonstate agents of violence, the operational capacity of which extended to the transnational realm in the post-Cold War period. The rest of the chapter scrutinizes how and in what ways the states system responds nonstate violence in detail. Anti-nonstate violence security regime formation is explained out of international conventions and the Security Council resolutions. The role of the United Nations and other regional intergovernmental organizations is illustrated to explain the interstate cooperation against violent nonstate actors. The fourth chapter concludes that international cooperation works to dissipate violent nonstate actors and to re-install state monopoly of force in respective post-conflict societies.

Review of the Research on Nonstate Violence

Literature on nonstate violence in general represents all works on any form of violent acts perpetrated by the agents other than states and state-like polities. However, the scope of this study is limited to the violence conducted as a collective action of a group of organized people. Literature on homicides, injuries, brawls, melees, and other forms of micro violence of personal or familial character is not addressed. Earlier studies on the collective violence by nonstate groups make up a large of body of research about piracy, armed rebellions, banditry, revolutions, and resistance movements against invasions. Eric Hobsbawm's works (1959; 1972) for example examines the role of urban mobs, mafia,

secret societies, and revolutionary organizations as social and political actors in nineteenth and early twentieth century. Some of the earlier works focused nonstate violence in the context of revolutions (Leiden & Schmitt, 1968; Hagopian, 1975). There appeared studies on the method of revolutionary movements, after several leading figures wrote about the nature, strategy, and organizational principles of guerilla warfare (Zedong, 1937; Guevara, 1960). Scholarly research dealing with the phenomena of nonstate violence also generated theories that try to explain the motives for the emergence of violent nonstate actors, employing different perspectives. Ted Robert Gurr's causational study (1970) on rebellion is a prominent research probing into the background of armed oppositions against established authorities.

These earlier studies largely include the works of comparative politics on particular instances happened in certain geographies with rare reference to international affairs. With the post-Cold War period however, an increasing number of relevant investigations started to cite international dynamics to understand and explain the cases of violence by nonstate actors. Barnett Rubin (2002) for instance probes into the role of international actors on the emergence of violent nonstate actors in Afghanistan. This tendency is especially visible for the studies on proliferating ethnic conflicts, rising warlords, terrorist and criminal organizations in weak or failed states during 1990s. Scholars paid attention to the condition that state failure provides favorable environment for the transnational spread of the violence at the hands of the actors like warlords and terrorist organizations (Reno, 1999; Rotberg, 2003). Alongside the state failure, the rise of nonstate violence in the post-Cold War period was analyzed from the perspective of globalization. With globalized means, the privatization of violence and ensuing erosion of

state monopoly of force in the context of new wars has been extensively researched (Kaldor, 1999; Leander, 2004; Wulf, 2005; Münkler, 2005; Bryden & Caparini, 2006).

International aspect of the violence employed by these nonstate entities attracted more attention as state authorities acted in cooperation by taking the growing nonstate threat into consideration seriously. In the aftermath of the September 11 attacks, with advancing cooperative initiatives to clamp down terrorist groups and criminal organizations, the trend to analyze the international dimensions of the cases of nonstate violence gained speed. A large amount of empirical works on violent nonstate actors have been generated primarily by research centers for creating issue-specific reports. It is not uncommon to see preceding versions of related academic studies as reports published by these centers. In recent years, there appeared attempts to prepare comprehensive databases on the nonstate agents of violence. The project *Transnational and Non-State Armed Groups-Legal and Policy Responses* (2008) hosted by Harvard University and the Graduate Institute of International and Development Studies embarked on exploring the characteristics of armed groups all over the world. The ultimate objective of the project is to explain the violent conflict between states and nonstate actors by analyzing the pertinent facets of international law which regulate such confrontations.[3]

In order to draw a picture of the literature available on the violence perpetrated by nonstate actors, one needs to look through the works on contemporary forms of nonstate violence. Most of these contemporary cases of nonstate violence in the last two decades has taken place in transnational realm spilling over the boundaries of nation-states and becoming issues at international level. These cases include warlordism, insurgencies,

[3]For more information about the database visit http://www.armed-groups.org/

piracy, organized crime-related violence, and more significant of all, nonstate agents-led terrorist actions.

Literature on warlordism is abundant. The emergence of modern warlord politics in China prior the establishment of the People's Republic of China paved the way the creation of modern studies on the role of violent nonstate actors in national environments. Edward McCord's study (1993) shows how factionalized regional units of armies shaped the political context of the early twentieth-century China. Parallel to the growing political significance of warlords in the post-Cold War period, there is noticeable increase in the number of scholarly researches on the role of warlords at transnational realm. The main point of departure of most of these studies to explain warlordism has been state failure. Warlords in Western Africa (Reno, 1998), Afghanistan (Giustozzi, 2009; Rashid, 2001), Tajikistan and Sierra Leone (Lezhnev, 2005) have become critical players thanks to the dysfunctional state institutions. As the other major aspect of the issue, the link between globalization and the rise of warlordism is observed by researchers. Studies addressed the fact that warlords with global interconnectivity obtained better access to the facilities to sustain their destruction power (Thomas, Kiser, & Casebeer, 2005).

Studies on nonstate violence in the form of insurgencies give similar impressions that insurgent groups by means of globalization are more challenging in front of the regular forces of nation-states. Organizing in a more dispersed way and forming flexible networks, today's insurgency movements initiated a new type of rebellion against which state armies for the most part are ill-prepared (Metz & Millen, 2004; Fowler, 2005; Bunker, 2005). This condition came to a true picture with more violent interactions between regular armies and insurgent nonstate actors in 2000s, particularly during the

Second Gulf War in Iraq and the War in Afghanistan. States fighting insurgencies in response oriented the warfare abilities of their military forces by adopting counterinsurgency strategies. This has had an impact on present-day security doctrines of national governments.

Research about piracy with historical accounts is a quite large amount of literature. However, this study concentrates more on the globalization-led resurgence of pirate groups as violent nonstate actors. Remained ineffectual with the advent of steamships that outgunned pirate vessels in nineteenth century, robbery on the high seas is on the rise again in the post-Cold War period. Today, the possession of the means of violence by contemporary corsairs poses a serious nonstate threat to international security in the form of maritime piracy (Burnett, 2003; Lehr, 2007; Murphy, 2007). In the last decade, studies are proliferating upon the politics of piracy in South Asia especially in Malacca Strait (Johnson & Valencia, 2005; Ong-Webb, 2006) and east African waters by former Somali seamen (Alexander & Richardson, 2009; Baniela, 2010).

Another portion of the literature on modern nonstate violence is composed of the studies dealing with the organized crime-related violence perpetrated by drug cartels, mafia, and gangs. In line with the escalation of other forms of nonstate agents of violence, transnational criminal organizations enjoy greater political and economic power taking advantage of globalization. With more transnational connections and activities and better capacities for micro-violence (e.g., assassinations), their influence exceeds the reach of national governments and affects foreign policy decisions of states. Scholars of international relations are increasingly interested in the role of these actors for explaining national and international security affairs (Manwaring, 2007). The number of researches

analyzing the mounting security challenge of these organizations against states accordingly displays an upward trend in the last two decades (Shelley, 1999; Berdal & Serrano, 2002; Edward & Gill, 2003).

Studies on terrorism[4] feature the major part of the research on nonstate violence. The first systematic studies on terrorism itself and nonstate agents of this kind of warfare began to increase during 1980s and early 1990s upon the increase of terror groups-led violence since 1970s. First group of literature usually focused on the origins, motivations, objectives, and methods of terrorist organizations out of various empirical cases (Stohl, 1988; Reich, 1990; Howard, 1992; Crenshaw, 1995). In the post-Cold War international politics, researchers embarked on the works to understand and explain the spread of terror networks in transnational spheres. The ability of terrorist groups to organize at transnational scale utilizing globalization has been an intriguing subject for scholars (Jackson, 2006; Kenney, 2007). During 2000s, studies dealing with terrorism as a global phenomenon fairly swarmed (Cronin, 2002-3; Laqueur, 2003; Sageman, 2004; Hoffman, 2006; Whittaker, 2007).

With the visible surge of violent nonstate actors and their growing importance in world politics in 1990s and 2000s, scholars began to classify these actors to research them under a new framework (Schneckener, 2009). Many more scholars preferred to use the terms *violent nonstate actors* and *nonstate armed groups* to refer to terrorist groups, warlords, militias, criminal organizations, and youth gangs. These nonstate actors which are able to employ large-scale violence and challenge state monopoly of force form a new

[4] The present meaning of the term originated from the Reign of Terror phase of French Revolution during which terrorism was resorted by the then state authority, the Jacobin Club. However, terrorism today refers to the politically motivated fear-oriented acts of nonstate actors. In the literature, in order to distinguish the terrorism by governments, the term *state terrorism* is preferred.

group of agents in world politics. Studies generally categorize these agents with respect to their organizational structures, playgrounds, and objectives. Phil Williams for example divides the violent nonstate actors into six categories preferring a more actor oriented approach: warlords, militias, paramilitary forces, insurgencies, terrorist groups, criminal organizations, and youth gangs (2008).

The concept of nonstate violence is also a major topic in analyzing state-making affair although this study looks at mainly the implications of its challenge against state monopoly of force. Nonstate violence has the potential has the potential to bring about state formation processes in which rebel groups turn out to be national liberators. In the post-WWII decolonization period, wars launched by nonstate actors against colonial rules worked in obtaining the right to self-determination. Nonstate violence in these cases has functioned as state-making dynamic and added new members to the international community.

Review of the Research on International Cooperation against Nonstate Violence

Cooperation among states has been one of the most contentious topics among the scholars of international politics. There has been a continuing debate on the feasibility of international cooperation and its advantages and possible disadvantages. The theoretical debate mainly took place between those claiming that cooperation between states is possible and beneficial despite the anarchic nature of international politics (Keohane & Nye, 1977; Krasner, 1983; Keohane, 1984) and those viewing cooperation is difficult to achieve because of anarchy (Waltz, 1979; Mearsheimer, 1994). The contrasting

perspectives of the scholars from the Realist tradition and Liberal tradition have represented the two main strands in approaching the issue of interstate cooperation.

However, it is early to expect extensive researches on the cooperation of states against nonstate violence in the literature of international relations theories. The bulk of the existing research is composed of empirical studies mostly analyzing the post-9/11 international coalition against terrorism and the role of intergovernmental organizations. Heupel (2007) for example examines the evolving role of UN Security Council in dealing violent nonstate actors by asking whether it has adapted to transnational terrorism in the last decade.

Parallel to the post-9/11 transatlantic cooperation between the United States and Europe, the trend to work together to combat terrorism gained momentum at international level. States in this period established an anti-nonstate violence security regime strengthening and implementing the legal framework to fight violent nonstate actors. Several studies on the issue have been generated upon this multilateral reaction to nonstate threats (Bensahel, 2006; Byman, 2006).

The debate on interstate cooperation in security affairs has been revitalized (King, 2004) and the need for international assistance is indicated as individual states appeared ineffective in the elimination of the nonstate violence in most cases. It is possible to see the reference to the need for interstate collaboration in the studies on individual state strategies against terrorism and insurgencies (Rosen, 2001; Mesquita, 2005; Byman, 2005; Gardner, 2005; Hoge & Rose, 2005; Abrahms, 2008).

Studies on international cooperation against nonstate violence concentrate on the collaboration to respond terrorism, transnational criminal organizations, and piracy,

notably. Counterterrorism studies without hesitation dominate the literature as anti-terrorism steps have become an important security policy of most of the states when terrorist organizations began to operate at global level in the last two decades. The function of international institutions, particularly the role of UN as well as regional bodies and defense organizations in countering terrorism is analyzed (Nesi, 2006; Nevers, 2007; Cortright & Lopez, 2007).

Scholars of international relations probed into the role of international organizations in dealing with transnational organized crime (Williams & Vlassis, 2001; Berdal & Serrano, 2002). International cooperation against piracy has also been on the rise in response to the spread of piracy incidents in Southeast Asia and recently in the Gulf of Aden and Somali waters. Researches about how interstate cooperation works in combating piracy on the high seas produce compelling studies for the world politics (Lehr, 2007).

With increasing involvement of intergovernmental organizations in state building in failed or collapsed states also contributes to the literature on international cooperation against nonstate violence (Ghani & Lockhart, 2008). Similarly, the role of international assistance in economic reconstruction of war-torn states is researched (del Castillo, 2008). International cooperation to re-install state monopoly of force through state building projects is the ultimate antidote to the emergence of nonstate agents of violence. The continuing projects like the NATO in Afghanistan and the African Union Mission in Somalia (AMISOM) herald that the cooperation for state building to suppress nonstate violence will be on the agenda of global politics.

CHAPTER 2

THE RISE OF NONSTATE VIOLENCE IN THE POST-COLD WAR PERIOD

In the history of Westphalian state system, states as the only sovereign entities of the anarchic world order have never enjoyed absolute monopoly on the use of force. Nonstate violence has always existed in the forms of banditry, rebellion, insurgency, and piracy together with the presence of state authorities. Within the context of civil wars and revolutions as well as in the agencies of guerilla fighters, transnational criminal organizations, warlords, and terrorist groups; violent nonstate actors continued to exist alongside nation-states. Until the last decade of the twentieth century, violent nonstate actors mostly were not players at transnational level and their existence did not reach beyond their immediate activity areas. They could not become powerful enough to challenge the state monopoly of force and to threaten more states in addition to the targeted one. However in the post-Cold War period, the combined impact of globalization and the ungoverned or poorly governed territories prepared the circumstances for the rise of nonstate violence. Globalized markets and media enabled the growth of violent nonstate actors within the spaces controlled by quasi-states which have been labeled as failed or collapsed states.

In the aftermath of the WWII, emergence of many independent polities during decolonization period generated lots of weak states some of which later on failed or collapsed. National liberation movements in South America, Africa, Middle East, Asia, and Oceanic territories have generally faced difficulties in their state-building processes. Newly gained independence in this post-colonial world was often followed by instable

rules, coups d'état, revolutions, and civil wars sometimes lasting for decades. These instances of internal violence were also fomented and sustained by the ideological rivalry between the Capitalist and Communist blocs.

In much of the Cold War, the nonstate agents of violence had usually been funded and backed by external actors but their influences mattered largely at national scale. The political goals of the most noticeable ones were mostly limited to resisting against invader state armies or toppling the incumbent regimes bolstered by the rival bloc. For instance, the Viet Cong organization receiving considerable aid from China and Soviet Union aimed to expel the US forces from "its homeland" during the War in Vietnam (1959-1975). Likewise, the Mujahideen resistance supported by Pakistan, Saudi Arabia, and the United States was oriented against the Soviet Invasion of Afghanistan (1979-1989). There have been many other violent nonstate actors using terrorist tactics to attain their local political objectives during the 1960s, 1970s, and 1980s. The Tupamaros in Uruguay, the Montoneros in Argentina, the Red Brigades in Italy, and the Weathermen in the United States were of this kind (Whittaker, 2003, p. 27-30). The organizations like the Japanese Red Army and the Chilean Manuel Rodriguez Patriotic Front (FPMR/D) had accomplished to organize several violent actions far from their immediate activity areas. Nevertheless, their active presence remained limited to their initial basins.

