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Strong militias, weak states and armed violence.

Towards a theory of “state-parallel” paramilitaries

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This study challenges the well-established in conflict studies presentation of paramilitary organisations as state-manipulated death-squads or self-defence groups, and argues that some of present-day militias extend their functions well beyond the role of shadowy pro-regime enforcers. Drawing its empirical insights from Ukrainian pro-government Volunteer Battalions and supporting these findings with empirical observations from other parts of the world, this article posits that the rise of powerful militia organisations, acting in parallel to the state, makes it imperative to revisit the theory and typology of paramilitary violence. The key theoretical argument of this study is that “state-parallel” militias differ qualitatively from “state-manipulated” paramilitaries typical of the Cold War period. It is detailed in this article that although “state-parallel” paramilitaries are not a new phenomenon, they have thus far remained critically understudied and under-theorised.

In 2014, the lightning advance of the Islamic State of Iraq and the Levant (ISIL) has brought under control of the self-proclaimed caliphate vast swathes of Iraqi territory, leaving Iraqi security forces rooted out and paralysed. Yet, a force capable of standing up to the Islamists’ advance has soon emerged in the face of powerful, well-trained and highly motivated Shia militias, known as Volunteer Fighters (*al-Hashed al-Sha’bi*). Much in contrast to poorly-organised and lightly-armed Shia militias of the US-occupation period, the new extra-state Shia militias present a formidable force, which has managed to not only halt the ISIL’s advance on Baghdad, but also to claw back some territory from ISIL. While the Iraqi government openly began to employ rogue, yet efficient, Shia militias in its desperate fight to stop the ISIL’s offensive, the collapse of Yemeni’s government of Ali Abdullah Saleh under the onslaught of *Houthi* rebels marked the emergence of another shadowy and uncontrolled paramilitary force: Sunni Popular Committees. As official Yemeni armed forces almost ceased to function, the pro-government Popular Committees, currently entrenched in Sunni regions of the country, represent the only force capable of exercising the elected president’s monopoly on the use of violence.

Both Iraqi Shia battalions and Yemeni Sunni Popular Committees are the representatives of a relatively under-researched category of pro-government

paramilitaries,¹ termed in this study as “state-parallel” militias. On the one hand, these groups’ intimate association with the regime, engendered in their struggle to preserve the state and to secure it from falling into the hands of rebels, places state-parallel militias into the category of typical pro-government paramilitaries. On the other hand, their supremacy – either military or structural – over conventional armed forces, their financial and structural independence from the regime, as well as their indispensability for the survival of the state elevate these groups in parallel to the state and place them beyond state’s control. These intrinsic characteristics contrast state-parallel paramilitaries with classical “state-manipulated” paramilitaries, such as self-defence and death-squads, which, during the Cold War were commonly employed by governments around the world. This observation lies at the heart of the theoretical claim of this study, which posits that the existing literature on paramilitary violence fails to distinguish state-parallel paramilitaries from the “mainstream” types of paramilitary organisations. As seen from recent examples around the world, state-parallel paramilitaries are becoming as common as the state-manipulated groups. Nevertheless, this type of militias has been generally under-theorized and over-determined in their relationship to the state. This article demonstrates that sovereignty of pro-state armed groups might be operating in a more horizontal manner than it is often assumed. Disaggregating paramilitaries into “ideal-types” of “state-manipulated” and “state-parallel” categories is, therefore, enables to expand our understanding of paramilitary organisations and their role in contemporary armed conflicts.

Empirically, among all other state-parallel paramilitaries, some of which will be discussed more in detail in later parts of this article, this study is focused on one of the least researched paramilitary organisations, Ukraine’s pro-government Volunteer Battalions (*volontery*). As will be shown in the empirical sections of this study, *volontery* serves as an excellent example of a “state-parallel” militias, which, despite their close association with the regime in Kiev, are fiercely independent and grow increasingly critical and

¹ This article borrows its definition of pro-government militias (or paramilitaries) from Carey et al. (2013: 250), who identify as militias any group (1) defined as pro-government or sponsored by the state; (2) functioning outside regular security structures; (3) armed, and (4) organised.

disillusioned of President Petro Poroshenko's government. The key empirical objective of this study is to demonstrate how Ukraine's *volontary* differ from state-manipulated paramilitaries and why this recently emerged paramilitary force can serve as an illustrative example of state-parallel paramilitaries.

