Non-State Violence and Political Order: A View on Long-Term Consequences of Non-state Security Governance

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This paper shortly reviews arguments on the involvement of non-state actors in state security. Research on global governance has frequently outlined the important role that non-state actors can play for effective global and national governance (Avant et al. 2010, Flohr et al. 2010, Reinicke 1998, Bull et al. 2004, Josselin and Wallace 2001). But what about violent non-state actors? On the one hand, they seriously threaten the state monopoly of force, on the other, they might be the critical party to involve when helping citizens in zones of conflict, or also for establishing a political order against other violent groups.

Contributions have outlined the linkage between non-state violent actors and transnational governance and presented possible positive and negative contributions to governance (e.g. Flohr et al. 2010): Non-state violence can be used to undermine security in states and of states, it can establish and secure illegal trade – e.g. blood diamonds –, it can use techniques as e.g. money laundering in order to skim off profits and use them and reinvest them in different sectors of the economy. However, the engagement of Geneva Call also shows, that non-state actors commit themselves to rules that are usually aimed at states, and that they can be more than just a cause of problems (e.g. Herr 2010).

The variety of activities and contexts suggests that non-state violent actors are a very heterogeneous group. In this paper, I will analyze whether and how non-state violent actors are able to contribute to establishing or upholding a political order. In defining non-state violent actors, the violence concept is important: Violence can be narrowly defined as causing or threatening physical damage to individuals or groups. A striking example for this would be a robbery during which the victim is threatened with a knife. But violence can also be defined more broadly, involving structural violence, through an order that causes damage to individuals or groups without the application of direct means of violence. A historical example for this would be a famine, during which the death of parts of the population was tolerated or politically used. Incidents like this have, for example, taken place in China or the Ukraine under the Stalinist rule (O'Grada 2009). A narrow concept of violence is connected to a more traditional understanding of security, while a broader conception of security – like *human security* (Paris 2001) – also goes hand in hand with a broader conception of violence: From such perspective, the state has an obligation to protect not only itself, but also the population. Correspondingly, the definition of non-state violent actors and security problems may vary not only in empirical terms, but also analytically.

In this paper, I apply a broader notion of violence, and link this concept to the question of how violent non-state actors are related to political order. Non-state violent actors, in this understanding, are actors that apply the use of force - in different forms - for pursuing their political or economic ends. Political order means establishing and enforcing regulations; effective governance requires enforcement to a minimum extent. The relation of political order and non-state violent actors is crucial, since the monopoly on the use of force – i.e. the absence of non-state use of force – forms part of the very definition of statehood. Nevertheless, as will be explained in the following sections, non-state violent actors can make different contributions to the political order. Whether this contribution is positive or negative needs to be investigated carefully in each individual case. It is well possible that short term achievements may result in long term failure and

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vice versa. In any case there is a conflict for the population concerned, for the cooperation and trade partners and also for other countries and for diplomacy.

In order to approach this conflict and the different forms of non-state violence in detail, the paper will proceed in five steps. Firstly, I will present different actors and manifestations of non-state violence and I will go into detail about differing functions. Secondly, an overview over the problem structure connected with non-state violence will be given, in particular the challenge for the monopoly on the use of violence, its meaning for development cooperation and for the scopes of limited statehood, as well as its placement regarding new security issues. Fourthly, two examples for the cooperation of state actors and non-state violence are given. I first present the sector of private military and security companies. In the past years this sector recorded a high growth rate, also based on demand of their services by state armies. At the same time, however, this sector is a commercial provider of non-state violence, which causes uncertainties regarding their control, the practical work and the consequences of their commitment. A further example is Afghanistan. There, a variety of problems and necessities arise in the cooperation with non-state violent actors – today and also in the past decades: currently e.g. the Taliban represent a group of non-state violent actors, who are able to undermine or support a political order effectively, whose means and aims, however, are largely incompatible with those of the Afghan government and those of other countries. At the same time the case of Afghanistan shows that the use of non-state violent actors can be part of (non-public) foreign policy, as displayed by the former US support of the mujahidin against the Russian occupation. There is a diverse spectrum of non-state violent actors, and as diverse as the cooperation with them may be –just as unclear may be the criteria for success. In the fifth and final step, I give a short summary of the different forms of non-state violence, the cooperation with respective violent actors and the legitimacy problems in this context.