With the combined impact of failed states and globalization in the last decade of the twentieth century, there emerged a more suitable environment for rise of the violent nonstate actors. Germinating usually from the sovereignty-free spaces emanated from many intrastate wars, these nonstate actors have become a significant variable to change the course of developments in world politics. As civil wars become the most prevalent

mode of violent confrontations in the post-Cold War era, the nonstate parties of these originally domestic conflicts gained more prominence. The frequency of civil wars one of the fighting parties of which is violent nonstate actors in the last two decades is much higher than the conflicts erupted between states.[5] Particularly, transnationalized civil wars have emerged as a significant factor transforming the nonstate agents of violence into the actors operating beyond the boundaries of a single state. Civil wars coming into existence for the control of state apparatus or a part of the territory have been the common transnational stage on which politically motivated violent nonstate actors interacted with states. Therefore, civil wars with transnational dimensions served as one of the contexts in which the rise of nonstate violence has taken place in the post-Cold War process. The debate on the legitimacy of the fighting parties in civil wars might require rethinking the status of the violent nonstate actors. The point that civil wars turn into interstate violence may not be clear in most cases. The current study without going into this contentious aspect of civil wars merely takes the post-Cold War civil wars as one of the hotbeds in which violent nonstate actors have developed to be able to engage in armed struggle at transnational level.

Today, it is increasingly difficult to understand international relations without understanding the international politics of the violent nonstate actors. States and intergovernmental organizations have to take these actors into consideration in their policy deliberations (Shultz, 2005, p.27-28; Vinci, 2009, p.1-2). Their areas of operation

[5] According to the Armed Conflict Dataset of the Uppsala Conflict Data Program/International Peace Research Institute (UDCP/PRIO), only 8 conflicts out of 128 armed conflicts have happened among state parties from 1989 to 2009. 120 of 128 armed conflicts in this time frame comprised 93 intrastate and 27 internationalized intrastate conflicts, meaning that one of fighting parties has mostly been violent nonstate actors. The Uppsala Conflict Data Program takes all armed struggles reaching 25 battle-related deaths in a year as armed conflicts (Harbom & Wallensteen, 2009, p.578).

extended and affected much beyond the locations where they have initially started to grow. By-products of the existence of these actors generated "soft security" threats for the other states adjacent to the targeted states and the state where their diaspora communities live. Due to the lack of state authority, some of these violent nonstate actors even achieved to control populations and territories with their own security forces. Hezbollah in Lebanon and Hamas in Palestine for instance are controlling populations and territories by deploying state-like infrastructures.

In the post-Cold War world politics, it is not unusual to see violent nonstate actors pursuing greater objectives beyond the causes at national scale not just at discourse level but organizing and expanding through transnational links on the ground. Al-Qaeda for example has been operating and forging links in Afghanistan, Iraq, Saudi Arabia, Yemen, Morocco, Algeria, as well as in particular locations in the Western Europe. Al-Qaeda as a terrorist organization pursues international goals such as overthrowing the "infidel" regimes among mainly the Arab states and trying to eject all of Western forces from the Muslim world (Bevy, 2006, p.13-14). The Lord's Resistance Army (the LRA) based in northern Uganda has been active in Sudan, the Democratic Republic of Congo, and Central African Republic. Formed originally against the central government in Kampala in 1987, the LRA with its 3000 troops including women and children has perpetrated various actions (massacres, abductions, sexual enslavement) in all these countries. For the leaders of the LRA such as Joseph Kony and Vincent Otti who are charged with crimes against humanity, there are arrest warrants issued by the International Criminal Court (Chatlani, 2007, p.282, 296).

Alongside their widening activity areas, violent nonstate actors have become much more powerful in terms of destructive capability. They may own high-technology conventional arms and munitions through state-led transfers or purchasing in globalized illicit markets and thus challenge the state monopoly on the use of force more intensely. Some of these nonstate actors are able to engage in serious combats against national armies and bring about devastating confrontations. For instance, Hezbollah having its own army outside the control of the state in Beirut, fought against Israel during the 34-Day War in the summer of 2006. Hezbollah, being a significant actor in Lebanese politics, has a military force of at least 1000 trained militants and possesses heavy weapon systems including several types of long-range missiles in its inventory (Devenny, 2006; Rao, 2006). The Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka held approximately 10,000 fighting forces comprising land, army, and naval wings before it was defeated militarily by the Sri Lanka Armed Forces in 2009. In order to establish an independent Tamil state in northern and eastern parts of the country, the LTTE has sporadically organized large-scale raids against the Democratic Socialist Republic of Sri Lanka (Whittaker, 2003, p.84-87; Hariharan, 2008).

In order to fund their activities, nonstate actors of violence are increasingly more able to procure financial sources from diaspora communities and transnational crime. The case of the Kurdistan Workers Party (PKK/Kongra Gel) that is based on the northern Iraq and fighting against Turkish state for its claim of autonomy in the southeastern Anatolia appears as an obvious example. The PKK/Kongra Gel has been controlling and commissioning the drug traffickers in southeastern Turkey, northern Iraq, northwestern Iran, and Europe for years (Roth & Sever, 2007, p.907-909). Controlling illegal cannabis

cultivation in the East and Southeast Anatolia, establishing illegal checkpoints in mountainous Turkey-Iran-Iraq bordering region, and extorting distribution networks in European countries, the PKK/Kongra Gel has been financing itself from criminal activities (Pek & Ekici, 2007, p.143-144). The LTTE in Sri Lanka also has relied on the extortions gathered from the Tamil communities in North America, Europe, South Africa Australia and Asia. Although there is a large community of expatriate Tamils willing to support the Tigers, there are also the enforcers of the Organization for extracting contributions from those reluctant to pay (Hassan, 2009, p.5-6). The LTTE resorted to arms smuggling by forming its own vessel fleet and establishing shipping bases in Myanmar and Thailand in different periods in the past. The Tigers also involved in drug trafficking within the context of its fundraising activities at global scale (Chalk, 1999; Whittaker, 2003, p.84-87; Youngers & Rosin, 2005, p.102-104).

Context For The Rise of Nonstate Violence

There are two major factors that explain the ascendancy of nonstate violence in the post-Cold War period. The first factor enabling violent nonstate actors to emerge more effective is related to the quality of state authority. States unable to function as the classical Westphalian state are classified under the categories of failed or collapsed states. Due to quasi governance of these states, nonstate agents of violence have managed to be players beyond their birth places. The second factor which gave rise to nonstate violence is the relevant consequences of the globalization process. Thanks to the globalized illicit economy, nonstate armed groups increased their funds capitalizing on diversified sources

and become relatively less reliant on their major state sponsors as they did during the Cold War. Armed groups thereby reinforced their capability on the use of violence and advanced to be able to challenge state monopoly of force in a profound way.

Failed States

The spread of nonstate violence is chiefly an outcome of state failure, which has been common within the post-colonial world in the second half of the twentieth century. The decolonization period following the WWII showed that some newer polities subsequent to independence turn into weak or failed states falling short to provide basic political goods to their people. In the aftermath of the WWII, there were about sixty independent states and in 1960s the number reached ninety. With more national polities in Africa and Asia and the disintegration of Soviet Union, more than 190 political entities were technically states in 1990s. As of now, there are 195 polities (192 of which are UN members) including Kosovo that declared its independence in 2008. In many newly independent polities, weakness of the central governments which have been erected upon fledgling institutions is a general phenomenon. Sustaining legitimacy in the eyes of citizenry and maintaining domestic order appear difficult tasks for the inchoate ruling bodies. Some of these weak states might later on plunge towards failure when the government is unable to supply security, the major function of a state.

Failed states lose the central control over the instruments of physical coercion. With the fragmented use of physical coercion by nonstate actors, popular allegiance to the state ceases and the state authority to collect taxes weakens. The state lacking its

revenue base and legitimacy appears unable to maintain control and consequently fails to rule (Kaldor, 1999, p.92). In failed states, ruling bodies cannot prevent cross-border invasions and infiltrations and in some instances specific portions of territory are lost. In domestic context, government troops generally fight against two or more armed insurgencies, or the forces of rival groups claiming the control of the state. There are high levels of internal violence that has an enduring character and the violence is directed against the ruling government for political and territorial demands. Demands usually are related to power sharing or autonomy on particular sections of the country (Rotberg, 2003, p.3).

In failed states, criminal violence by local gangs is usually prevalent and regular police forces remain ineffective to ensure human security. Critical disharmonies exist among the communities of population and civil wars occur due to the ethnic, religious, or linguistic enmities. Failed states have no control over their borders and lose the authority over some sections of their soil. Political power is limited to a capital city and a few particular zones where the specific ethnic groups live. Oppression of people by the ruling establishment emerges as a common trait of failed states and ruler-led cruel treatment of people generates reaction sometimes as armed rebels. Highly politicized armed forces follow the orders given by the executive even in case of the violent oppression of dissented people (ibid., p.5-7). The delivery of other public goods is not also an easy task unless there is nationwide safety.

The extreme version of state failure is the collapsed state, governments of which face the total loss of control over political and economic space. Dissidents operate from their sanctuaries in neighboring countries and political playground of the state exceeds its

boundaries. Informal economy completely prevails in the national economic space and some regions of the country are lost to neighboring economies. These lost regions use foreign currencies for trade and connected to the economy of the adjacent state to be able to maintain its existence (Zartman, 1995, p.9). Collapsed state stands merely for a geographical location where political goods are obtained through private means. Security is supplied only by the strong actors in their respective control areas. People of the collapsed state are no longer citizens but inhabitants defined in terms ethnic or tribal affinities (Rotberg, 2003, p.9).

The state failure-led anarchic environment provides ripe conditions for the rise of the nonstate agents of violence in different modalities. At the preliminary stage of the weakening state, insurgency movements might challenge the state to control the entire country or some of its parts for establishing autonomous entities. Warlords emerge from several former military officers who have influence over at least a part of the population in particular regions. Militias are formed by some factionalized clans or tribes due to primarily security concerns. If the state is not landlocked, power vacuum on the ground expands into the territorial waters and piracy might emerge. Raiding the vessels on the surrounding sea routes becomes a means for the fishermen to earn their livelihoods. Failed states with their insecure environments also host external violent nonstate actors. Absence of authority gives workable markets to transnational criminal organizations and terrorist groups find suitable circumstances to build their shelter as well as springboard for their attacks elsewhere.

State weakness and failure help to explain the post-Cold War rise of nonstate violence in some parts of Eastern Europe, former Soviet Union territories, and Africa particularly

in Liberia and Somalia. For example, Liberian state experienced failure after the fall of Samuel K. Doe who had come to power with a military coup of 1980 against the political domination of the Americo-Liberian elites in this country. In 1990, the Doe government was toppled by the Charles Taylor's National Patriotic Front of Liberia (NPFL) and the faction of Prince Johnson. By the mid-1990s, Liberia was controlled by these rebel groups despite efforts to establish a central government by the Economic Community of West African States Monitoring Group (ECOMOG), a multilateral armed force installed by the Economic Community of West African States (ECOWAS). In this period, the continuing civil war in Liberia through the instigation of the warlord Charles Taylor even spilled over to neighboring Sierra Leone. Taylor's men have supported and armed the Sierra Leone rebel group the Revolutionary United Front (RUF) fighting against both the government forces and peace-keeping force of the ECOMOG. In brief, nonstate violence in Liberia due to mainly the failure of central authority of Monrovia gained transnational character and threatened the security of other states.

The Impact of Globalization

For the post-Cold War rise of nonstate violence, globalization-led facilities constitute the second chief factor alongside the phenomenon of state failure. Globalization offered several major opportunities to nonstate agents in their ascendancy to challenge state monopoly of force. With increasing global flow of arms, nonstate actors have had obtained weapons and equipment necessary to use violence in an easier way. They have now the potential to possess nuclear weapons and to wage radiological wars attacking

nuclear plants. All the societies on the globe might turn out be unprecedentedly vulnerable targets if the violent nonstate actors achieve to capture nuclear warheads or atomic bombs. Through engaging in illegal trade particularly in drug trafficking and creating support in diaspora communities, nonstate actors diversified their income-generating activities. They raised their funds more independently by operating outside the region where they initially started to exist. Violent nonstate actors utilizing advanced communication technologies improved their organizational structures and abilities. They are more capable to realize coordinated and sophisticated large-scale attacks in places far from their immediate activity areas.

Violent nonstate actors rarely produce their own weapons. During the Cold War, they have been highly dependent on covert supplier states which were usually their superpower patrons, neighboring states or host countries. In the post-Cold War period, there were still some nonstate actors that have been sponsored by state authorities. The Syrian assistance to the Kurdistan Workers' Party (PKK) until 1998 and the Iranian support for Hezbollah in Lebanon are among the most explicit cases. However in 1990s, globalized illicit markets enabled nonstate actors to procure military supplies without direct state support. There emerged more arms that can illegally be transferred to violent nonstate actors. Because many governments embarked on upgrading existing inventories for the general modernization of their militaries, there appeared stacks of old weaponry waiting to be disposed. Likewise, channels of illegal arms trade between providers and recipient nonstate agents proliferated with globalization. In this phase, the private dealers connecting the suppliers of these Cold War arms surpluses and nonstate clients have become significant transnational players (Williams, 2008, p.7). Forging ties with the

intelligence agencies of arms-manufacturing states and the states or military officials willing to sell second-hand weapons, these dealers accelerated the spread of illicit running of used weapons. Arms dealers functioned in most instances as reticent intermediaries concealing the identity of supplier parties.

The post-Cold War growth of illicit gun-running business can be explained to a great extent out of the newly opened borders particularly in post-Soviet territories. The ensuing rapid expansion of free trade and lax border control of recently independent states have unleashed the illegal sale of massive arms surpluses of the Cold War period (Lumpe, 2000, p.1-7). Today, most of the inventories at the hands of nonstate combatants come from the large stockpiles of these weaponry and ammunition produced during the Cold War. Especially during the 1980s, major weapons suppliers had transferred high quality arms to the Third World while they usually sold second-rate items to the same states in 1950s and 1960s (Navias & Moreman, 1994, p.312-313). Violent nonstate actors controlled or captured the arsenals of states in the Third World where many rebellions, ethnic conflicts, and civil wars occurred in the aftermath of the Cold War. The inventories used by nonstate actors generally include rifles, machine guns, hand-grenades, landmines, short-range rockets, mortars, and low-caliber artilleries. Through the black markets some of which centered on war-torn countries such as Somalia, Afghanistan, and Angola, nonstate actors have reached these small arms and light weapons even without dealers.