Paramilitary typology revisited

Although paramilitaries existed since antiquity, it is only during the past several decades that the phenomenon of extra-state or sub-state pro-regime actors involved in civil wars against anti-government rebels has become an inextricable part of research in political violence (Kalyvas, 2006). Termed as death-squads, (civilian) self-defence groups, vigilantes or civilian guards, pro-government extra-state actors have been recorded as part of virtually each protracted armed conflict since the start of the Cold War (Carey et al., 2015). For example, as estimated by Oppenheim et al. (2015: 2), pro-government paramilitaries have been deployed in two-thirds of irregular wars since 1989.

Much of research on paramilitary groups has evolved from the "New Wars" thesis (Kaldor, 2013) and the ensuing argument that armed conflicts can no longer be understood in terms of "master cleavages" (Kalyvas, 2003). While the proponents of "New Wars" theory argued that the proliferation of pro-government armed groups is a new phenomenon, their critiques insisted that it is major historical shifts that affected the types of actors in present-day civil wars (Henderson and Singer, 2000; Newman, 2004; Duyvesteyn and Angstrom, 2005). In the wake of "War on Terror," research on paramilitaries experienced decline, but a renewed interest to para-state groups has been sparked by the post-"Arab Spring" conflicts.

The existing literature on paramilitaries is rife with numerous empirical studies either exploring selected paramilitary organisations, or conducting paired comparisons (Campbell and Brenner, 2000; Mazzei, 2009; Ahram, 2011). A large and growing body of literature on militias, consists of studies on militia-government relations (Staniland, 2015; Carey et al., 2015), militias' role in genocide (Pilster et al., 2014; Ahram, 2015), civilian victimization (Stanton, 2015), sexual violence (Cohen and Nordås, 2015), mass killings (Koren, 2015), and human rights violations (Mitchell et al., 2014).

In spite of the diversity of empirical literature on paramilitaries, few attempts were thus far made to classify militias. To date the first and the only effort to typologise militias was made by Carey et al. (2013), who suggested distinguishing between “informal” and “semi-official” paramilitaries. In accordance with the typology, informal militias are “armed, supported by or act on the side of the government and are described as pro-government, government militia, linked to the government, government-backed, or government-allied” (2013: 251). By contrast, semi-official paramilitaries have “recognized legal or semiofficial status, in contrast to the looser affiliation of informal PGMs” (2013: 251). As useful as it is, this typology is first of all aimed at controlling for militias’ association with government and offers limited insights into organisational and operational characteristics of paramilitary organisations, or in their broader relationship with the state. While both the Colombia’s AUC and Sudanese *Janjaweed* fall into the category of informal militias, their capacity and strength vis-à-vis the state differ vastly. In the same vein, many semiofficial groups, including Iraqi Shia battalions and the Philippines’ CAFGU, not only have fundamentally different relationship with the state, but are also pursuing different goals.

This raises a number of fundamental and unexplored theory-related questions. Can all contemporary militias be lumped together under one overarching definition of paramilitary organisations? Are all of these groups, whether described as self-defence or death-squads, similarly organised? Do they perform identical functions and share similar (or at least comparable) characteristics? The existing theories of paramilitary violence—along with the above militia typologies—offer limited explanation of the diversity of paramilitary groups and, most importantly, fail to explain what makes some militias more powerful, influential and military-capable than others.

This article argues that the plurality of paramilitary organisations in recent history falls into two generic, yet inherently distinct, categories of “state-manipulated” and “state-parallel” paramilitaries. The former category includes the majority of typical self-defence units, death squads and pro-regime “enforcers,” which dominated civil wars and irregular conflicts from the start of Cold War era until the late 1990s. The latter group covers paramilitary organisations, less common prior to the turn of this century, yet more widespread and influential today. These groups include, but not limited to, popular

mobilisation forces, offensive sub-state counterinsurgents and tribal or traditional militias. This article suggests that although state-manipulated militias have been featured prominently in the existing theory of paramilitary violence, it is the state-parallel groups that have thus far remained unnoticed and under-theorised.