Actors and Manifestations of Non-State Violence

On the basis of a broader notion of violence, non-state violence can range from organized crime to armed rebel groups, including private military and security companies. Schneckener (Schneckener 2006) presents eight ideal types of non-state violent actors and distinguishes them regarding their aims and use of violence: a) rebels or guerillas mainly fight in order to reach political aims, e.g. a different government or the secession of a part of the country; b) militias or paramilitary forces are armed groups outside the army, who are authorized or tolerated by a government and who are expected to support or enforce their aims; c) clan leaders are traditional authorities in a certain area, in ethnical or religious communities. They rule this part of the society, e.g. by using combatants or troops, and generally their aim is maintenance of this order; d) warlords are leaders who, in general, came into a position of power through and after violent conflicts. This position may later be stabilized through economic exploitation in the scope of a war economy and violent control of the region; e) terrorists are individual or coordinated offenders who try to destabilize society, economy or politics through assaults. They have political aims, sometimes related to religious or nationalist aims; f) criminals usually do not have political, but economic aims. They threaten security through activities like arms trade and human trafficking. In addition, in many cases politicians, officials or members of the police are corrupt, so that criminal activities are made possible, which in turn creates security problems; g) mercenaries or private security and military companies are commercial providers who offer a variety of services in connection with combat actions. This may include logistics, equipment or training of a national army, but it might also include combat actions on behalf of the government or other parties. These companies usually do not have political but commercial interests in conflicts; h) organized looters (also called 'sobels', derived from 'soldier' and 'rebel') are often former members of an army or a rebel group who, after a conflict, continue to loot civilians for their own supply.

The organizational form of non-state violence can be very diverse. The Italian mafia or traditional clans have a more hierarchical structure while Al Quaida has a network structure (UNODC 2002,

Kahler 2009). The organizational form is quite relevant for the cooperation with non-state violent actors – e.g. a steady and assertive contact person is better suited for negotiations than a network without an identifiable hierarchy – but the organizational form alone does not give testimony about the role or the potential threat of a non-state violent actor.

Table 1: Various functions of non-state violent actors

Non-state violent actors as ...				
Cause of Problems	*Advocates*	*Addressees*	*Agents of state principals*	*Co-regulators*
Terrorism	Armed opposition, rebel groups	Transnational organized crime	Private security and military service providers, militias	Local administration through violent actors

Source: own account

Non-state violent actors play a variety of roles, primarily, however, they are seen as a cause of problems or addressees of regulations. Particularly prominent examples for this are terrorism and transnational organized crime. Non-state violent actors can also function as advocates if they act as an opposition or as a rebel group – provided they have political aims. They can also act as state principals, e.g. in the case of state assigned military and security service providers or tolerated militias. As co-regulators they can, under certain circumstances, ensure a local administration and the functioning of a public order (see table 1).

Problems related to Non-State Violence

Non-state violent actors can be conceived as problematic from different, yet interconnected perspectives. To begin with, a state-theoretical perspective highlights the problem of competition: According to the very definition of statehood, the state holds the monopoly of force regarding a defined population in a defined area. This monopoly means that the state is responsible for the enforcement of regulations, and it is an effective monopoly if the state is able to enforce the rules effectively. The monopoly of force is a special privilege of the state, given the fact that it restricts the rights of the citizens, also in democracies: E.g. compulsory schooling in Germany means a restriction of freedom. The same applies to compulsory military service, and a prison sentence is usually called a 'deprivation of freedom'. The monopoly of force also implies that other actors may not define or enforce such restrictions. Students in Germany may not be restrained by their professor in a lecture if they wish to leave. They have to stay, however, if the police – with good reason – locked up the lecture hall. Also non-democracies know the monopoly of force. In China, convicted perpetrators can be executed – so the state uses its monopoly of force to kill. Other actors may not do this unpunished. On the other hand, a non-state violent act is not necessarily illegal, as outlined in the example of private security and military companies: Here the state delegates its monopoly of force to companies – to some extent with unclear consequences (cf. Krahmann 2010).

Basically, non-state violent actors challenge the state monopoly of force through their activities: By using violence for enforcing their rules or for promoting their ideas, they can establish a space parallel to the established political order. Such space may not necessarily be identical with that of the state – yet, it does not necessarily need to be completely different. In any case, however, such activities create an alternative monopoly of force, and this has direct consequences for the security of the population, the country, but also for non-governmental organizations, trade partners or diplomacy. Yet, in areas of limited statehood – i.e. areas where the monopoly on violence actually

cannot be implemented – non-state violent actors, and less likely the state, tend to exercise the monopoly of force. Through these activities, actors can weaken the overall legitimacy of political order, but they can also provide public goods, e.g. human security (Schneckener 2006).