Different from the gun manufacturing, resources to produce high explosives became accessible to nonstate actors in much easier channels and in earlier periods. Explosives which are more lethal than light weapons or small arms at the hands of

terrorist organizations are smoothly obtained through globalized bomb-industry. Technology and skills even to make weapons of mass destruction have spread throughout the globe (Laqueur, 2005, p. 156). Nonstate groups can readily reach the necessary material and technical sophistication to make chemical and biological weapons. However, the main concern is now the possibility of the use of nuclear weapons by violent nonstate actors. Nuclear weapons, once captured by a few nonstate groups, will probably proliferate among others operating in different parts of the world. Violent nonstate actors in case they possess nuclear firepower will be able to destroy military bases, nuclear power plants, and give collateral damage to megacities killing millions of people. Holding nuclear bombs with delivery systems such as missiles or carrier aircrafts they will also have the upper hand against non-nuclear states. In such conditions of asymmetric warfare, states will have limited preventive means in defending their populations and territories against nuclear attacks.

Violent nonstate actors unlike their heavy reliance on state sponsors during the Cold War have increasingly been nearly self-sustaining entities by turning to new income sources for their existence. Exploiting the "dark side" of the globalization they diversified their activity areas to improve their capacity of finding funds. The flourishing black markets in arms for instance became domains that nonstate combatants finance themselves (Kaldor, 1999, p.90-91). Drug trade appeared another lucrative business as globalization facilitated the cross-border transaction of goods and services. Most of the violent nonstate actors whose basic motivation is different from traditional drug cartels conduct transnational illegal heroin trade, work together with or tax drug producers and traffickers. The Revolutionary Armed Forces of Colombia (FARC) (Youngers & Rosin,

2005, p.102-104), the Kurdistan Workers' Party (PKK/Kongra Gel) (Roth & Sever, 2007, p.907-909) are two of such narco-guerilla groups exploiting the transnational illicit economy. Globalization also brought about the easy ownership of media that enlarged the finance procurement geography of nonstate actors. Violent nonstate actors have been able to use radio, satellite television networks, and internet to reach their diaspora population living abroad and to spread their voice across the world. Propagating their causes in overseas countries, many terrorist organizations have achieved to generate support and to form advocacy networks. They collect monetary contribution and sometimes extortion by using force from the wealthy of the diaspora communities.

Globalization created various opportunities that enabled violent nonstate actors to develop their organizational growth, structures, and capacities. Member recruitment and training activities are realized faster at transnational scale leading to horizontal expansion through great leaps. Network-type organizational structure existing as small groups in different places across the world and coordinated action of these groups are simpler with advanced communication technologies. These technologies made it possible to spread messages at almost no cost across the globe. Letters and faxes have been replaced by e-mail and thus the velocity of information flow reached to the level that any data can now be easily transmitted in real time to everywhere in the world (Hoffman, 2005, p.924-925). Various terrorist organizations, transnational criminal organizations, and pirate groups have attained to the capacity to orchestrate attacks against multiple targets in unison. The September 11 attacks, the 2003 Istanbul synagogue bombings, the 2004 Madrid train bombings, the 2005 London public transport bombings, and the 2008 Mumbai attacks represent the high organizational ability of nonstate actors in coordinating their actions.

Major Nonstate Agents of Violence

This study covers warlords, militias, terrorist organizations, insurgents, pirates, and transnational criminal organizations as major nonstate agents of violence. These prominent six groups represent the main types of nonstate violence in the post-Cold War period. Although these six types of violent nonstate actors are covered here separately, there are difficulties facing the researchers in determining the type of the nonstate actor in some cases. An insurgency movement for example might emerge with the pure motivation to topple the incumbent ruling establishment of a state but subsequently may turn into a transnational criminal organization operating and organizing also for monetary profit. Proper labeling such an actor is sometimes problematic since its qualities necessitate the use of both insurgency movement and transnational criminal organization.

Violence perpetrated by intergovernmental organizations and private military companies is nonstate violence, too. The fact that they act as an extension of state authorities puts these bodies into a different category. The ongoing mission of ISAF in Afghanistan for example was authorized and later on extended by the UN Security Council representing the will of the permanent five and the then non-permanent member states. Likewise, private military companies are employed mostly by public authorities for limited specific missions like protection of diplomats and training programs through high-profile contracts. There are incidents in which the companies violate the boundary of their tasks such as involvement in illegal arms trafficking and providing unlawful

training facilities.[6] Nevertheless, the commercialized use of violence by companies of this kind does not develop to defy the state authority on the exercise of violence.

Therefore, the role of intergovernmental organizations and private military companies is not like other violent nonstate actors which emerge as a challenge against the state monopoly of force. Warlords, militias, terrorist organizations, insurgency movements, pirates, and transnational criminal organizations emerged rather independently against the norm that state is the sole actor to resort to coercion. The causes exploited by these groups may vary from identity-related issues to different political and economic reasons. However, the common denominator is that they have created space for their own activities resorting to violence and their rise with the impact of globalization and of poor governance has been undermining the state authority.

Warlords

Warlords are usually the charismatic individuals among the local population and have military experiences from their past services. They possess armed groups under their own authorities and enjoy control over the particular areas of failed or collapsed states where no state monopoly of force exists. Warlords as nonstate actors are quite independent political and financial players in transnational politics due to the absence of state control over their affairs. The unpaid local army commanders or powerful ex-criminals might emerge and become effective warlords during the civil wars or other instances of ineffective ruling authorities. The case of the Civil War in Tajikistan in the post-

[6] For instance, the North Carolina-based Xe Services LLC (formerly Blackwater Worldwide) one of the largest private military companies of the world is charged for the violation of US export regulations since it allegedly supplied armaments and military equipments to overseas (Strobel, 2010).

independence period for instance is a clear example in this sense. During the Tajik civil war (1992-1997), pro-government and anti-government warlords with militias under their rule were the main players of the conflict. Sangak Safarov, the leader of the pro-government Popular Front faction and controlling the southwest region of Kulyab was a warlord with the militia under his authority. Rezvon Sadirov emerged as another Tajik warlord being the military leader of United Tajik Opposition which was the major anti-government faction from the north-central region of Garm (Lezhnev, 2005, p. 51-57).

Warlords with their military power loot or use the natural resources and give support to the money-making activities such as opium cultivation and mining. The warlord mining economies in Sierra Leone and the Democratic Republic of Congo and the role of warlords in the opium economies of Burma and Afghanistan are clear examples (Williams, 2008, p.9). Warlords sometimes provide security to the population inhabited in their areas of control and resort to violence and coercion to maintain their power. These leaders search for personal financial gain and glory instead of an ideological struggle in the name of the identity of the masses. They are thus seen as thieves and murderers not revolutionary leaders by the people under their forcedly rule (Lezhnev, 2005, p.2). People like Charles Taylor in Liberia during the 1990s, Jonas Savimbi in Angola in 1980s and 1990s, Farah Aideed in Somalia, and Rashid Dostum in Afghanistan are some of the leaders accepted as warlords (Giustozzi, 2005, p.5).

Militias

Emerging within the environment of failed or collapsed states, militias are the irregular armed groups without professional military training. Militias have generally unconventional fighting skills and are organized under factional or tribal leaders who are not necessarily charismatic figures as warlords. Members of militia organizations are generally recruited from either lower classes in need of money or certain clans and tribes. Militias in most instances are created by particular clans, tribes or ethnic groups to defend their respective interests depending on the context. The Kurdish Peshmerga and the Mahdy Army for example have been powerful militias after the Iraqi state collapsed with the US invasion in 2003. The Peshmerga[7] formed as an independence movement in 1920s has maintained itself to provide for the security of the Kurdish population in northern Iraq. As an ally of the US-led coalition, the Peshmerga has become the strongest nonstate armed group with its large inventory of heavy weapons and several hundreds of thousands of fighters in post-Saddam Iraq. The Mahdy Army militia similarly was established by the Shi'a cleric Muqtada al-Sadr to defend the interests of his faction through a campaign against the US presence in Iraq.

In some other cases militias are formed, armed or employed unofficially to serve the state authorities in an indirect way. They are trained in anti-guerilla tactics; funded and equipped to fight rebels or eliminate opposition leaders on behalf of the ruling regime (Bailes, 2007, p.10-11). The Janjaweed militias established as a separate nonstate group in 2002 have played a key role in Darfur conflict in accordance with the interests of

[7] In 2009, the name of this militia was changed to the Defense Forces of Kurdistan Region by the Kurdish officials.

Sudanese state. Comprising the Arabic-speaking African tribesmen armed by Khartoum, the Janjaweed has targeted the rebels in Darfur and restricted the intervention of international forces from the United Nations and African Union.

Terrorist Organizations

There are disagreements and ongoing debates on the definition of terrorism since the term is always politically charged in its uses. Nonetheless, it seems possible to describe the militant groups using violent actions against civilians for political objectives as terrorist organizations. Terrorist organizations emerging from ideological, economic, political, and religious motives usually exist and expand through cells under loose command structures at local or transnational scales and operate in clandestine ways. Discontent with the status quo, they pursue political change in line with their goals through mainly the use of violence in varying forms. The basic purpose of the use of violence is beyond inflicting harm on the immediate victims. The violent act itself conveys political message not related to those terrorized at the initial phase. Violence is resorted to spread fear and panic among the public. Other violent nonstate actors also resort to terror tactics but using indiscriminate violence against civilians is the fundamental characteristic of these nonstate actors (Hoffman, 2006, p.37-38).

In the post-Cold War environment, international terrorism did not follow a general rising trend but its agents began to move with more facilities in a broader range of areas. Terror groups have increasingly been willing to profit from transnational crime to finance their activities. The nexus between the drug trade-like organized crime and

terrorism was consolidated (Makarenko, 2004, p.130). With their less dependence on state sponsorship, terror groups operated in a relatively independent manner in world politics. Through globalization, terror groups have had more opportunities to engineer large-scale violence and reach quickly the intended audience. However, their capability to challenge the state monopoly of force is weaker compared with the other major nonstate agents of violence. They are usually unable to organize an overall insurgency against a constituted government but strive to undermine the authority and integrity of state through terrorist actions (Williams, 2008, p.14-15).

Although using the title "terrorist" for specific groups is often controversial, there exist many groups which are declared terrorist by most of the states and intergovernmental organizations in the world. Al-Qaeda for example is outlawed as a terrorist organization by almost all states of the globe for its (apart from the September 11 attacks) resort to violence against civilians in various locations in the last decade. The Basque Homeland and Freedom (ETA), the Kurdistan Workers Party (PKK/Kongra Gel), and United Self-Defense Forces of Colombia (AUC) are some of other generally accepted terrorist organizations.

Insurgents

According to Eizenstat et al., insurgency movements come into existence because of the three major gaps -security gap, capacity gap, and legitimacy gap- which indicate the weakness of the state. Providing security is the basic task of the state. If a state is unable to maintain the monopoly of force and preserve sovereignty over territory, there is

security gap. The absence of other essential services such as education and health care denotes the capacity gap. Problems in the practice of basic rights and freedoms, rule of law, and participation in political process signify the legitimacy gap (2005, p.136-137). In a condition of the coexistence of these three gaps, insurgencies, rebel groups, and other similar nonstate actors find the required space to challenge the state authority.

Insurgents or rebels seek to overthrow a constituted government through armed struggle usually for the purpose of seizing the control of the country or establishing an autonomous state. Insurgency appears as a politically motivated organized movement in response to the particular grievances based on ethnic, religious, and economic problems in a state. The movements try to garner support referencing these grievances against the ruling regime which is no longer legitimate in the eyes of the insurgents. The agents of insurgency are labeled rebels or insurgents since they are considered illegal by the state they are aiming to subvert as well as most of the other states recognizing that state. Sometimes insurgencies are referred revolutionary wars because insurgents typically try to replace the ruling establishments with alternative forms of governance.

In order to undermine the authority of government further, insurgents resort to violence against civilians and conduct a war of attrition over the state security forces. In almost each case, there are also specific segments of population, which tacitly back the insurgency movement or at least tolerate its activities. Insurgents keep their organizational existence mainly within the territory inhabited by these segments which share the similar the anti-government sentiments. Contemporary insurgency movements however do not operate in defined and limited territories. Unlike previous insurgencies during the Cold War, the recent movements emerge in a more transnational character

crossing the borders drawn regardless of ethnic, cultural, or religious realities (Lynn, 2005, p.22-23). Insurgents of today through their transnational links are able to fund their activities easier and emerge as self-supporting groups instead of merely depending on sponsors (Hammes, 2006, p.20). In most instances, insurgent groups tax cocaine or opium producers in certain enclaves under their control and organize transnational drug trade. The insurgency led by the Revolutionary Armed Forces of Colombia (FARC) against Bogotá for example has active presence in Cuba, Mexico, and various European capitals. Established as a local Marxist-Leninist insurgency group to erect a communist system in Colombia in early 1960s, the FARC now carries out large-scale commercial activities in cooperation with the criminal networks in neighboring countries. The movement, to finance itself, has been engaging in drug business together with Arellano Felix Organization in Mexico and the Costa Organization in Brazil.

In some cases, insurgency movements emerge in divided and factionalized forms generating a multiple sets of insurgents fighting against the same central authority. In Yemen, the ruling government has been challenged by two insurgency movements at the same time for the last three years. The Houti rebels in the north and the separatist groups in the southern cities have fought against the government with different motives. In Iraq, following the US invasion there have emerged about 40 distinct insurgent groups fighting against the security forces of the government in Baghdad.

Pirates

Maritime piracy has been one of the classical forms of nonstate violence at seas or other major bodies of water throughout the history. Organized usually in small groups of sailors with fighting skills, today's pirates commit criminal violence and robbery against mainly the transport vessels at international waters. They mostly use armed speedboats and fishing trawlers in their attacks on modern cargo vessels that have only a small of number of crews carrying no weapons. Pirates easily board on and hijack these vessels on which they rarely encounter resistance from the crew members. Stealing the transport commodity if it is something to be consumed and demanding ransom for the release of the vessel and its crews, appear as the two common forms of the piracy incidents in recent years. Pirates in terms of their ability to resort to violence for such economic reasons thus are among the violent nonstate actors operating on transnational scale.