From “state-manipulated” to “state-parallel” paramilitaries

For decades, hundreds of similarly-structured state-controlled paramilitary organisations existed not only across Latin America, but also in Europe, Africa, Asia, and the Middle East. The key cause behind the appearance of these paramilitary groups was what Campbell and Brenner (2000: 16-17) describe as the state’s efforts to “subcontract” its monopoly on the use of violence to extra-state agents, who, with the state’s covert blessing and support, would do the state’s “dirty jobs” of violently eliminating the anti-regime opposition. The use of paramilitaries has not only been practiced by undemocratic (or with poor democracy record) Third World regimes, but also by the great powers, such as the United States during the so-called “Banana Wars” in Latin America. Pro-incumbent paramilitaries were widely deployed in French and American wars in Vietnam, British counterinsurgency in Malaya and the Northern Ireland, as well as the Soviet counterinsurgency in Afghanistan (Nagl, 2002; Dixon, 2009).

The rise and spread of state-manipulated militias is closely associated with the development of human rights discourse and increasing international pressure on developing states to adhere to international human rights standards (Huggins, 1991: 11). As human rights issues often become interconnected with economic aid, foreign trade and international assistance, legalising and “humanising” their counterinsurgency methods has become an issue of significant concern not only for undemocratic Third World regimes, but also for established democracies. Since most state-manipulated militias officially remain outside of state’s legal jurisdiction, their actions cannot be blamed on the state. It was, therefore, critical for the state to conceal its links with state-manipulated groups. While some governments had done a superb job of hiding their connections with militias, others have systemically failed to distance themselves from paramilitaries (Grajales, 2011). For example, although Northern Ireland’s Loyalist paramilitaries were represented in the

Northern Ireland Assembly, for instance within the Progressive Unionist Party (PUP), none of the Loyalist groups had official affiliation either with political parties or with elected and appointed officials (McAuley, 2004).

The ability of the state to mask its association with paramilitaries has become critical for the assessment as to how much control the state has over militias. Undoubtedly, the scope and the nature of the governments' desired, perceived and actual manipulation over paramilitaries differs in each case. Some militias dodge government manipulation and manage to preserve various degrees of autonomy from the state. Nonetheless, even for those state-manipulated militias which alleged their independence, the regime's support and approval were critical for their survival. One of the main definitive characteristics of state-manipulated groups is that such organisations are not only founded by the regime or associated with the regime's elites, but are also financed by the state (Forero, 2007). Although some state-manipulated militias enjoy open support of the state (Van Bruinessen, 1996), most – due to the nature of their activities– have no formal connections to the state. These groups are funded by the regime informally and covertly.

State manipulation of militias, however, is not limited to financial and material assistance. Having created militias and secretly allocated them some of its monopoly over the use of violence, the state seeks to ensure that paramilitaries not only remain under its firm (or relative) control, but also that militias do not grow excessively powerful or independent. For example, bloody infighting among Irish Loyalist paramilitaries – allegedly fuelled by the Loyalists' supporters from within the government –left deep cleavages among the Loyalist organisations and remained a source of the Loyalist paramilitaries' weakness and their inability to threaten the state (Gallaher and Shirlow, 2006).