Non-state violent actors are also an important issue for development cooperation (Grävingholdt et al. 2007): Through the extended agenda of 'Human Security', development work has a special role in the organization of post-conflict states. Target groups have to be reached, local staff has to be recruited and supported, and maybe, the promotion of norms – like human rights – or conflict transformation are in the responsibility of the organization. At the same time, a number of violent actors can be found in the areas where these aims are pursued. Their cooperation or at least their tolerance is often necessary for development projects. Simultaneously, development cooperation needs the support of the state, which may result in being placed in-between various parties. Grävingholt et al. present various practical propositions for such context, e.g. the strict consideration of the conflict context, a clear aim-orientation and the careful adjustments with the other actors, for example foreign policy of the state active in development policy (Grävingholdt et al. 2007: 4-5). The relation to non-state actors may then adopt distinct forms, between disregard and cooperation. Each of these strategies has advantages and disadvantages and they need to be adapted to the specific circumstances.

Generally, the problems that arise in the context of non-state violence are closely linked to overall changes in security policy: Instead of combat actions between states – the classical wars –, intrastate violence and thus non-state violence become more significant in security studies (Kaldor 2007). Besides, the collapse of the Iron Curtain, the disarmament and re-fitting of the former Eastern block armies made many and low-priced weapons available to groups who formerly had no access to them. As a consequence, non-state violent actors today can be equipped quite easily and cheaply (cf. Singer 2008). Moreover, by using asymmetrical strategies and networking, especially in the case of terrorism, violent actors are not local phenomena, but they can act across different countries. Finally, the amplification of the security concept towards Human Security also implies an extended definition of security threats. This brings new actors to the limelight, like transnational organized crime (e.g. UNODC 2004, for the US: Clinton 1995, Raine and Cilluffo 1994).

Private military and security companies in zones of conflict

Security policy has not only undergone a dramatic change through the broadening to ‚Human Security', but also through the organizational change of producing 'classical' security. For example, state armies are subject to internationalization tendencies, and technological changes made new kinds of military strategy and training possible and necessary (Mayer 2009, Helmig and Schörnig 2007). An important trend is privatization in the military sector, which is linked to a more general turn towards a liberal 'New Public Management' in public sectors. In the security sector, an increased assignment of private companies had been a major transformation (see e.g. Deitelhoff 2009, Deitelhoff and Geis 2009). This move was primarily designed to reduce costs, because private competitors – it was assumed – would provide services at a lower price than non-competing state agencies. At the same time, the state would limit its activities to the core functions, delegating as many tasks as possible to private actors: A common example for such 'outsourcing' are public hospitals with an external catering company supplying food. This trend to outsourcing has also reached the military (Avant 2005). Subcontracting work to external companies may concern logistics, e.g. food supply and laundry service, transportation of material and troops, or weapons training. It is also possible to hire whole back-up forces, including equipment, to be paid on a daily basis. Whether and how far such providers are used in state armies differs across countries. The US Army is heavily relying on such providers (Deitelhoff 2007): There, private companies work in the logistics sector, but also in weapons training, and even in combat actions. A prominent, quite

inglorious example for such a cooperation was presented by Blackwater during the deployment of the US Army in Iraq (Süddeutsche Zeitung 2007).

Such outsourcing can only be conducted, if providers exist that are able to satisfy the demands of the public sector effectively. In fact, since the 1990s an extensive and growing market developed around private military and security companies (Singer 2008). An important reason for this process is the large number of former members of the military and an easy supply with equipment. After the end of the Cold War, countries reduced their mass armies, and many former members of the armies had to switch to new labor markets. At the same time, the availability of equipment made it possible to easily join trained military groups and to use them for a variety of purposes. In former zones of conflict, like South Africa, former members of the military allied after signing a peace agreement and offered their services for money. Today, security and military companies systematically recruit former high-ranking members of armies – especially of the US army – and through this strategy, they guarantee a high level of training and expertise to their customers (Singer 2008, Deitelhoff 2007: 176-177). Singer offers a typology of companies oriented, regarding their distance, to the combat actions ('Tip of Spear Typology', Singer 2008: 92-3):

Companies that offer troops or weapons systems are usually also involved in combat actions. Companies that offer consulting are not directly involved in combat actions, but in their planning, in their strategy development and analysis. Companies that offer logistics support, stay in the background in combat actions. From this distance they relocate troops or equipment, provide supply services etc. All services that are not linked to direct combat actions, are also of interest to armies that are not active in conflicts but wish to outsource specific tasks – e.g. meals, laundry etc.