Modern pirate groups different from corsairs in the history come into existence rather independently and due to more local political and economic deficiencies. Present-day pirate groups formed along coastal areas of failed states challenge the authority of the littoral state over its territorial waters and undermine the state monopoly of force in a significant way. Corsairs however were authorized raiders operating on behalf of states and ordered to inflict harm on the shipping of the enemies and to protect the transport vessels of the patron state at open seas. Serving the patron state, they had enjoyed shares of the seized material although motivation was beyond gaining wealth through plunders and trade of the captured slaves. The French corsairs on behalf of the French Crown in

the Atlantic Ocean and the Caribbean and Turkish corsairs on behalf of the Sultans of the Ottomans in the Mediterranean during the middle ages were of this kind.

Since 1990s there has been an increasing trend in piracy incidents in certain international sea routes as a result of a number of factors. The major factor behind the rise of piracy is the absence of authority on the ground and ensuing lack of control at national territorial seas. The failed states with coasts close to international sea routes are generating sanctuaries for modern pirates. Destitution plays as a catalyst for the formation of pirate groups in search of making money in such uncontrolled waters. Poverty begets piracy especially in the case of marginalized maritime oriented people when they are in a position to earn their livelihoods by no other means (Young, 2007, p.57-58).

The role of globalization on the resurgence of piracy events is also of great importance. On the one hand globalization together with liberalization of trade increased the amount of goods that is carried by sea. Today, the international commerce-related transportation is mainly conducted by thousands of ships sailing at specific international waterways. Since these waterways are not usually under the control of state authorities, potential targets for the criminal activities at open seas became much greater in number dramatically (Lehr, 2007). The routes among Europe, the Persian Gulf, and the busy ports of East Asia are used by more than 50,000 commercial ships a year. The narrow waterways such as the Gulf of Aden and the Strait of Malacca connecting these destinations are the particular places where pirates often appear and perpetrate armed robberies. Somali pirates especially in the last three years have been attacking the vessels passing through the Gulf of Aden and off the Somali coasts. The sea routes along the entire eastern African waters and even the western Indian Ocean are still under the threat

of these pirates. In the Strait of Malacca, intensified in the years between 2004 and 2007 piracy attacks in recent years are still being committed sporadically. There have also been piracy incidents with periodical frequencies in the South China Sea, Nigerian waters, the Caribbean, and off the coast of South America in the last decade (Wijk, Anderson & Haines, 2010, p.40-43). Modern pirates thus have had more chances to be successful in spotting and hijacking vulnerable vessels.

Globalization on the other hand has enabled pirates to reach necessary technical equipments for well-organized attacks on larger vessels transporting valuable materials. Thanks to the advanced communication and navigation technologies modern pirates can easily detect the coordinates of preferred ships and manage the ensuing ransom-taking process without exposing their location and identity. Somali pirates for instance use satellite phones to realize intra-group communication and GPS (global positioning system) devices to track the suitable targets during the seaborne attacks hundreds of nautical miles from the shore (Bedford, 2008). Some of the pirate groups in Somalia own and utilize a global information network and are given the information about the number of security guards and weapons on a particular vessel approaching the range in which they can organize attacks (Homeland Security Newswire, 2008).

Transnational Criminal Organizations

Organized crime is an old form of illegal action committed by bandit bands and highwaymen for the purpose of accumulating money in mostly rural areas throughout the history. Existing beyond the reach of central authorities, former criminal organizations

robbed merchants on trade routes and obtained money from storekeepers through use of violence. Today, the agents of organized crime utilizing the opportunities of globalization are engaging in a wide range of illegal activities largely in transnational scope. Louis Shelley states that "transnational criminals are major beneficiaries of globalization" pointing the fact that these entities "have developed transnational networks, dispersing their activities, their planning, and their logistics across several continents" (2006). Existing in the forms of mafia, gang, drug cartel, they generate monetary profit from racketeering, human trafficking, prostitution, counterfeiting, money laundering, gambling, and smuggling in arms, heroin or cigarette. The recent activities also include credit card fraud, organ trafficking, identity theft, online extortion, and various types of organized cyber crimes as the internet use and electronic commerce grows.

Weak and failed states, sovereignty-free environments and the areas on porous borders offer suitable circumstances for the growth of transnational criminal organizations. Therefore, the West African states, the post-Soviet states, and the Latin America include most of the safe havens for the unobstructed existence of these organizations. The federally administered tribal areas on the northwestern Pakistan, the Bekaa Valley in Lebanon, the Fergana Valley in Uzbekistan, and the Paraguayan city of Ciudad del Este bordering Brazil and Argentina are typical examples of such environments. Especially the Tri-Border Area in Ciudad del Este has some uncontrolled parts used as a hiding and a meeting place for members of the criminal organizations in the South America (Stanislawski & Hermann, 2004).

Transnational criminal organizations differ in size and there is no single or constant structure that they adopt and live with for a long time. Some of them have

hierarchical groupings led by a narrow cadre of leaders and others are more network organizations with scattered functions. Transnational criminal organizations vary in terms of their ability on the use of violence, which is central to their existence and money-making mechanism. In order to maintain internal discipline of the group; to enforce and intimidate targeted people; and to expand market share, violence is a means for these organizations. However, the violence resorted by these organizations is very specific and selective against rival organizations, businessmen, government officials including usually judges, prosecutors, and chief police officers (Williams, 2008, p.16).

Some of these criminal organizations exist as local groups working with other local groups but do not have active transnational presence. However, many more others have transnational existence actively operating in more than one state and even controlling particular crime rings worldwide. This is why these organizations are called transnational criminal organizations that have been adding transborder dimensions to the maintenance of national security and posing an unconventional threat to state sovereignty. For example, the Chinese Triads, the Russian Mafia, Colombian cartels, the Japanese Yakuza, and Sicilian Mafia have engaged in global activities and been challenging state institutions so far (Sullivan & Bunker, 2003, p.41).

The Gulf Cartel, based in Mexico is exporting drugs to European and Western African markets and trying to control drug trade into the United States. It has active presence in the US, Peru, Bolivia, and Western African states alongside its close collaboration with Colombian cartels. The Russian Solntsevskaya Brotherhood, one of the most powerful criminal gangs of the world, is operating in Eastern Europe particularly in Hungary as well as in the Western Europe and the US. With its thousands

of members and affinity with the Russian Mafia, the Solntsevskaya Brotherhood has been engaging in the illegal trade and theft of valuable materials behind the disguise of legal companies. The Mara Salvatruchas (the MS 13) is another criminal gang established in 1980s to protect the Salvadoran immigrants in Los Angeles against other gangs. In the last decade, it has become a truly transnational youth gang committing homicides, organizing massacres, and engaging in drug trade in most of the Central America (Williams, 2008, p.16-17).

CHAPTER 3

INCORPORATING NONSTATE VIOLENCE INTO INTERNATIONAL RELATIONS THEORY

It is quite apparent that the nonstate agents of violence in the post-Cold War period have sought and achieved greater influence in global politics. Most of the armed conflicts in the world since the end of the Cold War, has been occurring as strives between violent nonstate actors and states. In today's world politics, the frequency of interstate conflicts is much lower than those happening among nonstate agents of violence and governments. In spite of such intensity of warfare conducted by violent nonstate actors, nonstate violence has not been theorized in terms of its impact over international politics. Nonstate violence-related empirical data have rarely been employed to build theories to understand and explain the political affairs at international stage. Recent works on the international dimension of warlords, insurgency movements, terrorism, and ethnic violence have usually been limited to the framework of specific cases. Deductions from the international aspect of these cases of nonstate violence are not or cannot be improved to address the questions of world politics. Several research projects and studies attempted to theorize the place of the nonstate agents of violence in global politics but their impact remained marginal. Anthony Vinci (2009) for instance engaged in the task of positioning armed groups in international system referring the increasing significance of these entities.

There is a scarcity of theory-building in contrast to the abundance of empirical research on nonstate violence after 1990s and especially the September 11 attacks. In the

Westphalian political order, nonstate agents of violence have always been less significant vis-à-vis the states. The big threat perceived by governmental authorities, kingdoms, and empires has been an overall war to be waged by other states. Potential danger posed by antagonistic states dominated the agenda of national and international security. Violence employed against central authority from within the state was largely a domestic affair falling outside the inter-national politics. Although there appeared an increase in the number and extent of intrastate conflicts following the end of the WWII, the Cold War maintained state-centered perspective of theoretical works on international politics. Nonstate violence in civil wars, ethnic strife, insurgency, and guerilla warfare remained outside the scope of the studies on international relations theory. Violence in international politics is researched in a monadic fashion dealing with only the state violence and ensuing international conflicts. Interstate wars persisted as the chief topic on the violence-related studies in the discipline. Much of international relations theory literature has taken the state into account in terms of the problem of violence underestimating the actors beyond states.

Nonstate Violence in Major International Relations Theories

International relations defined as a distinct discipline following the First World War has been inspired from the interaction of states in battlefields and diplomatic platforms. States in order to settle disputes or to assert their will over other states resort to violence and thus wars occur as violent confrontations among at least two actors geared against each other. In this respect, violence is a dynamic central to the war among states. This is why

the problem of violence is analyzed mostly under the title of interstate war in international relations theories. The growing body of theory literature in the twentieth century dealt with the issue of war between states from various causational and teleological angles. Major international relations theories offered different explanations, prescriptions, and solutions to the problem of war out of the agency of the state.

The state-centered status quo of the discipline has been challenged when the studies of the post-positivist epistemological camp began to be critical of its quantitative research principle and rational choice assumptions. Studies of this camp improving normative approaches have paid attention to a diverse range of factors other then the agency of the state to explain international relations. Not revolving around just diplomacy and war, the traditional matters of positivist theories, post-positivist theories expanded the scope of concerns of the discipline to include different aspects of international relations, such as gender and ethnicity. Theories like Social Constructivism and Marxism provided suitable settings to extend the international relations theory beyond states. However, neither Constructivist nor Marxist scholars of international relations embarked on theorizing the role of nonstate violence in world politics.

The Realist Tradition

Theories of Realist tradition take the state as the single agent of violence indicating human nature and international anarchy as basic reasons. Thucydides, Machiavelli, Hobbes, Rousseau, and Clausewitz laid the foundations of the state-centric realist tradition deriving from the condition of anarchy. E. H. Carr and Hans Morgenthau

maintained and adapted the state-centric perspective into the modern international relations. In theories of the Realist tradition, anarchy stands for the order among states that are able to use force against one another. Nonstate violence is not an aspect or dynamic of anarchic environment.

The increasing influence of nonstate violence in world politics thus seems a critical challenge to the assumptions of the realist tradition of international relations. Realism, which associates the problem of violence with human nature at the preliminary stage, points the anarchic nature of intestate politics to explain wars. States as rational actors have the monopoly on the use force in line with their interests in the anarchic international politics. The principle of self-help necessitates the state to preserve the means to violence at its disposal to manage the insecure environment of anarchic states system. Armed strength is the most significant material factor for the political power of a nation to conduct its power politics among other nations (Morgenthau, 1967, p.27-29). It is quite ordinary to resort to violence for states on the scale of their power and the calculations of balance of power according to the Realist.

Therefore, the agents of violence for Realism are limited to the states. Assuming the international politics as the playground of sovereign states without a governing authority, Realists exclude or underestimate the violent nonstate actors. Because states are unitary actors, there is no sub-state agency to use violence in the presence of government authority. The violent nonstate actors can only emerge from the environment of "failed states" which no longer denote the state in traditional sense.

Similar to the Realism, Neorealist theory does not admit that violent nonstate actors have grown to alter to course of events in world politics. Kenneth Waltz defines

international political structure in terms of states describing nonstate actors as feeble agents. Despite the occasional interference of nonstate actors in interstate affairs, it is the state that sets the terms of the intercourse in world politics (1979, p.94). For Waltz, the state resort to force under the spontaneous conditions of states system. The elimination of wars is impossible without abolishing the international politics completely (2000, p.8). The only perpetrator of violence is the state. As the primary actors and units of the international system structure, states have the capacity to preclude other agents to possess the means to violence. Therefore, Neorealist theory through its monadic view of the state within the anarchic international politics, denies the role of violent nonstate actors. Nonstate violence will not be permitted to rise to challenge the state monopoly on the use of force.

The Liberal Tradition

Theories of Liberal tradition gives more reference to nonstate actors like intergovernmental institutions, nongovernmental organizations, and multinational companies but not to the nonstate agents of violence. For Classical Liberalism although state is the main actor of global politics, it is not a black box institution representing the general interests of the whole populace. Societal actors matter in both domestic and foreign policies, and the state is the representative of these actors seeking distinctive interests. However, large-scale violence is the act of the state. War is an interstate phenomenon that erupts because of the authoritarian governments which tend to be aggressor in case of international disputes. The presence of offensive "bad" states is the

reason behind international conflicts. The fear of aggression emanated from a belligerent state pursuing revisionist preferences triggers the use of violence in world politics (Moravscik, 1997, p.521). For Liberal perspective, the possibility of war among liberal democratic states is low while undemocratic states are more prone to prioritize violence in dealing with political disputes. Therefore, there is a kind of separate peace among liberal states that have pacific character (Doyle, 2004, p.77) and policies of the rest are the potential source of conflict and war.

For Neoliberal Institutionalism, the influence of intergovernmental and nongovernmental organizations is increasingly important although states are still key actors in world politics. Neoliberalism focuses on political, economic, and social matters on the function of nonstate actors. The use of force is mainly in the hands of states. However, following the September 11 attacks, the role of violent nonstate actors attracted the attention of some Neoliberal scholars. Robert O. Keohane names the large-scale violence capacity of nonstate actors as "the globalization of informal violence", a substitute phrase for terrorism. For Keohane, the significance of these actors for international politics was proved with the September 11 attacks. In his view, states face asymmetric interdependence in the presence of the nonstate agents of violence (2002, p.30-31). The uncertainty of the ways these nonstate bodies might utilize to assault displays the vulnerability of states against the nonstate violence. Under these circumstances, states have no choice but to collaborate with one another to manage their security by forging international regimes and institutions. The problem of the nonstate violence could be handled through cooperation.

The Marxist Tradition

Marxism deals with the problem of violence in world politics under the title of imperialism-led conflicts. Contradictions generated by capitalism at international level are presented to expose the violence resorted by the states pursuing imperialist goals. The role of arms industry and multinational companies within the formation of motives for the state to wage wars are of great importance. However, the real underlying causes of wars are associated with class structure of capitalist economies. International wars cannot be eliminated unless classes are eliminated. Lenin sees the "wars by an oppressed class against the oppressor class, by slaves against slaveholders, by serfs against landowners, and wageworkers against the bourgeoisie" are fully legitimate and progressive. In transition to socialism, crushing the resistance of bourgeoisie is the most important factor for resorting to violence (1981, p.167-171). Use of violence by nonstate actors in the form of class revolution is essential.