The auxiliary role of state-manipulated militias remained obvious in almost each conflict where they were deployed. Mazzei (2009: 6) conclusively observed that “in countries with paramilitaries, there is also a strong and active military.” Despite being employed as important and even the most efficient counterinsurgent, as was the case with pro-Russian Chechen paramilitaries *Kadyrovtsy*, state-manipulated groups were always deployed alongside the army and not instead of it. While militias were widely used to perform an array of “dirty jobs” for official security services, which include, but not limited

to, targeted assassinations, torture, extrajudicial executions and kidnappings, they are far from having either the resources or firepower of the army. Since their spread, state-manipulated militias performed tasks of both offensive counterinsurgents and of secret death-squads. In contrast to civilian defence militias, whose duties are thought to be limited to defensive functions (Clayton and Thomson, 2014), state-manipulated paramilitaries have evolved by imitating and adapting insurgents' tactics of "hit-and-run", mercilessly persecuting civilians suspected of association with rebels and relying on all available means of destroying the enemy. Most of the above characteristics are commonly shared by (or can be observed in) all paramilitary organisations described in this article under the term "state-manipulated" groups. The analysis of such organisations has been at the core of existing studies on paramilitary violence. The bulk of empirical insights on contemporary paramilitary organisations has been drawn almost exclusively from paramilitary groups with characteristics similar to the Colombian AUC or the Irish Ulster Volunteer Force (UVF).

There is, however, another type of paramilitaries, which remains beyond both the analytical limits and theoretical grasp of the classical theory of paramilitary violence, as advocated by Campbell and Brenner (2000), Mazzei (2009), Ahram (2011), and other scholars of paramilitary groups (Mitchell et al., 2014; Carey et al., 2015). Dubbed in this article as "state-parallel" paramilitaries, these organisations have characteristics directly opposite to state-manipulated militias. Their emergence, structure, functions, goals, their rise to prominence and demise, all fundamentally differ from their state-manipulated counterparts. To start with, one essential precondition for the emergence of state-parallel groups is the weakness of the state. In most cases of state-parallel militias' appearance, the state's ability to exercise effective control over its territory and subjects had been severely impaired. As the mobilisation of state-parallel militias occurs in a condition of either complete dissolution of formal security services and the army, or under their inherent weakness, the state is close to losing both its monopoly on the use of violence (to rebels) and its control over its physical territory. Although the incremental weakness and incapacitation of the state are among the key pre-conditions for the rise of state-parallel paramilitaries, the state does not necessary have to "fail". From Sierra Leone and Georgia to Sudan, Ukraine and Iraq, state-parallel militias have preyed on the weakness of the state.

The state, however, remained fully functional and was far from being on the verge of collapse. In each of these cases, however, the state had low military capacity to resist insurgents. *Houthis* in Yemen, ISIL in Iraq, Abkhaz rebels in Georgia, as well as many other opponents of state-parallel militias, were far too strong for the conventional armed forces. Unlike Chechen rebels during the Second Chechen War, who posed no existential threat to the Russian state and, who could be entrusted to the state-manipulated *Kadyrovtsy* (Souleimanov and Aliyev, 2014), rebel groups faced by the state-parallel militias present a direct challenge to the regime. However, the existence of a functioning state is not vital for the emergence of state-parallel militias. As examples of Somali and Rwanda have shown, paramilitaries rise to prominence as long as there is a regime – even a failed one – that claims to represent the state.

While state weakness is the first quintessential condition for the emergence of state-parallel militias, armed conflict is the other factor accounting for the rise of paramilitaries. State-parallel militias emerge due to crisis and due to the government's inability to deal with the challenge to state authority posed by rebels. Few, if any, state-parallel groups existed before the start of conflicts in their original form and capacity. Both Sudanese *Janjaweed* and Sierra Leone's *Kamajors*, which prior to conflicts functioned as traditional tribal militias, were re-created and re-directed to fight against the regime's enemies. Since most state-parallel militias are mobilised in the midst of a conflict, few of these groups survive either the end of civil war or the increase of state's power. Congolese *Cobras* and *Ninjas*, Georgian *Mkhedrioni*, Serb volunteers, as well as other state-parallel militias in post-conflict countries became redundant and were demobilised.