The references made so far about outsourcing, the US Army and the Iraq War might suggest that private security and military service providers are only a phenomenon of the Western industrialized world. This is not the case: These companies even cause particular difficulties in zones of conflict or in environments of limited statehood, which is closely linked to their role as state agents or co-regulators there. This shall be illustrated using the examples of Angola and Sierra Leone and above all of the company Executive Outcomes (EO) (see Singer 2008:101-110):

EO used to be a private security company from South Africa, which started offering security packages for companies, later also including combat actions as a service. Members of EO were former members of elite units of the South African army. After the end of the apartheid regime, they found themselves laid off and applied their expertise in the private market of security. EO became an example for a particularly influential and financially very profitable security company, especially due to their activities in Angola and Sierra Leone. The company also provides an example of how even stronger states have difficulties in coping with these actors: After a change in the law of South Africa, which was above all destined to limit the company in its expansion and activities, EO was officially closed. Nonetheless, it seems that the owners and employees continue their work in different places and under different names.

The lack of transparency surrounding the sector makes it difficult to exactly trace the development of firms: name changes, company liquidations, restructuring and re-foundations are frequent, and impede a clear assignment of activities as well as legal liability. A prominent example is provided by Blackwater, a firm that made it to newspaper headlines in 2007 due to violent and lethal activities in Iraq. As a consequence of those events, the US government did not extend the contract after 2009. As a consequence, Blackwater ceased to exist in that way: The company was restructured and renamed in 'Xe', which enables them to try out for contracts with the US Government again. A contract awarded to them in 2010 on the training of the Afghan police had to be put out for tender again only because of an appeal through one of the competitors (Washington Post 2010). This demonstrates, on the one hand, problems regarding an effective sanctioning of a rapidly transforming contractual partner, and, on the other, a certain dependence of contract awarding partners who consider these services important, but cannot provide them themselves. Thus, the rise of private security and military service providers as co-regulators can lead to a situation, in which an 'unloved partner' is involved in a common task and even the contract awarding partner has difficulties in changing this.

On the other hand these companies also represent important strategic partners for states, as revealed in the case of Angola. Angola is a country with a constantly low economic development and a low Human Development Index, but it is rich in natural resources. Since the end of the Portuguese colonial rule in 1975, the country has been suffering from a civil war. War parties were at first the MPLA (Movimento Popular da Libertacao de Angola), collaborating with the Soviet Union, which later formed the government, and the UNITA (National Union for the Total Independence of Angola), originally supported by South Africa and the US. With the end of the East-West conflict, the Angolan government and their army lost external support, and the UNITA succeeded in gaining important territories. When in 1993 they brought an oil production facility under their control, the situation became precarious for the government, because it threatened to eliminate the governmental revenue of licensed oil business. In order to regain control over the facilities and the territories, the Angolan government used combat forces of EO. Those – in part former fellow combatants of UNITA during their time in the South African army – liberated the facility very quickly and efficiently.

These activities caused great attention and found opponents: The Angolan army was afraid of competition, the South African army called the behavior of former members disloyal, and UNITA now had an additional strong opponent. After the operation the Angolan government, however, signed a long-term contract, assigning EO to train the army and to assist them in fighting. The training in new strategies and the support in combat actions led to a nearly total defeat of UNITA – a development that a few months before had seemed quite unlikely. As a result, the weakened group signed a peace treaty. But this treaty and a subsequent UN mission did not yet succeed in establishing peace. Instead, the position of the Angolan government was significantly stronger than that of UNITA, which eventually lead, after further conflicts, to the disbanding of the group (see Singer 2008:101-110). As an agent of a state principal – the government – the security and military service provider effectively enforced the government's interests in a civil war. This does not necessarily imply legitimacy, also because the Angolan government itself is still in a process of democratization (Süddeutsche Zeitung 2008): President Dos Santos has been governing for several decades.