Marxist tradition has given prominence to the role of nonstate actors on the use of force. Violent struggle among classes is much more significant than the warfare among nations (Giddens, 1985, p.25). Because the state represents only the particular interests of the dominant group (Cox, 1986, p.216), state monopoly on the use of force is inevitably counterproductive. As an intrastate affair, another particular group might take over the state violently and rise to be the new ruling class. Or the state violence could be challenged by guerilla warfare with anti-imperialist causes at international level. Here, the nonstate violence is referred and recognized as the armed resistance to eliminate the oppression of the ruling class-led state violence.

Therefore, Marxism takes the nonstate violence in a more legitimate way arguing the state use of force is an organized violence of the ruling class. The conflictual relationship between the oppressed and the oppressor ruling class has the potential to generate violent nonstate agents. The violence of the ruling class does not have to take place in the form of brutal force for the Marxist view. It is usually a kind of indirect violence which is defined by Johan Galtung as structural violence (1971, p.81). In Galtung's view, the structural violence as a form of inequality deprives the people of their potential capabilities and this type of violence is more stable at the hands of the ruling class and foments the animosity of the oppressed against the state authority. This condition is natural for all the pre-communist societies and it is the armed proletariat which will realize the revolution. So, it can be asserted that Marxist perspective gives a more prominent role to violent nonstate actors in their fight to social change.

However, despite class struggle is still the main denominator, international relations theories of Marxist tradition focus more on the issues of economic and material aspects of world politics. The impact of capitalist international system upon individual states through markets dominates the Marxist discourse of global affairs. Both dependency theory and world systems theory do not address the role of violent nonstate actors and disregard the anti-capitalist use of violence at transnational stage.

Constructivism

For Constructivism, "states are still the primary medium through which the effects of other actors on the regulation of violence are channeled into the world system" (Wendt

1999, p.9). States dominate affairs on the use of violence and the ability of nonstate actors to wage wars is not taken seriously. But, some other Constructivist thinkers deal with the problem of violence in terms of its causational aspects, which provide appropriate tools to conceptualize nonstate violence.

For these causational perspectives, the construction of the grounds of warfare is significant. State use of violence that is not a rationally determined choice is constructed by the power of ideas in different periods of time and space. The role of ideas and identities matters in constructing the plausible causes to define the other side as enemy and to rationalize the use of violence against it. In the end, it could be perceived inescapable to attack the constructed foe. War should be understood as a social practice in the historical and cultural context of European experience. The violent intercourse of states is a type of social phenomenon which is constructed and reconstructed in line with cultural spaces and historical periods (Wilmer, 2002, p.147-8).

The same construction process for the use of violence might take place inside the state. Nonstate violence could emerge as a national liberation struggle by ethnic minorities against the single identity-dominated states. "The manipulation of emotional vulnerabilities" appears catalyst for such violent uprisings against state (Wilmer, 2002, p.174-5). As the identities are perceived firmly divergent in the absence of a plurality regime, violent nonstate actors would readily attract more followers even at transnational scale. Nonstate violence could mount to challenge the state monopoly on the use of force as long as the constructed animosity endures.

However, although Constructivism offers tools to analyze the formation of the violent nonstate actors, it is quite rare to see empirical Constructivist studies on the role

of these entities in world politics. Teleological aspects of nonstate violence and its impact on state policies seem to be untouched if merely the construction phase of the violent nonstate actors is analyzed. Therefore, state remains to be the primary agent of violence in Constructivist understanding of international politics.

Possible Pathways for Incorporation

Major theories of international relations in Realist and Liberal traditions make difficult to reach general explanations of the place of nonstate violence in world politics. Category of nonstate agents able to use large-scale violence is not recognized as a whole. Theories of Marxist tradition and Constructivism with their epistemological basis against state-centrist assumptions provide the necessary stuff to work on the role of violent nonstate actors. But scholars employing these theories are not interested in the status of nonstate agents of violence in world politics, while they could utilize the existing theoretical tools. I see the possible incorporation of nonstate violence into the theory of international relations through two pathways which are ethnic conflict theories and the theory of new wars. The difference of these two standpoints from the major theories is that they supply avenues for further research to reach theoretical explanations on the role of violent nonstate actors in the making of present world politics.

Ethnic Conflict Theories

Ethnic conflict theories are not new. Long before the end of the Cold War, they have been built and used to explain ethnic wars within the field of comparative politics. Three main theories of ethnic conflict -Primordialism, Instrumentalism, and Constructivism- give different explanations for the use of violence by ethnic groups as nonstate actors. In order to elucidate ethnic disputes, Primordialists concentrate on the significance of instinctive behavior of belonging; Instrumentalists refer to the social, economic, and political factors along with the role of elites; and Constructivists indicate the "pathological social systems" over which individuals have no control (Lake & Rotchild, 1996). With these presumptions in mind, ethnic violence comes into existence in the anarchic environment of weak or failing states and usually impinges upon adjacent states. Ethnic groups resort to violence against their own state or other groups to gain autonomy or independence, and to join a neighboring state in most cases. During such armed confrontations serious war crimes, even genocides, might be committed.

In the post-Cold War period, ethnic wars became visibly prevalent in some states of Eastern Europe, former Soviet Union, and sub-Saharan Africa. Distinctive ethnic identities whose representation was previously discouraged by both ideological camps, surfaced in the form of ethnic nationalism. Ethnic disputes which began as domestic conflicts subsequently escalated to threaten regional security and started to be given more importance owing to their growing transnational character. In 1996, for example, the civil war in Rwanda spilled over eastern Zaire when the Hutu militia took sanctuary in that area and attacked the Tutsi-led government in Kigali. The penetration of Rwandan army

into eastern Zaire in hot pursuit and subsequent developments triggered the First Congo War that led to the overthrown of the Zairean President Mobutu Sésé Seko (Keller, 1998, p.275-276).

In 1990s, increasingly transnational character of the cases of ethnic violence along with humanitarian concerns brought about the collective action of states to avert the spread of these originally local conflicts. High levels of internal violence, gross human rights violations, and massive refuge flaws during and after the ethnic wars drew attention of international community. Inaction of states in several specific cases like in Rwanda and Srebrenica revealed the urgent need for international intervention to prevent similar incidents from happening again. In this period, researches using international perspectives to situate ethnic disputes increased. Scholars of ethnic conflict paid attention to the reflection of these growing phenomena in international politics (Brown, 1993; Harff & Gurr, 1994; Galguly & Taras, 1998; Lobell & Mauceri, 2004).

The frequency of the initiatives to manage ethnic conflicts through interventions by international and regional intergovernmental organizations increased. It has been easier for great powers to intervene in and to provide external guarantee of order in the states where such conflicts happened (Lake & Rotchild, 1996b). International response improved and institutionalized in the form of post-conflict peacebuilding and peacekeeping missions through mainly under the aegis of United Nations. Ethnic groups-related interstate confrontations also made ethnic conflicts a part of various bilateral relations and international affairs. The influence of Ossetians upon the relationship of Russian Federation with Georgia and the recent war between these two states are one of the evident examples.

Today, persisting cases of state failure in the Third World provide susceptible geographies for the outbreak of ethnic conflicts. Particularly in multiethnic polities in which ethnic minorities are making demands for decentralization of the state, the potentiality of ethnic violence remains high. In sub-Saharan Africa, artificially created frontiers preclude the representation of many ethnic groups in various weak states and likely to incite separatist propensities. Through also the impact of globalization, ethnically formed violent nonstate actors are able to ascend to be powerful players to change the course of events in regional politics. The Tigrayans in Ethiopia and Eritrea, the Armenians of Nagorno-Karabakh, the Kashmiris in India, and the Kurds in the Middle East for instance are potential groups to precipitate region-level crises.

To sum up, ethnic conflict studies following the end of the Cold War seem the first serious pathway to incorporate nonstate violence into international relations theory. There are many more emerging investigations on transnational dimensions and international implications of ethnic conflicts. These studies are moving the empirical terrain of nonstate violence from the contours of comparative politics subfield. Ethnic disputes intertwined with international affairs are providing the necessary setting to ascertain the status of the nonstate agents of violence in world politics.

The Theory of New Wars

As I tried to map in the first part in detail, the setting for the rise of nonstate violence in the post-Cold War era is the combined impact of failed states and globalization. With this setting in mind, it is obvious that the trajectory through which nonstate violence has

escalated is “new wars”. The nonstate agents of violence have become transnational parties to the new wars that emerge from the association of globalization and disintegration of states (Kaldor, 2005). Often used also as the Fourth Generation Wars, the new type of confrontations manifest the fact that wars are no longer the engagements of merely the states. States in many parts of the globe have been fighting against nonstate opponents against whom they appear unskilled and usually unsuccessful. State armies have long been oriented to combat against regular armed forces of other states in symmetric conditions (Lind, 2004, p.13-16). In new wars, however, states face disproportional challenges that they have not encountered before in previous conventional interstate wars. Therefore, the new wars are new since they represent asymmetrical confrontations between states and the violent nonstate actors.

The use of violence for political goals has been mainly the action of sovereign states in the post-1648 European states system. Conventional wars in Europe for the past 350 years have been conducted by states that sought to advance their interests resorting to force. The Westphalian states in order to compel their opponents to fulfill their will and to consent their interests have engaged in wars. Violence at the hands of states has been employed as a means for the compulsory submission of the enemy (Clausewitz, 1997, p.5-6). Military forces of two or more states fought against one another through organized battles which started by open declarations and finished in definite dates (Holsti, 1996, p.1-2, 14). Although varied in length and extent as in the cases of total wars, the wars of Westphalian state system remained predominantly of interstate character.

Since 1945, however, most of the wars have been fought by irregular armed forces, loosely organized groups, warlords or other locally based actors. Attrition,

terrorism, guerilla warfare, and violence against civilians have largely supplanted the decisive battles among national armies. Many wars erupted and persisted because of domestic origins and state pathology dominated the background of such political conflicts throughout the world (ibid., p.20-26). The phenomena of failed states particularly in Africa, Asia, and Oceanic territories during the Cold War generated ripe conditions for the growth of violent nonstate actors. In the post-Cold War period, the state pathology-driven conflicts together with the relevant implications of globalization brought about violent nonstate actors as prominent fighting parties of wars. As the military historian Martin van Creveld predicted, future wars to be waged by nonstate armed groups instead of states emerged as a widespread development (1991, p.197). Traditional interstate battles fought between regular armies have been replaced largely by the conflicts between states and nonstate armed groups. The noticeable rise and increase of these nonstate groups as warring actors in world politics in the last two decades thus led the creation of the concept and thus the theory of "new wars".

New wars are not the instruments at the hands of only the government officials to advance state interests as conceived by Carl von Clausewitz. Many nonstate armed groups today are able to employ physical violence for their varying distinctive political objectives. Warlords, militias, insurgencies, and terrorist organizations are formed mainly out of identity-based groupings. The goal of new wars unlike the geo-political and ideological purposes of earlier wars is more about identity politics (Kaldor, 1999, p. 69-70). Violent nonstate actors emphasizing on particularistic identities of their tribes, clans, and ethnicities emerge and operate within the weakly governed territories and make use of the informal economy in cross-border sanctuaries. By this way, these nonstate entities

ascend to be transnational actors of the new wars. They do not fight symmetrically against states. Resorting to guerilla tactics they avoid conventional battles with national armies through frequent strategic retreats. They employ hit-and-run methods to wear down the state security forces (Kaldor, 1999, p.97).

In new wars, sharply-drawn divisions among government, army, and people as in the case of Trinitarian wars of the Westphalian state system no longer exist (van Creveld, 1991, p.197). Civilians and soldiers are not clearly distinguished and there is not a defined battlefield in which the regular forces confront for planned combats. In some case even distinctions between war and peace blur, and death toll of peacetime exceeds the casualties of the periods of armed conflicts. The new wars are in a way "network wars" fighting parties of which try to control natural resources, wealth, and other goods and have the power to mobilize transborder networks for sustaining the violence. The "network wars" represent the extreme form of competition between states and the violent nonstate actors in the regulation of markets and connections with global economy (Duffield, 2001, p.190-1). Exploiting such networks at global scale, new wars have blurred the distinctions between war, organized crime, and large-scale violations of human rights (Kaldor, 1999, p. 10-11).

New wars did improved and continue to persist immune to the pacifying impact of nuclear war technology as well. Availability of nuclear weapons as a deterrent factor has decreased the probability of wars among states particularly the nuclear states as between United States and Soviet Union as well as India and Pakistan. However, the presence of nuclear weapons did not make the same effect upon the conduct of new wars between states and nonstate actors. Missiles with nuclear warheads cannot be used against violent

nonstate actors whose positions are not traditional military bases and impossible to detect in most cases. Most violent nonstate actors maintain their existence nesting in populated areas over which dropping atomic bombs means sheer indiscriminate violence. Conversely, with highly vulnerable societies in a globalized world, states are in deep waters with the threat of the potential use of nuclear weapons by nonstate actors. Such a probability itself shows the extent of the erosion on the state monopoly of force in the process of new wars.

In short, the role of the violent nonstate actors in new wars is quite explicit. The units that fight these wars are not just the states with their regular armies but violent nonstate actors such as warlords, criminal gangs, and militias. On this account, the theory of new wars developed by Mary Kaldor is another available pathway to attach nonstate violence to the theory of international relations. With contributions of more scholars like Martin van Creveld, Herfried Münkler, Mark Duffield, and Kalevi J. Holsti, there is a growing body of literature dealing with the place of nonstate violence in these new types of conflicts. It seems feasible at this point to undertake theoretical explanations on the role of violent nonstate actors in the making of present world politics. Thereby, the new wars consisting of nonstate actors will help to shift the discipline from *international relations* to *global politics* (Kaldor, 2009). Ultimately, it would be possible to rearrange and broaden the theoretical study of politics among nations to include nonstate violence.

CHAPTER 4

THE RESISTANCE OF STATES SYSTEM AGAINST NONSTATE VIOLENCE

The post-Cold War rise of nonstate violence generated a new realm of interdependence in world politics. Elimination of the violent nonstate actors operating at transnational sphere has usually been a challenge beyond the capacity of individual states. Having witnessed the inadequacy of unilateral response to these actors, primarily the targeted states appeared eager to work together with other states for collective action against nonstate violence. The range of cooperation during the 1990s and particularly in the post-September 11 process extended to the global scale. Common response of the sovereign states to the violent nonstate actors gained legal basis and institutional character. States concurred to re-emphasize and perpetuate their monopoly on the exercise of violence. The cooperative reaction of sovereign states against the upswing of nonstate violence is the resistance of international system on maintaining state monopoly of force.

This chapter illustrates broadly the formation of the resistance of states system versus violent nonstate actors in the post-Cold War period. The first part mentions historical presence of nonstate violence and exposes the background of the monopolization of force at the disposal of states. Then, the need for international cooperation is highlighted indicating the incapability of states to eliminate violent nonstate actors in recent decades. The third part explains the establishment of global security regime through mainly the international conventions and UN Security Council resolutions. Then, referencing the role of intergovernmental organizations following parts

describe how anti-nonstate violence cooperation among states works to preserve state monopoly on the use of force.