As long as there is armed conflict and the government is weak, state-parallel groups tend to thrive and increase their power vis-a-vis the state. Preservation of the state, or of ruling elites, and the opposition to rebels are the key priorities of state-parallel militias. As long as state interests relate to militias' goals, paramilitaries avoid challenging or replacing the government. Main objectives of paramilitary leaders are not the regime change or transformation, but the conservation of status quo on behalf of the government. Survival of the state is pursued by state-parallel militias at any cost, including by resorting on extreme forms of violence, such as genocide (Ahram, 2015) and large-scale human rights violations (Mitchell et al., 2014). Whereas government may choose to refrain from

persecuting its own citizens for the sake of remaining in power, state-parallel militias would eagerly and violently suppress all forms of dissent in order to safeguard the state from collapse. Although interests of militias are closely aligned with those of governments, state-parallel paramilitaries may disregard the government, or function as parallel institutions, as seen from the example of numerous Libyan militias backing either an internationally-recognised government in Tobruk or its Tripoli-based rivals.

Often, the occurrence and trajectory of state-parallel paramilitaries is embedded in long-standing local traditions of irregular violence and militia organisation. In post-communist countries, the tradition of the “second line of defence” is both engraved in history of irregular units (Cossacks, *Hajduks*, etc.) and sustained by the communist-era para-state militia formations (Gilley, 2015), present in most Eastern Bloc countries. Similar traditions flourished in Sudan (Ahram, 2011), Sierra Leone (Murphy, 2003), Arab countries (Schiller, 1987), as well as in East Asia (Marten, 2007).

Having stipulated that state-parallel paramilitaries are fundamentally different from state-manipulated militias, this study identifies three major characteristics which distinguish state-parallel paramilitaries from their state-manipulated counterparts. Firstly, state-parallel militias possess *military strength* that is both essential and crucial for the survival of the regime. A key characteristic of state-parallel paramilitaries is their superiority – either military or organisational – over conventional military forces and their preparedness to fight anti-regime rebels when the army is unable to do so. Unlike state-manipulated groups, which are employed to tackle insurgencies alongside, but not instead of the conventional army, and are used solely because of their specific qualities (i.e. familiarity with insurgents), but can be easily replaced by or merged with official security forces, state-parallel militias thrive because they are irreplaceable by the army. Instead of operating as auxiliary or self-defence forces, performing “dirty jobs” for the army, such as serving as death-squads, state-parallel militias function as key counterinsurgency forces. It is the state-parallel militias’ capacity to replace, or substitute, the state as the principal counterinsurgent that elevates them above state-manipulated groups. Their superior military power, high individual motivation of their fighters and their material resources make them the best (or the only) available alternative to conventional armed forces. For example, Iraqi Shiite volunteer forces are estimated to number around 90,000 men and the

total number of Shiite volunteers engaged in the fight against ISIL has reached one million fighters in 2014 (Sarhan, 2014). By contrast, Iraqi armed forces consist of less than 100,000 frontline troops infamous for their low morale and poor organisation. It must be noted that the level of resource access differs from one militia group to another and some paramilitaries might have forces and weaponry superior to the army, while others may lack military hardware of modern armies, but substitute it with superior organisation, structure and tactics.

Bearing in mind that it is mostly in times of crisis and moments critical for the survival of the regime that state-parallel militias emerge and thrive, the regime has few other options but to rely on state-parallel paramilitaries for many counterinsurgency tasks. In such situations, the state unwillingly parts with its monopoly on the use of violence in exchange for a guarantee of survival. It is not uncommon for members of state-parallel groups to fight alongside the conventional army, for instance, as in the case of Ukraine's *volontery*. Yet, having witnessed weaknesses and poor preparedness of the army, it is unusual for state-parallel militia members to leave their organisations in order to join the formal security forces (Ron, 2000). Despite frequent claims by state officials about integrating state-parallel paramilitaries into official security forces, successful cases of incorporating paramilitaries into the army are few and far between (Reeves, 2014).