Due to their business interests, the service providers act for the benefit of their contracting customers. Yet, this also implies that loyalty to the customers is not necessarily expanding to the time after the end of the contract. The case of Sierra Leone demonstrates this spectacularly (Singer 2008:110-115): Sierra Leone is also a country with many natural resources, but for a long time suffered from a kleptocratic government and a civil war. Its own army was continuously weakened, for that it would not become a threat for the ruling powers. In 1991 combatants of the Revolutionary United Front (RUF), supported by the Liberian dictator Charles Taylor, intruded the country over the common border. The RUF combatants quickly and brutally managed to get a large part of the country under their control, while the army of Sierra Leone could not offer much resistance due to inferior training, size and equipment. A first attempt of the government to hire a security and military service provider failed, when the latter cancelled the contract after casualties occurred. In 1995 when RUF started to take Freetown, while the UN, the US and UK had already rejected to support the government, a comprehensive contract was concluded with EO. The contract was partly to be paid by the government through granting concessions for diamond mines – in an area that at that time was still occupied by RUF. With a new strategy, a helicopter operation and without being immediately recognized, EO managed to force RUF to retreat within a few days further and more quickly than it was the case in Angola. After that EO trained parts of the army as well as independent combatants, the 'Kamajors', in order to cooperate with them.

After RUF retreated from the capital and the surrounding areas, EO transferred its activities to the minefields, for which they had been granted concessions. There, RUF was also defeated and pushed back to the border. After negotiations took place, elections were held in 1996, and peacefully replaced a general who had meanwhile come to power through a coup. EO had not supported the coup but cooperated with the general and later also with his elected successor – Ahmed Tejan Kabbah. When the prospect of a UN mission was held out and international

criticism was expressed regarding the assignment of EO, the new president ended the cooperation. Instead of an international UN mission, troops of the East African Regional Organization under Nigerian leadership were sent, who were supposed to guarantee security in the country. EO also had intelligence service information available and informed the new president of Angola, that within 100 days, his security staff and RUF would organize a coup d'état. At the same time they transmitted an offer for a new assignment, which was destined to guarantee the security of the government. This offer was not accepted, but in 1997 (on the 95th day of the 100-day deadline) the government was overthrown by RUF and parts of the army, the population in the capital was looted and in large numbers shot, with the foreign peace troops being unable to protect the population.

Some time later, the overthrown president hired Sandline, a competitor of EO. Sandline helped to bring the former government again into power and also trained Kamajor and the international strike forces. In 1998 RUF was driven out of the capital again, and later the reconstruction of the army and the support through foreign troops helped to disband RUF. In 2002 elections were held again. In the meantime, diplomatic difficulties became evident, arising from the fact that Sandline had completely ignored the existing arms embargos in its operations – which happened, according to Sandline, with the knowledge of the British government. The latter objected to this publicly, but, later had to admit that is was true. Altogether, the lacking public security after the retreat of EO in Sierra Leone cost the lives of about 10.000 civilians (Singer 2008:110-115).

The examples illustrate that private security and military service providers are able to effectively act as co-regulators of security – if they receive an assignment. The case of Sierra Leone, however, also shows that countries, if they are not able to offer security as a public good, can quickly become dependent. This can be true for zones of conflict and non-democratic public areas, where people might be threatened by a further instable, and maybe changing, security situation. As long as a state has a monopoly of violence, private security and military service providers can act as co-regulators. If an effective monopoly does not exist, it seems more appropriate to conceive them as the only administrators, which would correspond to the function of an agent of the state principal. These examples also illustrate that in such cases security depends on financial means, and that it can be directly connected with the financial interests of the companies, if the payment agreed upon is constituted by the economic use of areas to be liberated. In that case security is not an abstract public good in a political order, but a specific private service supplied by a contractor. In the case of Sierra Leone EO was no longer interested in the security situation in the country after the contract ended.

The success of private security and military service providers is likely to remain high in the near future, since they provide different services for a large number of countries and specific advantages for governments: Beside the fact that they seem to make redundant building up own capacities, they are, especially for democratic countries, a means to avoid transparency in a military operation: In contrast to soldiers, casualties in the private companies are not officially counted but upon conclusion of the contract they are permanently externalized. Another problematic aspect is the fact that it is unclear to what extent human rights or international humanitarian law are binding parts of the service: In contrast to a state army, the private service providers are not that clearly sworn to commitments, also regarding human rights of civilians or the opposing army, nor even to the contracting entity. Private providers can actually neither be required to commit themselves to constitutional law and the law of the state armies, nor to the duties that soldiers have (e.g. the strict interdiction to desert). Depending on the individual case, the cooperation with these actors can cause just as many problems as it is trying to solve. Therefore, the rise of private security and military service providers as co-agents and co-regulators needs to be regarded very carefully also in the future.