Nonstate Violence and State Monopoly of Force

In the history of human beings, nonstate violence[8] predates state use of force since the pre-political societies[9] did not have organizations and institutions to conduct regular warfare against one another. No systematized armies and orderly fighting units existed in the first societies of prehistoric times. Loosely structured clan-based groups with old-fashioned weaponry were the only actors resorting to collective violence in case of intercommunal conflicts. Ibn Khaldun explains the first kind of wars as conflicts among neighboring tribes or competing families due to generally the desire of taking revenge on each other (1967, p.223-4). Thus, the initial predecessors of present day warring states were clans and families which constituted the then social organizations of human beings.

During the ancient times and early middle ages, nonstate violence had been visibly present in commonly two forms alongside the central authorities of kingdoms and empires. The first prevalent form was the rebellion-related violence perpetrated by slaves, dissenting groups or rival factions against ruling bodies. The other frequent type of nonstate violence existed as plunder-oriented incursions of nomadic peoples into the centrally controlled settled areas. The Vikings of the Scandinavia, the Germanic tribes,

[8] I assume that state violence in the pre-Westphalian order represents the collective violent actions committed by state-like centric polities such as kingdoms and empires. This is why I use the term "nonstate violence" to refer the organized violence perpetrated by the actors other than the state-like polities for the historical period before the Westphalian states system.

[9] The term *pre-political societies* is used here to refer to the people existed without central ruling authorities in prehistoric times (first societies – 500 B.C.E.)

and the Huns of Central Asia as warriors and looters are the classic examples of this category. The use of force by city-states are somewhere between state violence and nonstate violence, since fighters of these entities were usually poorly skilled armed citizens rather than professionally trained soldiers.

In Medieval Europe, newly emerging political centers continued to remain unable to monopolize the use of force in their hands because of both the ideal of international Christendom and feudal system. Feudal lords despite their loyalty to central authorities maintained their own military forces and were the principal users of violence in their fiefdoms. Only in the late middle ages, royalty-based nation states and dynastic empires with continuing advances and invasions succeeded to some extent in centralization of violence at their disposal. The Kingdom of England, the Kingdom of France, the Ottomans in western Anatolia, the Vijayanagara Empire in southern India, and the Aztecs in Mesoamerica were some of these power centers that deployed well-functioning administrative institutions and formed sophisticated armies in massive quantities. However, much before the rest of the world, the state in Europe attempted to establish a monopoly of force on legal ground with the Treaty of Münster and the Treaty of Osnabrück in 1648. The treaties of Osnabrück and Münster ending the Thirty Years' War (1618-1648) in the Holy Roman Empire and the Eighty Years' War (1568-1648) between Spain and Dutch Republic brought a new political order in Europe based upon the state sovereignty. These treaties issued the recognition of the exclusive sovereignty of each state over its soil and made the state responsible for the warlike acts of its citizens and domestic agents. Through these treaties the ensuing Westphalian political order was

designed to have truly an interstate character excluding and outlawing the use of violence by nonstate actors.

But despite the legal framework, it has taken centuries for states to literally monopolize the means of violence on their respective territories. Government authorities have occasionally been threatened by partisan rebel groups and insurrections from within the state and encountered guerilla warfare by the irregular forces of local resistances during numerous imperialist invasions. However, with increasing industrial development and war technology, the impact and the extent of these nonstate entities have been limited further in favor of state monopoly of power. Armed rebel groups, if they could not wage an expansive insurrection movement and initiate a civil war, have been oppressed by devastating firepower of central polities. Imperialist states with their mighty armies had easily invaded and colonized the Third World societies destroying the power of the withstanding indigenous tribesmen.

Monopolization of violence by more central polities continued along with newer state-building processes as national liberation movements gained independence from multinational empires throughout nineteenth century and post-WWII period. State-builders by and large achieved to centralize the coercive capability under state authority depriving individuals, groups, and other organizations of war-making sources. The vast industrial and military power of states surpassed other forms of agencies which were previously been able to resort to violence. After all, the state claiming itself as the sole possessor of the means of violence endured as the leading power container of the modern politics in the world (Giddens, 1985, p.120).

In short, in the Westphalian world order, states were supposed to enjoy absolute monopoly of power in their defined territorial boundaries denying any superior authority. States enjoying legal equality in their relations with one another were conceived of the only sovereign entities recognized in international arena. Under such framework, the process of monopolization of violence at the hands of the state progressed to be a basic requirement of statehood in modern era. Max Weber defined state as "a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory". He deemed the state as the sole source of the right to use force referring the intimate relation between state and violence (1919). The norm of state monopoly of force originating in European experience expanded worldwide with more independent states in twentieth century.

Still then both in Europe and non-European territories of the world part of the organized violence remained at the hands of nonstate actors. The ability of violent nonstate actors to challenge state monopoly of force however remained below the surface until the end of the Cold War. States with the centuries-old quest to centralize the means of violence is now developing systemic resistance to endure their monopoly of force as the post-Cold War rise of nonstate violence has been taking place. State authorities to be able to cope with nonstate violence recognized the need for international cooperation and have created necessary legal framework with increasing pace in 1990s and early 2000s. Establishing anti-terrorism and anti-crime instruments through intergovernmental organizations, governments institutionalized their common response to the nonstate agents of violence.

The Need for International Cooperation

The basic motive behind the cooperative international response to nonstate violence is that states have fallen short in terms of their ability to bring down violent nonstate actors in most cases. Nation-states' need for international cooperation in their battles against violent nonstate actors has come into view as more and more states faced similar problems in the twentieth century. Violent interactions between states and nonstate actors have noticeably increased with numerous armed groups resorting to violence for various causes in the aftermath of Second World War. States at the outset relied on their own as they confronted these nonstate actors which posed critical threats to their security as well as sovereignty. Unilateral state response to violent nonstate actors has been conducted through conventional combat methods during the Cold War. The armies of nation-states have long been unsuccessful to be effective in front of the nonstate combatants employing guerilla tactics.

The main strategy of states in their battles against guerilla fighters was to destroy the environment where they shelter and operate. The French for example resorted to forced resettlement in Algeria to defeat the FLN and the Americans tried to eradicate the hideouts of the Viet Cong by using herbicides and napalm bombs (Kaldor, 1999, p.7). Faced with the difficulty of winning wars over nonstate actors, states along with training their forces to counter guerilla fighters, realized the need for cooperative response to nonstate violence. States learned that they had to work in tandem with other states as transnational dimensions of the problem of violent nonstate actors grew bigger. At the preliminary stage, preventing state support for violent nonstate groups gained

significance. The declarations and conventions adopted by the UN and regional intergovernmental bodies have emphasized the importance of the termination of state assistance behind nonstate agents of violence.

For states, the necessity of working together against violent nonstate actors in post-Cold War conflicts has increased sharply. The compound impact of the phenomena of state failure and relevant consequences of globalization in this period created a hospitable environment for nonstate agents of violence. Within such environment, violent nonstate actors have possessed the means of large-scale violence in spite of the entrenched role of states in war-making capabilities. The increasing frequency of armed conflicts between violent nonstate actors and states showed that classical interstate wars have nearly come to an end. In the armed confrontations between states and violent nonstate actors, inadequacy of unilateral response thus persisted. From Chechnya to Afghanistan, Iraq, and Somali standard military forces once more proved themselves incapable to overcome the irregular nonstate combatants (King, 2004, p. 215). The new wars demonstrated that interstate cooperation against nonstate violence is crucial. States have limitations to dispel the vulnerability caused by this conventional transnational threat unilaterally. Security is increasingly a shared responsibility and requires effective collaboration at national, regional, and global level (Felício, 2007, p.52).

The rise of nonstate violence in the agency of warlords, militias, terrorist organizations, insurgents, pirates, and transnational criminal organizations poses a universal threat to the state monopoly of force. The Westphalian nation-state seems to lose its monopoly of force as violent nonstate actors become more able to employ physical violence for their own specific objectives. As the European rulers adopted a

common stance against nonstate violence following the Thirty Years' War, the community of states especially during the last two decades realized that they are in need of cooperation to endure their monopoly on the use of force. Aware of the need, various legal steps have been taken to form interstate cooperative response in order to eliminate violent nonstate actors and to re-install state monopoly on the use of force.

International Security Regime against Nonstate Violence

Before delving into the formation of the anti-nonstate violence security regime, what roles international regimes play in world politics should be clarified. The scholars of the theories of international regimes such as Robert Gilpin, Stephen Krasner, Robert Keohane, and Joseph Nye meet on the contention that interstate cooperation under anarchy is possible. The absence of the Hobbesian "common power to keep them all in awe" is not an obstacle on states to forge a joint control over international politics. There are always rooms for collective action to be taken by sovereign states to regulate world affairs (Lipson, 1984, p.1).

Keohane and Nye define regimes as sets of governing arrangements that contain networks of rules, norms, and procedures that regularize behavior of states (1977, p.19). Krasner describes regimes as

> sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors' expectations converge in a given area of international relations. Principles are beliefs of fact, causation, and rectitude. Norms are standards of behavior defined in terms of rights and obligations. Rules are specific prescriptions for action. Decision-making procedures are prevailing practices for making and implementing collective choice (1983, p.2).

International regimes minimize the informational uncertainty and decrease the likelihood of conflict among states by fostering cooperation and are significant to understand and explain the cooperation of states even in times that they have different interests (Keohane, 1984, p.64). International regimes by establishing common norms and values preclude states from falling into violent confrontations due to their different interests. These common norms and rules facilitate negotiations among states and make easier to reach to an agreement instead of resorting to force to settle the disputes emanating from conflicting interests (ibid., p.88).

Within the political atmosphere of Cold War, erecting international regimes was understood and theorized in terms of mainly to pacify potential conflicts likely to occur between states. Since the major problem remained state-oriented dangers in international politics, norms were devised to prevent wars among states particularly those viewing one another as adversary. However, as I showed in the first chapter in detail, the prevailing pattern in the conflicts of post-Cold War period is that parties to armed confrontations have no longer been merely the states. More and more violent nonstate actors operating at transnational scale in different forms have interacted with states through the new wars. As this trend revealed the inability of individual states to circumvent these new enemies, states tended to generate legal framework and bodies to constitute a cooperative security regime against the nonstate agents of violence.

Preceding international legal response against nonstate violence had generally a feeble existence through the legislative activities of intergovernmental organizations mainly the United Nations. The motivation of states to build up an anti-nonstate violence security regime has emanated from the need to obstruct state support for the violent

nonstate actors. For example, the UN Declaration on Principles of International Law Concerning Friendly Relations and Cooperation among States (1970) was signed to prevent states from supporting terrorist acts in other states. Conventions[10] adopted by states during 1970s against terrorism brought about first tangible international legal responses to nonstate violence in this period. With the Ad Hoc Committee on International Terrorism formed in 1973, for instance, 35 states tried to uproot state sponsored terrorism which has been prevalent during the Cold War. Therefore, initial anti-nonstate violence cooperation among states was chiefly oriented to remove state assistance behind nonstate armed groups.

Through the security regime that has been formed against nonstate violence, states have developed legal instruments to render the nonstate perpetrators of violence illegal and illegitimate. States have been trying to entrench and perpetuate the norm that no actor of violence exists apart from states and institutions under state authorities. The legal framework is being consolidated and broadened to strengthen the norm that state is the sole agent of violence in world politics. The formation of the anti-nonstate violence security regime basically pursues entrenchment of this norm. It is true that there are still some states supporting violent nonstate actors implicitly as their foreign policy strategies and view the use of physical violence by these agents in a different manner. The presence of such states is not an obstacle to the overall progress of the anti-nonstate violence security regime. Most of the governments comply with the predominant norm of preserving the state monopoly of force and promoting the international security regime against the rise of nonstate violence. International law has been expanding through

[10] The Hague Convention of 1970 and the Montreal Convention of 1971 were among these cooperative initiatives for joint action of states against nonstate threats.

conventions, UN Security Council resolutions, and other relevant treaties as well as decisions taken by international courts to include violent nonstate actors. As international law extends to cover the actions perpetrated by these nonstate actors, the responsibility of states to behave in compliance with the legal framework appears more significant. Thereby, the state actions in violation of the anti-nonstate violence security regime are becoming increasingly difficult to maintain.

International conventions and UN Security Council resolutions appear as the two major building blocks of the formation of security regime against nonstate violence. Conventions and SC resolutions targeting the existence and demanding the disarmament of violent nonstate actors have been updating and reinforcing the legal framework of the norm that state has the monopoly on the use of force. Within this legal framework, states enjoy the opportunity of working together on the ground in order to deprive nonstate actors of the means of violence. All in all, international cooperation via the United Nations missions and regional and sub-regional organizations help to reinstall state monopoly of force by dissipating violent nonstate actors.

Relevant International Conventions

Earlier international conventions concerning nonstate violence have been designed mainly to address state support along with the incidents of aerial hijacking, hostage taking, and unlawful acts against the security of maritime navigation. These conventions have gradually built the norms that states should refrain from sponsoring violent nonstate actors and take legal action for the perpetrators of violence. However, mainly because of

the nature of the Cold War politics, these attempts to suppress nonstate violence could not be institutionalized and progressed to form a general security regime. States until the end of the Cold War could not improve a largely implemented legal framework that would pave the way for multilateral instruments to deal with violent nonstate actors, effectively.

International conventions focusing the actions of violent nonstate actors have been adopted usually as UN General Assembly resolutions in the 1990s and early 2000s.[11] The two major categories of nonstate violence against which states agreed to create legislation are international terrorism and transnational organized crime. In the post-Cold War period, there emerged three major conventions on international terrorism following a comprehensive declaration which delineated the general legal frame.

The UN Declaration on Measures to Eliminate International Terrorism 1994 which was adopted by General Assembly Resolution 49/60 and the 1996 Supplementary Declaration represented a major step forward for cooperative response of states to the post-Cold War rise of nonstate violence. The 1994 Declaration aimed at practical cooperation among Member States through preventive measures for combating terrorism, which are explained in 5th and 6th articles of the document. By the Declaration, states were called to strengthen the exchange of information for the prevention and combating of terrorism; to implement effectively the related international conventions; and to realize judicial coordination and extradition agreements on bilateral, regional and multilateral levels. The 1994 Declaration also established an Ad Hoc Committee which was given the mandate to design a detailed multilateral convention on terrorism.

[11] There are in fact earlier conventions adopted by some regional organizations in mainly the area of counterterrorism. 1971 Convention to Prevent and Punish Acts of Terrorism Taking the Form of Crimes Against Persons and Related Extortion that are of International Significance by Organization of American States (OAS) and 1977 European Convention on the Suppression of Terrorism by the Council of Europe are the earliest forms of such conventions.