Secondly, state-parallel militias boast *political representation* in state's institutions and also often function within legal framework. Rather than being shadowy death-squads, state-parallel groups openly participate in the political life of the state. With their leaders represented in legislative or, less often executive, branches of the government, state-parallel militias may have legal status and their activity might even be based on official decrees. For example, Iraqi *al-Hashed al-Sha'bi* battalions were officially formed by the Ministry of Interior and are subject to legal frameworks and practices pertaining to official security forces. In reality, however, the inception of the powerful Shia paramilitary force occurred after the call by the Grand Ayatollah Ali al-Sistani, known as "righteous jihad fatwah" (al-Kadhimi, 2015). The plurality of Shia battalions remains outside Baghdad's direct control (Mamouri, 2015). Their leaders, however, have close ties to the political establishment. For instance, both of Shia militia's senior leaders – Abu Mahdi al-Muhandis

(former MP for Babil Governorate) and Hadi al-Ameri (former Minister of Transportation) – previously occupied top positions within the Iraqi government.

What distinguishes state-parallel militias from state-controlled security forces, including state-operated militia, is that paramilitaries are not directly accountable to the government. Some of these groups might pledge loyalty to an external (regime supporter) actor, such as many of Iraq's Shia battalions loyal to Iran or some of Yemen's pro-regime militias accountable to Saudi Arabia. Others are loyal to domestic power-brokers, such as Muqtada al-Sadr's militias in Iraq. The pattern that can be observed with a degree of consistency across the majority of state-parallel militias is that, even though these groups might be receiving some military hardware and financing from the state, they procure the bulk of their funding, recruitment and supply from sources other than the state budget. Functioning as a state within a state, state-parallel militias do not depend exclusively either on state-provided arms or on regime's funding. Unlike many state-manipulated groups, such as Colombia's AUC or Northern Ireland's UVF (Silke, 1998), state-parallel militias are careful to avoid drawing their funding from criminal activities and seek to distance themselves from criminal groups. The state-parallel militias' rejection of engaging into criminal activities takes us to the next characteristic intrinsic to such organisations.

Efforts to *legitimise themselves among the population* are an inextricable part of the state-parallel militias' agenda. Along with representation among and support from the regime's elites, state-parallel paramilitaries seek legitimacy and acceptance among the population, which they claim to protect and represent. Instead of limiting their immediate objectives to "defending" selected communities or groups of individuals, as it is often the case with state-manipulated groups, state-parallel paramilitaries struggle to represent broader national interests and claim to protect the state, or the nation, as such (Murphy, 2003). Although in practice state-parallel militias emerge defending ethnic or sectarian interests of certain parts of the population, such as Shia *al-Hashed al-Sha'bi*, Arab *Janjaweed* or Yemeni Sunni Popular Committees, their pro-government stance enables them to portray themselves as protectors of national unity and territorial integrity of the state. Drawing their recruits and, in some cases, funding from among sympathisers within the population, similarly to insurgents, state-parallel militias manage to mobilise mass support and to achieve positive recognition. This often remains beyond the organisational

limits of state-manipulated death-squads or self-defence groups, whose legitimacy is questioned even by the very political elites on whose orders they act.

Similarly to Carey's et al. (2013) "semi-official" militias, state-parallel paramilitaries have a recognised legal status. However, in contrast to semi-official groups, governments lack means and resources to either control state-parallel militias or to substitute them with regular security forces (2013: 251). While some state-parallel groups are institutionalised as "volunteers" (Shia militias and Croatian battalions), others are customary, or even tribal forces (*Janjaweed* and *Kamajors*). State-parallel militias' affiliation with government does not merely grant them legitimacy, but legalises and justifies their "parallel-to-government" position.

Among the population, state-parallel groups position themselves as guarantors of security, stability and justice, performing functions which often remain unattended by weak state institutions. While the relationship between state-manipulated militias and the population, as detailed in studies on Colombian paramilitaries (Gutiérrez Sanín, 2008), is always uneasy and contentious, state-parallel militias seek to advert their organisations as grassroots movements embedded in local communities and, therefore, draw their legitimacy from collaboration with the population. As opposed to governments, often seen as corrupt and impotent, paramilitaries thriving on weak and inefficient system of central governance are seen by the population as providers of law and order.