Non-state violence and a weak state: Afghanistan

In Afghanistan today, private security and military companies are involved in the conflict and work together with ISAF. In addition, there is a number of important other non-state violent actors which play an important role in the provision of security. The functions of non-state violence are very complex in this country, and a certain necessity for cooperation with violent actors becomes evident –and problematic consequences as well. At first I will give a short introduction to the history of Afghanistan, and then, on the basis of two different points of time, I will explicitly highlight the role of non-state violent actors and their cooperation with states.

The history of Afghanistan is on the one hand characterized by internal conflicts of different rulers, small or large groups and religiously motivated actors, but, on the other hand, is also strongly influenced by the strategies and power claims of other countries (Schetter 2007a, Maley 2009). Reasons for internal conflicts are e.g. the culturally rooted autonomy of different groups regarding the state, the hierarchy of different ethnical groups that was formerly supported by the state, the economic and cultural differences between cities and countryside or the religious denominations. Only for a very short period of time different rulers or governments managed to bring stability to the country, and in rare cases their influence reached a wide scope of the country. At the same time, Afghanistan was also an important strategic element for a number of colonial powers since the 19th century, above all for Britain and for Russia. Even the borders of Afghanistan were determined by those big powers after 1884 and the area was expected to form a buffer between Russia and British India. Borders were drawn around a territory that did not form a unity and the ethnic groups were assigned to different states.

The drawing of the border did not resolve internal conflicts and the rulers in Afghanistan changed frequently. During the Cold War, the country maintained good relations with both the USSR and the US and constituted an important potential partner for both powers. In the course of the years, however, the situation in Afghanistan became more unstable and in 1978 a new ruler - Nur Muhammad Taraki - overthrew the government in a putsch in Kabul, and subsequently tough action was taken against any opposition. In 1979 Taraki was killed and his successor Hafizullah Amin came into power and his politics fomented the conflicts in the country again. The US cut their development aid after the death of their ambassador who was killed in a hostage-taking and liberation action at the beginning of 1979. In the course of the same year, Moscow disassociated itself more and more from Amin. When the latter faced increased domestic difficulties and initiated a turn-about in his politics by intensifying the relationship to Pakistan, to Islamists and also to the US, the USSR occupied Afghanistan in December 1979.

The occupation lasted until 1989 and was characterized by many casualties for the USSR, who never managed to really get the country under control. Especially the mujahidin, a group of Afghans who favored a strict interpretation of Islam, offered resistance. They were, however, heavily struck through Soviet attacks from the air, particularly through helicopters. The US, however, started to support the mujahidin, especially through Stinger Missiles (a so-called MANPADS, Man-Portable Air Defense System). This cooperation led to extensive casualties for the USSR and made clear that there was no chance to win the war. At the same time the situation in Afghanistan remained unstable, so that the ruler installed by the Soviet Union, Nazibullah, was likely to be overthrown soon. This happened in 1992 and was succeeded by even more power struggles, this time between different groups of the mujahidin. At that time a new group emerged, the Taliban. Starting in 1993 they conquered parts of Afghanistan and reached the capital in 1996, and until 2001 they kept almost the whole country under their control, except for an area in the north.

This shows that the non-state violent actors played a key role in the history of Afghanistan – regarding stabilization but also destabilization of the country. To start with, a monopoly on the use of force cannot be presupposed, and instead, different groups each establish their own monopoly on violence. In some moments, non-state actors had become co-regulators: During the Russian occupation, other states like the US and Pakistan intended to 'co-administrate' the political order

in Afghanistan with the aid of non-state violent actors, through this avoiding the establishment of an effective monopoly of force by the Russian occupiers. This demonstrates a very strategic cooperation with non-state violent actors, and it could be described as transnational governance in a state of war.