As a result of the studies of this Committee, the first major convention -the 1997 International Convention for the Suppression of Terrorist Bombings- was created and signed by a large number of states. The 1997 Convention was adopted as a UN General Assembly Resolution 52/164 and entered into force in 2001. The Convention in a nutshell prohibits any person(s) from engaging in detonation of the explosives in or against public places, public transportation systems, or government facilities with the intent to cause death or serious bodily injury or destruction of a place, likely to result in economic loss. The Convention obliges states on whose territory such an incident takes place, to make an investigation of the case and to take the alleged person(s) into custody for jurisdiction. States then are required to establish jurisdiction over the case and either to prosecute or extradite the perpetrators of the action ("International Convention for the Suppression of Terrorist Bombings", 2010, p.1-2). By this Convention, the law enforcement was enlarged to include transnational terrorism and accordingly the cooperative response of states against nonstate violence has been facilitated on legal ground.

The next major legal response of states against nonstate violence came with the 1999 International Convention for the Suppression of the Financing of Terrorism, which was adopted by the UN General Assembly Resolution 54/109 and entered into force in 2002. The Convention basically aimed at prevention of the financing of the actions intended to cause death and serious bodily injury to any person who is not involved in an armed conflict in order to intimidate a population, or to compel a government to act or not to act in a certain way. Parties to the Convention have obligations to regulate their domestic legal codes for detection, freezing, seizure of the funds used to support terrorism. Signatory states are required to take appropriate measures to prevent,

investigate and punish the person(s) providing or collecting funds for terrorist activities. States are obliged to establish jurisdiction over the actions of financing terrorism and to prosecute or extradite the alleged perpetrators. The 1999 Convention also criminalizes the person(s) engage in illicit activities such as drug trafficking or gun running under the guise of charitable goals and requires parties to take steps to prevent and counteract in this field.

International efforts to prevent violent nonstate actors from reaching to nuclear weapons brought the third major legal step as a multilateral treaty on nuclear terrorism. The International Convention for the Suppression of Acts of Nuclear Terrorism was adopted by consensus at the UN General Assembly in April 2005. The Convention aims to develop the legal framework to criminalize the acts of nuclear terrorism by addressing the unlawful possession or use of nuclear devices or materials by nonstate actors. Parties to the Convention have the obligations that the alleged perpetrators (users or possessors) must be either extradited or prosecuted. The Convention obliges states to act in coordination with the International Atomic Energy Agency (IAEA) and keep any seized nuclear or radiological material in line with IAEA safeguards. Through this treaty, the nuclear nonproliferation regime which has been formed to stop the increase in the number of nuclear states was expanded to cover the violent nonstate actors.

The legal response of states against transnational organized crime features the other major aspect of the formation of anti-nonstate violence international security regime. The 2000 UN Convention against Transnational Organized Crime adopted by General Assembly resolution 55/25 appears as the main international instrument in combating transnational organized crime. Parties to this treaty have obligations to take a

series of measures against participation in organized criminal groups, money laundering, corruption, and obstruction of justice. The Convention also urged states to adopt better-designed extradition laws and cooperate for building their capacities in dealing with organized crime and receive technical assistance alongside training support (Vlassis, 2002, p.90-93).

The legal framework provided by the Convention to facilitate international cooperation has been further reinforced by three protocols[12] which addressed particular versions of the organized crime. Each of these protocols has also been adopted as General Assembly resolutions and states must be parties to the Convention itself before they become the parties to these protocols. Notably, the 2001 Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition emerged as the first legally binding instrument on small arms at global scale. Entered into force in 2005, the Protocol obliged states to take a set of crime-control measures and implement these in their national legal order. In accordance with the Protocol, states are required to prevent illegal spread of small arms by designing governmental authorizations to guarantee the legitimate manufacturing of and trafficking in firearms.

With all of these international conventions and protocols, necessary legal framework has been created to undermine the ability of violent nonstate actors to fund themselves and to reach weaponry. Through effective implementation of these treaties,

[12] (1) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; (2) The Protocol against the Smuggling of Migrants by Land, Sea and Air; (3) The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition

which is possible by enhanced international cooperation, states system will make a great progress to deprive nonstate actors of the capacity to use violence.

The UN Security Council Resolutions

The UN Security Council resolutions make the second group of legal instruments utilized by states in their struggle against nonstate violence. In the formation of the international security regime against the post-Cold War rise of nonstate violence, SC resolutions have had both legal and political influence. SC resolutions have been effective in legal respect because every member state of the UN had to comply with the anti-nonstate violence sanctions passed by the Council. Article 39 of Chapter VII of the UN Charter regulates the UN Security Council's powers "to determine the existence of any threat to the peace, breach of the peace, or act of aggression and to make recommendations, or decide what measures (including military action) shall be taken… to maintain or restore international peace and security". In case of a decision as such, the Council can impose legally binding obligations on member states. SC resolutions have also been effective in political respect, because decisions have inherently reflected the interests of the great powers retaining the permanent seats.

Beginning in the early 1990s, the SC addressed international terrorism[13] with specific reference to state support behind the terrorist activities. During the Cold War, this could not be possible because of mainly the veto power of the permanent five (the

[13] In the early 1990s, the Security Council (SC) Resolutions 731, 748, 883 were adopted to impose sanctions on Libya for its alleged role in the bombings of Pan Am Flight 103 over Lockerbie, Scotland and UTA Flight 772 over Chad and Niger.

USA, Russian Federation, the PRC, France, UK) which represented political views of the two rival blocks. Consensus among these members came with the end of the Cold War and became easier to reach while the rise of nonstate violence throughout 1990s and 2000s continued.

In SC resolutions, the trend to address the state support behind violent nonstate actors continued well after the end of the Cold War. This period also brought slow but a steady decline in state support for terrorist groups. Economic sanctions, the risk of retaliation and other forms of international pressure have dissuaded from openly sponsoring terrorist organizations. From the September 11 attacks onward, it has become much rarer for states to explicitly support terrorist organizations (Heupel, 2007, p.480, 481). Due to their local existence and high dependence on state support, violent nonstate actors previously were not targeted by states in a cooperative fashion until then. The SC in post-9/11 process started to adopt resolutions not only to address the state support but also the violent nonstate actor itself. The SC Resolution 1373 for example brought legally binding measures against terrorist organizations since it was adopted under the Chapter VII of the United Nations Charter.

The SC Resolution 1373 which was adopted immediately after the 9/11 was designed mainly to target transnational terrorism without referencing any specific organization. All members of the Council supported the resolution that declares any act of transnational terrorism is a threat to international peace and security and brought obligations on every member-state of the UN. The Resolution 1373 required all states to define terrorist actions as criminal offenses in their national legal orders and ensure to establish jurisdiction over the individuals engaged in terrorism. All states have

obligations to prevent terrorist acts; to stop recruitment and weapon supply to terrorist organizations, and to prohibit the individuals involved in terrorism from using their territories for the activities related to terrorism (ibid., p.488, 489). The Resolution 1373 also established the United Nations Security Council Counter-Terrorism Committee (CTC) to monitor state compliance with these measures. Later on, the Council continued to adopt several resolutions[14] to improve and restructure the CTC.

The SC Resolution 1540 (2004) determined the use of weapons of mass destruction (WMD) by nonstate actors as a threat to the international peace and security. The Resolution 1540 indicated the need to enhance international cooperation at regional and international levels to give a global response to the potential possession of WMD by nonstate actors. Pursuant the Resolution 1540, every member state must refrain from providing any form of support to nonstate actors which attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. All member states are required to control and prohibit the proliferation of these nuclear, chemical and biological weapons, their means of delivery and all related materials at the hands of nonstate actors. All member states thus have obligations to criminalize the involvement of nonstate actors in the production, transfer and use of these weapons.

In post-9/11 process, the Council also adopted resolutions that impose sanctions on specific violent nonstate actors by bringing obligations upon all other states alongside the host state. The legal response of states system against particular nonstate agents of violence has been given out of the SC resolutions. After the Taliban was overthrown in

[14] The Resolutions 1390, 1456, and 1535 were adopted to make some structural changes on United Nations Security Council Counter-Terrorism Committee.

Afghanistan in the late 2001, for instance, the SC imposed sanctions against al-Qaeda bringing obligations to all member states to implement the sanctions. The SC Resolution 1390 adopted in 2002 obliged states to take extensive measures against al-Qaeda along with the individuals, groups and other entities which have relations with the organization. With the SC Resolutions 1526 (2004) and 1617 (2005) all states were obliged to freeze the financial assets of the individuals, groups, and entities targeted by the sanction and required to prohibit the entry of these individuals and groups into their territories. States were under obligation to refrain from supplying, selling, and transferring of arms and relevant materials to these individuals, groups, and entities (Heupel, 2007, p.488).

Anti-nonstate violence security regime through the SC resolutions also worked against Hezbollah, a violent nonstate actor active in Lebanese politics. The SC Resolution 1559 (2004) called for the disbanding and disarmament of all Lebanese and non-Lebanese militias with particular reference to Hezbollah. The Resolution 1559 points at the continued presence of armed militias in Lebanon and sees these militias as an obstacle on the government of Lebanon in exercising its full sovereignty over all Lebanese territory. By the Resolution 1559, the Government of Lebanon was held responsible for disbanding and disarming of the militias, including Hezbollah, and preventing the flow of weapons and other military equipments to the militias, including Hezbollah, from Syria, Iran, and other states.

With all these and similar the SC resolutions, states gave their response to the rise of nonstate violence on legal ground. States supporting and complying with such resolutions sustained the legal aspect of the security regime of the states system against nonstate state violence as they have done through adopting and implementing relevant

international conventions. Therefore, the legal framework formed by the international conventions and the SC resolutions on nonstate violence provided the states with means to fight against violent nonstate actors in a cooperative manner. On the grounds of this legal reinforcement of state monopoly of force, states have been performing the anti-nonstate violence security regime by working together practically.

Anti-Nonstate Violence International Cooperation

Practical interstate cooperation against nonstate violence during the Cold War had mostly taken place at bilateral level, when the nonstate actor was viewed as a common threat.[15] This cooperation happened in various ways ranging from arms supply to intelligence sharing especially among the states prone to align with one another. After the end of the Cold War, this way of uniting against the common nonstate enemy in an ad hoc manner has continued to be used. For instance, in order to eliminate the threat posed by pirates in the Strait of Malacca, Indonesia, Malaysia, and Singapore have been working together since the early 2000s. Particularly upon the increasing frequency of pirate attacks in the Strait during 2004, the three countries to be joined by India later on spent cooperative efforts to curb the piracy in the region. The coalition of states against the piracy off the Somali coast is the most recent example of this kind of cooperation. Since the August 2008, Combined Task Force 150, as a multinational coalition task force has been fighting Somali pirates. Establishing a Maritime Security Patrol Area within the Gulf of Aden, the

[15] The United States, the Soviet Union and China provided many governments with military support against respective violent nonstate actors to prevent friendly regimes from collapsing. The stay-behind armies and related training programs established in NATO members for instance played such a role in western European countries as well as in Turkey and Greece.

Task Force embarked on securing the international waterways off the Somali coast. The NATO's Operation Allied Provider was similarly formed to protect the shipping of the World Food Program to Somalia and to deter the pirate attacks on merchant vessels by conducting patrols in the region.

However, states more often than this way of collaboration against specific threats responded the post-Cold War rise of nonstate violence by institutionalizing their cooperative endeavors. International authorization of the coalitions of states increased the stability of the coalitions and states committing their resources to joint security operations appeared less reluctant to withdraw their troops if an international legal process existed (Shapiro, 2008, p.40). The post-Cold War era witnessed a growing number of cooperative steps of the states through mainly the relevant bodies and programs under intergovernmental organizations. The UN for example with an increasing pace and quality has been an international platform to improve interstate cooperation against terrorism. It has also been providing a forum for developing cooperative instruments and mechanisms to fight organized crime. Regional and sub-regional organizations as well facilitated cooperative response of states system against nonstate violence.

Within the legal framework created by mainly relevant international conventions and SC resolutions, the response of states system against nonstate violence does occur through intergovernmental organizations in two phases. In the first phase, states cooperate at regional or global level to dissipate the nonstate agents of violence by the programs of disarmament, demobilization and reintegration. Disarmament means for the physical removal of weapons, ammunitions and related materials resorted by nonstate actors to employ violence. Demobilization entails the disbanding of the violent nonstate

actors and reintegration is essential for reintegrating the combatants into civil society. In the second phase, interstate cooperation in order to preclude the resurgence of violent nonstate actor(s) works to re-install the state monopoly on the use of force in failed and collapsed states. These two phases are carried out in the context of UN missions or the task forces established by regional organizations.

UN peacekeeping missions remained weaker under the geopolitical constraints of the ideological rivalry between the two blocks throughout the Cold War. With the end of the Cold War, the number of missions launched by the UN and of "blue helmet" troops deployed worldwide increased dramatically. Today, there are more than 90, 000 UN troops in 16 missions contributed from nearly 120 countries while the maximum number in the Cold War reached only 15, 000. There are also significant changes happened in the quality of UN missions as the impact and scope of the humanitarian considerations gained higher prominence ("Chapter Eleven: UN Peacekeeping at 60", 2009, p.461-2).

The UN missions with such an advanced way of grappling with disputes improved programs in response to the rise of violent nonstate actors in 1990s and 2000s. During the Cold War, UN peacekeeping operations had been conducted for merely the conflicts between member states. However, since the end of the Cold War almost all UN missions have been formed to deal with intrastate conflicts in which nonstate actors have always been part of the problem. The widening range of tasks with which the missions are charged included the elimination of nonstate violence through several programs in line with the relevant SC resolutions. Programs of disarmament, demobilization, and reintegration have been used by the respective missions of the UN to eradicate the ability of nonstate agents on the use of violence. In conjunction with particular missions, the UN

Office for Disarmament Affairs has the central role in development and implementation of practical disarmament measures in post-conflict periods.

Most of the recent UN peacekeeping operations[16] have included mandates of dissipating violent nonstate actors through the programs of disarmament, demobilization, and reintegration. The United Nations Mission in Liberia (UNMIL) was created by the SC Resolution 1509 in 2003 as the Council determined situation in Liberia constitutes a threat to international peace and security in the region. The purposes of the UNMIL included observing and monitoring the implementation of the ceasefire agreement that ended the Liberian civil war and carrying out the disarmament program in line with the agreement. Launched in early 2004, the disarmament program of the UNMIL resulted in surrender of more than 27,000 weapons and rounds of ammunition in several hundreds of thousands. Armed groups like Liberians United for Reconciliation and Democracy (LURD), Movement for Democracy for Liberia (MODEL), and Former Government of Liberia (GoL) militias by and large participated the disarmament process voluntarily. The UNMIL implemented the reintegration program for more than 100,000 ex-combatants and destroyed the collected weapons and ammunition systematically (Florquin & Berman, 2005, p.300-302).