This is not to say, however, that state-parallel militias do not perpetrate atrocities and human rights violations. Not only in the case of Ukraine, but also in many other conflict zones with the presence of state-parallel paramilitaries, instances of violence against civilians in rebel-controlled areas are widespread (Willgress, 2015). While atrocities committed by such state-parallel militias as Rwandan *Interahamwe* and Sudanese *Janjaweed* are falling under the international definition of genocide (Mitchell et al., 2014; Ahram, 2015), war crimes of Serb volunteer battalions during Yugoslav wars are no less serious examples of state-parallel paramilitaries' extreme violence against the civilian population. The key characteristic of excessive violence perpetrated by state-parallel militias, which distinguishes them from state-manipulated groups, is that state-parallel paramilitaries are keen to target *en masse* groups, or elements of the population, associated with rebels.

The past several years have witnessed the rise of such powerful and often foreign-supported insurgent organisations as pro-Russian separatists in East Ukraine, *Houthi* rebels in Yemen and ISIL in Iraq and Syria, which flourish at the expense of state weakness and pose a direct existential threat to governments. The emergence of paramilitary organisations capable of fighting these rebel armies on behalf of the state, but existing parallel to governments and remaining beyond their control, emphasises the growing importance of state-parallel militias. Quantitative analysis of the emergence of pro-government militias from 1970 to 2014 (see APPENDIX), reveals that state-parallel militias were almost non-existent prior to 1980, but became more widespread since the 1990s. Secessionist conflicts in post-communist countries and ethnic civil wars in Africa, as well as more recent religious and sectarian conflicts in Middle East, have contributed to state weakness and given rise to numerous state-parallel paramilitary organisations. In the early 2000s, there was also a peak in the emergence of state-manipulated militias. However, few new state-manipulated groups appeared over the past decade. Although the question as to why state-parallel groups emerge in the first place should constitute a topic for future research, most commonly this type of militias appear in response to state weakness and rebel strength. Additionally, the political will of domestic and international actors, as well as broader political economy of conflicts attribute to the paramilitary formation.

The following sections illustrate an empirical analysis of a state-parallel militia on the example of Ukraine's Volunteer Battalions. Since the phenomenon of state-parallel paramilitaries is sensitive to case selection, the choice of Ukraine's *volontery* as a single case is not unwarranted. Ukraine's paramilitaries represent all three major characteristics of state-parallel groups. They have military strength comparable to a regular army, they boast direct representation in the legislative branch and they seek popular legitimisation. This makes *volontery* similar to Iraqi *al-Sha'bi*, Sudanese *Janjaweed*, Rwandan *Interahamwe*, Lebanese Hezbollah and Libyan state-parallel armed organizations, but qualitatively different from, for example, Syrian *Shabiha*, or the Colombian AUC. Research on *volontery* began emerging only recently and existing studies – in line with this theory of state-parallel militias – put weight on historical and contextual causes of the paramilitary's emergence (Schnekener, 2014; Gilley, 2015).

Methods and data

The empirical analysis focuses on the armed conflict in Ukraine's eastern region of Donbas from the onset of conflict in April 2014 to the Minsk ceasefire agreement of September 2014. This study relies on in-depth qualitative open-ended interviews conducted by the author during the summer of 2015 in Ukraine's capital Kiev. Informants included former and current members of volunteer battalions, as well as former members of various informal groups incorporated into these paramilitary organizations, such as "Maidan Self-Defence" units. A total of 19 paramilitary informants, as well as six members of self-defence units, were interviewed on the condition of anonymity. The empirical goal of this study was not to obtain a representative sample of a selected group of informants, but to gather insider opinions and views of conflict participants in order to supplement the data from open sources with field observations. All interviewees were randomly selected in accordance with their experience within their respective organisations. Their contact details were obtained through volunteer support civil groups based in Kiev and Dnepropetrovsk. The selection criteria stipulated that each informant was a member of paramilitary groups for at least 60 days. Efforts were made to include opinions of at least four (4) unrelated to each other representatives of all major volunteer battalions. Each in-depth interview (conducted either in Russian or Ukrainian languages) was unstructured and lasted between 40 and 80 minutes. In addition, several dozen elite interviews were conducted with representatives of Ukrainian civil society (14), executive and legislative government (12) and mass media (6) in order to place paramilitary interviews in broader socio-political context.