Over the course of time, the example of Afghanistan also shows the huge ambiguity of a cooperation with non-state violent actors: Parallel to the Russian occupiers and the Taliban, there is a development of different local structures of power and violence that compete with state power – which is only present and can only be achieved in the big cities (Schetter 2007b). At the same time, especially drug trafficking provides many local rulers with a great deal of money and constant financial earnings. At the beginning the ISAF Afghanistan mission, supported by the 'Northern Alliance' – a group that resisted the Taliban in the north – managed to force the Taliban to retreat. But besides other problems, it soon became obvious that the Afghan state does not per se hold a monopoly of force. In order to overcome at least partly the opposition through the population, the Afghan government and the allies plan to negotiate with moderate Taliban groups (FAZ 2009). This seems especially important against the background of a possible withdrawal of ISAF, in order to avoid more and continuing fighting of individual groups for the rule in Afghanistan. Other than in the case of the private and military security companies, this is an attempt to use non-state violent actors as co-regulators to establish a common and binding political order. It remains to be seen whether this strategy will be successful in the long run, in particular given the different idea on what the Afghan society should look like.

The assessment of long-term consequences constitutes a particularly important problem related to cooperation with non-state violent actors. From the view of the US and parts of the occupied Afghan population, it was strategically useful to support the mujahidin against the Russians, but they also supported – or at least did not avoid – the emergence of a power vacuum after the Russians' retreat and finally the rise of the Taliban. In addition non-state violence as an alternative to the state was further institutionalized, and aside from that the actors were – in this case – even armed. In the subsequent years this fact provided another problem: Not all the weapons (in this case mainly man-portable air-defense systems, MANPADS) supplied to the mujahidin were used, many of them were stored in stockpiles. In the 1990s, the US launched a wide-ranging repurchase campaign which failed, however, because the weapons were not returned. It is also assumed that there is a lively commerce with those easy to handle ground-to-air missiles, which also represent a danger for civil aviation: There were various terrorist attacks or attempts of such attacks (Stohl et al. 2007:86-96). Today ISAF and the Afghan government are also unsure about the long-term consequences: Without integrating non-state violent actors, state building will remain difficult, and with them it might be possible to find compromises on regulations that are not sustainable or that are – e.g. from a human rights perspective – not desirable.

Summary and outlook

This paper briefly presented the role of non-state violent actors as co-regulators or in other functions. Non-state violent actors display a wide spectrum, reaching from rebels to terrorists and criminal organizations. As a consequence there is a variety of functions that they can fulfill. On the basis of two examples – private security and military service providers and the history of the conflict in Afghanistan – I illustrated the role and the problems of non-state violence. The lacking monopoly of force that comes along with the use of non-state violent actors, seems to be particularly problematic: The security of the population cannot be guaranteed, and the development of state capacities linked to security provision might be severely affected.

The example of private security and military companies showed that the intervention in wars may be successful in the sense that areas can be brought under control again, but this does not necessarily show sustainable effects: The retreat of these actors can create a situation, in which non-state violence escalates through other actors. The example of Afghanistan shows that non-state violence can be effective to a much wider extent than the state monopoly of force, and that

violent non-state actors might be the only regulators – with problematic consequences. However, some non-state violent groups may constitute a better representation of the population than the actual government, and may even lead to a better human security of specific parts of the population. As the example of the Sudan shows (see Herr 2010), violent groups may well provide public goods that the government does not provide. In such cases, the difference between non-state violent groups and the state is difficult, and might be very different from the cases discussed above. In any case, non-state violent actors – in spite of their evident differences – are still very special actors and their contribution as co-regulators carries many risks. The question about the legitimacy of the cooperation or the involvement with non-state violent actors remains significant and crucial. Grävingholt et al. hold a relativist point of view, according to which engagement with a violent actor depends on the adherence to other guidelines and also on the context in which the actor operates: 'if a government systematically violates human rights, and, by doing so, itself helps to exacerbate conflict, closer forms of engagement of external actors with an NSAG [non-state armed group] acting in this context seem more legitimate than when the government's conduct is generally acceptable in this respect' (Grävingholdt et al. 2007:4). While this provides an approach for development organizations, it remains vague whether state violence can integrate non-state violence in the long run, in order to come to certain results of the regulation. The long-term consequences of an involvement with non-state violent actors can differ very much from the original aims, as the examples provided above show: In the countries mentioned above, it is precisely the use and distribution of non-state violence that led to the fact that a state violence does not yet exist. But, from a perspective of human security, it could be very useful to continue working towards that aim.

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