The role of UN was consolidated by the UN Global Counterterrorism Strategy which was adopted unanimously by the UN General Assembly on September 2006. The Strategy in brief brought a holistic approach to counterterrorism along with better law enforcement and security measures though it is a compilation of the previous UN

[16] The United Nations Assistance Mission in Sierra Leone (UNAMSIL, 1999), the Democratic Republic of Congo (MONUC, 1999), the United Nations Mission in Liberia (UNMIL, 2003), the United Nations Mission in Côte d'Ivoire (UNOCI, 2004), the United Nations Stabilization Mission in Haiti (MINUSTAH, 2004), the United Nations Operation in Burundi (UNOB, 2004), the United Nations Mission in the Sudan (UNMIS, 2005), and the United Nations Interim Force in Lebanon (UNIFIL, 2006)

counterterrorism resolutions. The Strategy is composed of four groups of measures: measures to address the conditions conducive to the spread of terrorism, measures to prevent and combat terrorism, measures to build states' capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in this regard, and measures to ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism ("The United Nations Global Counter-Terrorism Strategy", 2006).

The Strategy emphasizes the role of the UN in coordination with other international, regional and sub-regional intergovernmental organizations to sustain the counterterrorism efforts. The Strategy recognized the fact that the function of regional and sub-regional organizations to eliminate nonstate violence is crucial. Nearly all of the cases of nonstate violence are emanating from the conflicts of regional character or reflect the disagreements of region-wide issues. Regional and sub-regional intergovernmental organizations are well-equipped with their knowledge and expertise on local issues much better than the UN. This is why; a considerable portion of international cooperation against nonstate violence has been taking place via these organizations.

Regional and sub-regional intergovernmental organizations have taken steps to implement similar strategies in coordination with the UN Global Counterterrorism Strategy. Regional and sub-regional organizations have designed more focused action plans and established multilateral bodies and offices to address the problem of terrorism and transnational organized crime. These intergovernmental organizations have adopted conventions and declarations contributing to the legal aspect of the anti-nonstate violence security regime of the states system. The degree for interstate cooperation through

regional organizations varies among regions. The organizations in Europe and Americas have the most developed anti-nonstate violence units and action plans compared with other institutions of the rest of the world. However, in the post-Cold War period it is clearly observable that the tendency of states to work together against nonstate violence has been rising in all regions.

In Europe, for example, the Council of Europe has served as an umbrella for the anti-terrorism cooperation of European states since the Cold War years. In 2007, the Council adopted the European Convention on the Prevention of Terrorism which brought a broader legal framework for investigative and judicial cooperation. The Convention criminalized terrorism and related activities such as recruitment and training of militants. Today the counterterrorism affairs of the Council are carried out by the Committee of Experts on Terrorism (CODEXTER) gathering experts from member states. Similarly, the European Union (EU) improved various mechanisms to deal with violent nonstate actors particularly in the post-9/11 process. The EU established its Judicial Cooperation Unit (EUROJUST) in 2002 to make coordinated criminal investigations easier and enlarged the mandate of its joint Law Enforcement Agency (EUROPOL) to facilitate coordination of intelligence and investigative support among member states. In 2005, the Union adopted a comprehensive counterterrorism strategy and action plan to be reviewed every six months and within the framework of this strategy several steps were taken to enhance operational capabilities of these bodies.

The Organization for Security and Co-operation in Europe (OSCE) provides its member states with instruments to forge joint actions in combating transnational terrorism. The Organization's Forum for Security Co-operation maintains information

exchange among member states and makes decisions regarding military aspects of security in the OSCE area. In 2000, the Forum adopted the Document on Small Arms and Light Weapons (SALW) to control the spread of these weapons by preventing participatory states from exporting arms to the countries supporting violent nonstate actors. In 2002, the OSCE established the Action against Terrorism Unit within its Secretariat for coordinating and facilitating the OSCE's activities and capacity-building programs in combating terrorism. The 56 participating states of the Organization at the Ministerial Council Meeting in November 2007 also adopted a declaration voicing their support for the UN Global Counterterrorism Strategy.

In Central Asia, the Collective Security Treaty Organization (CSTO) has been engaging in joint operations against drug trafficking, arms smuggling, and terrorism. Established as a Russia-led defense alliance among some former Soviet Union republics, the Organization serves as a platform for its member states' cooperative response to nonstate violence. The CSTO through its Bishkek-based Counter-Terrorism Center has been organizing joint counterterrorism activities. In the post 9/11 period, the CSTO seems to increase further the cooperation against violent nonstate actors in the region. In 2007, the CSTO signed an agreement with the Shanghai Cooperation Organization (SCO) to broaden the collaboration of these two organizations particularly in fighting against organized crime and drug trafficking. In 2008, the Organization declared to endorse the UN Global Counterterrorism Strategy and to design an action plan to implement the Strategy. In 2009, five members of the CSTO agreed to create its Collective Rapid Reaction Force (KSOR in Russian) for purposes of conducting anti-terrorist operations and fighting transnational criminal organizations among other tasks (Ria Novosti, 2009).

The second phase of the response of states system against nonstate violence includes international efforts to re-install monopoly on the use of force at the disposal of central authorities in failed and collapsed states. In order to prevent the resumption of ungoverned spaces that serve violent nonstate actors, states in a cooperate manner embark on centralization of the means of violence at the hands of state institutions. Both the UN and regional organizations do play significant roles sometimes in a coordinated fashion in this phase by assisting the governmental institutions in centralization of the means of force. This process of restructuring military and police forces is handled usually as a part of state-building programs. The post-conflict programs and aid efforts of United Nations as other intergovernmental organizations address the establishment and consolidation of state-centric institutions (Wulf, 2007, p.4).

The bulk of the UN missions mandated to the re-installment of state monopoly of force have been deployed in African countries. The United Nations Mission in Liberia (UNMIL) for instance was given the mandate to support the security reform in cooperation with the Economic Community of West African Communities (ECOWAS) and other international organizations. The UNMIL was mandated to monitor and restructure the police force of Liberia by developing a civilian police training program; to assist the transitional government in the formation of a new and restructured Liberian military. For the realization of these specific objectives, the UNMIL was also given the tasks for the purpose of consolidating the governing ability of the transitional government in Monrovia throughout the country. Re-establishing national authority through installing functioning administrative structures at both national and local levels and developing a strategy to restore a national legal framework and judicial institutions were among these

tasks highlighted in the SC Resolution 1509. As it is seen, the international efforts to re-monopolization of violence at the disposal of national institutions in Liberia have been implemented as a part of general state-building program.

The UN Assistance Mission in Sierra Leone (UNAMSIL), the UN Mission in the Democratic Republic of Congo (MONUC), the UN Mission in Côte d'Ivoire (UNOCI), and the UN Integrated Missions in East Timor (UNMIT) were mandated with similar tasks to monopolize the means of violence at the governmental institutions of the respective state. These missions demonstrated that international efforts are for ensuring no actor possesses the capabilities to resort to violence other than the governmental institutions. These efforts are channeled through mainly the UN, the largest intergovernmental organizations of the states system and within the context of a larger state-building planning.

However, in some instances regional organizations appear better prepared to demobilize the nonstate agents of violence. Particularly, the African Union (AU) has been quite willing to initiate joint military operations in response to the rise of violent nonstate actors in the continent. The case of civil war in Somalia and the response to the rise of Al Shabaab militant group is an example displaying the pioneering role of the AU in dealing with violent nonstate actors. Somali civil war since the downfall of the Siad Barre regime in 1991 has been continuing as disagreements among different tribal factions remained acute. The UN missions (UNOSOM I, UNITAF, UNOSOM II) during 1990s could not restore the stability and warlords continued to rule Mogadishu and other parts of Somalia.

As a result of the Egyptian initiatives to bring the fighting parties together, parties of the ongoing civil war by the most part agreed to support the central authority in Mogadishu. Upon the violent rise of Al Shabaab in the south of the country, African Union Mission in Somalia (AMISOM) took the lead for maintaining the central government in accordance with the SC Resolution 1725. The Mission for the time being comprises troops from several African countries such as Uganda and Burundi and there are pledges that some other states like Ghana, Malawi, and Nigeria will also contribute soon. The AMISOM is given the mandate of supporting the Transitional Federal Government (TFG), implementing a national security plan, and carrying out training programs for the Somali security forces. Since 2007, international efforts to re-monopolize the means of violence in Somalia are achieved through a regional peacekeeping mission.

In short, states established a security regime in the last two decades by designing the international legal framework and taking cooperative steps in declaring nonstate agents of violence illegal and illegitimate and prohibiting their activities. Sovereign states forming coalitions, multilateral missions, and joint task forces have responded the ascendancy of violent nonstate actors in the post-Cold War period. From all these efforts by states, it is possible to reach the conclusion that states system has been developing a resistance against the nonstate actors challenging the state monopoly of force. The clear inducement on part of states to form this resistance was the dramatic rise of nonstate violence in the post-Cold War political environment of failed states and globalization. The resistance gained momentum with the September 11 attacks in the aftermath of which the trend to eliminate transnational terrorism through interstate cooperation

expanded worldwide. The resistance of states system ultimately works to preserve the norm that state is the sole actor capable of using violence in world politics.

CHAPTER 5

CONCLUSION

With the changing political landscape in the post-Cold War years, nonstate agents of violence have exploited the opportunities of a tumultuous transformation period. The persisting weakness of the states in the post-colonial world and the newly independent states in former Soviet territories brought governments that lacked the central power to control their entire soils. The authority gap emanated from the failed states turned these geographies into safe havens for nonstate agents of violence. The power vacuum in extreme forms in the cases of war-torn collapsed states created the market places where the weapons and drugs are smoothly traded. Porous borders accelerated the spread of the dark side of the globalization and facilitated further the ability of nonstate actors in possessing small arms and chemicals used in the production of high explosives. Nonstate agents of violence within such environment became transnational actors operating in the territories of more than one state and enjoying the ability in financing themselves. In the agency of warlords, militias, terrorist organizations, insurgents, pirates, and transnational criminal organizations, the prevalence of nonstate violence dramatically escalated.

The ascendancy of the nonstate agents of violence into the transnational realm initiated the phenomenon of new wars which differed from the traditional interstate armed confrontations of the Westphalian states system. In the course of these new wars, nonstate entities capable of employing violence emerged as a serious challenge against the state monopoly on the exercise of force. States recognized themselves incapable of eliminating these unconventional enemies and in need of working with other states to

achieve an effective response. Aware of the necessity for collective action, sovereign states designed and institutionalized cooperative responses to the rise of violent nonstate actors.

The legal framework of the security regime has been shaped by the multilateral conventions on international terrorism and transnational organized crime, and SC resolutions particularly those adopted following the September 11 attacks. The UN and regional organizations adopted strategies and established relevant bodies to fight against nonstate agents. The UN having the most prominent role in dealing with the issues of peace and security in world politics reflected the tendency of states toward nonstate agents of violence. The Global Counterterrorism Strategy of the UN in this regard can be read as the most direct retribution of the states system to the growing power of violent nonstate actors.

Within the framework of the security regime, states system responded to the post-Cold War rise of nonstate violence in two phases. In the first phase, states have tried to dissipate the nonstate agents of violence through programs of disarmament, demobilization and reintegration in the context of the UN missions. In the second phase, states engaged in state-building activities in failed and collapsed states to annihilate the possible sanctuaries to violent nonstate actors. The goal of international cooperation in this phase is to re-install the monopoly of force at the hands of a central authority in these failed or collapsed states. Erecting the state institutions for the purpose of re-monopolization of force is again conducted by intergovernmental organizations in almost all cases.

One can claim that the monopolization of violence in today's failed states is not a result of the persistence of the states system but the natural state-building processes of some emergent societies. This perspective merits attention, too, and necessitates comparative analysis of the endogenous and exogenous factors causing present state-making efforts of the societies without functioning states. Such an analysis might be the task of another research on nonstate violence and its interaction with existing states system.

The growing power of violent nonstate actors triggered the scholarly debate as well on the theorization of these new actors in world politics. The state-dominated assumptions of the Realist and Liberalist traditions have by and large underestimated the role of violent nonstate actors while the scholars preferring Marxist and Constructivist perspectives did not pay attention on these agents. However, the resistance of states system is working as the study tried to elucidate and states are not permitting other actors to be capable of large-scale violence to be able to supplant the sovereign state in world politics. Perhaps, this resistance of states system can account for the fact that most of the scholars of international politics does not seem to be willing to place nonstate agents of violence in international relations theory.

It is seen that the incorporation of nonstate agents of violence into international relations theory might be possible utilizing the epistemological basis of ethnic conflict studies and the theory of new wars. Scholarly works under these two titles provide the favorable empirical framework for further research to theorize the place of the nonstate violence in world politics. Yet, reaching a theoretical conclusion is beyond the aim of this study. This study looked at the interaction between the rise of nonstate violence and the

states system to explain how states reacted against the soaring challenge to their monopoly of force.

Taking all into consideration, it is clear that nonstate violence has evolved to be a matter of high politics in international affairs of the post-Cold War period. Increasingly visible from the early 1990s onward, state monopoly on the use of force has profoundly been challenged by a new group of actors operating at transnational realm. With the threat they posed to the state authority over the exercise of violence, violent nonstate actors have enlarged the interdependence of the sovereign states. For the growing dependence of states on one another to combat the nonstate agents of violence, individual states have been endorsing a collective security regime and cooperating to disrupt the rise of another category of actors on the use of violence. Violent nonstate actors with their increasing power in defying the state monopoly of force thus became impetus for the cooperative reaction of the state. Despite the adverse impact of globalization and pervasiveness of the cases of state failure, the rise of nonstate violence turned out a factor reinforcing the norm of state monopoly on the use of force. The post-Cold War rise of nonstate violence thereby has strengthened the norm that state has the monopoly on the use of force. The states system remained resilient to preserve only the states entitled to employ armed force or to have the authority on its application.

For sovereign states, behaving in line with the anti-nonstate violence security regime has come to be the dominant norm and supporting violent nonstate actors is increasingly an aberrant act much like swimming against a powerful current. The agents of nonstate violence are illegitimate and are not given legal recognition to have rights and to bear obligations. Warlords, militias, terrorist organizations, insurgents, pirates, and

transnational criminal organizations seem to remain illegitimate vis-à-vis the classical Westphalian state. For the foreseeable future, it is unlikely that violent nonstate actors will become co-users of legitimate force along with the sovereign states as the state system reinforces further the already built resistance.

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