The Rise of a Volunteer Army: From Battlefields of Euromaidan to Donbas

The emergence of Ukraine's Volunteer Battalions is closely associated with the February 2014 overthrow of Viktor Yanukovich's regime as a result of massive anti-government protests, termed as "Euromaidan". The four-month long standoff between protesters and the riot police ended violently after the President ordered the use of live

ammunition, which led to the death of over 70 protesters and resulted in Yanukovich's escape from the country. As leaders of Euromaidan were building a new governing coalition in Kiev, pro-Russian demonstrations began intensifying in Ukraine's eastern Russian-speaking region of Donbas. Following the March 2014 annexation of Crimea by the Russian Federation, pro-Russian protesters – armed and organised by Russian security services – in early April began the takeover of government buildings across eastern Donbas region. On April 13, Kiev announced the start of “anti-terrorist operation” (ATO) aimed at restoring the law and order in separatist held areas of major cities of Donbas region – Donetsk and Lugansk – as well as in adjacent districts. Yet, the deployment of Ukrainian conscript-based regular Army in the East was disastrous; while some Army units voluntarily joined rebels, others were disarmed and disbanded by the insurgents with little resistance (Kyiv Post, 2014). By the end of April, pro-Russian separatists announced the creation of two independent republics on the territory of Eastern Ukraine – Donetsk People's Republic (DPR) and Lugansk People's Republic (LPR). The start of Ukrainian military offensive, the ATO, was marked by a series of debacles experienced by Ukrainian security forces, followed by the expansion of separatist control over areas surrounding the DPR and LPR and Ukraine's loss of control over Russian-Ukrainian border.

The failure of Ukrainian armed forces to defeat the insurgency was not unexpected. As detailed by Kuzio (2000), inherited from the USSR, Ukraine's massive armed forces, which numbered 750,000 in 2000, saw little effective reform since the country's independence. By the start of ATO in April 2014, Ukraine's army consisted of roughly 130,000 personnel, of whom fewer than 6,000 men were ready to be deployed in action. With the start of armed conflict, due to draft evasion, which was recorded at its highest level, corruption and embezzlement in the army, numbers of those turning up voluntarily for military service have fallen sharply.

The official presidential decree to create paramilitary formations in support of the army and the National Guard was issued as early as in March 2014 (Ministry of Defense of Ukraine, 2014). Although the establishment of the so-called “territorial defence battalions” (*Batal`ony Territorial`noi Oborony* - Батальйони територіальної оборони) has started in earnest from early April 2014, it is not until the threat of separatist takeover of the key Black Sea port city of Mariupol and separatists' lightning advance all over the

eastern Donbas region that the inflow of volunteers gave birth to Ukraine's paramilitary force *volontery* (volunteers). The first wave of volunteers to join the battalions consisted of members of the so-called "Maidan Self-Defence" (*Samooborona*) units, which were formed during anti Euromaidan protests to protect peaceful protesters from pro-government enforcers and the riot police. By the end of Euromaidan in February 2014, the "Maidan Self-Defence" units were estimated to number up to 12,000 members (Ukrainskaya Pravda, 2014a). In the words of the founder and former commander of "Aidar" battalion, Serhiy Melnichuk, at the time when his battalion was created, all 250 of its members were from Euromaidan self-defence groups and due to their experience in street-to-street battles with the police, they "didn't need military training."² A handful of individuals enlisted in "Maidan Self-Defence" units were veterans of the Afghan War (1979-89) and some of the members of ultra-nationalist "Right Sector" had combat experience obtained while fighting alongside Chechen nationalist rebels during the First Chechen War.³ However, the vast majority of members of "Maidan Self-Defence" units – which formed the core of early volunteer battalions – and those who had joined these paramilitary groups at later stages of the conflict in Donbas had no first-hand military experience apart from the mandatory service in the Ukrainian army.⁴ Although many volunteer battalions are named after Ukraine's regions or geographical locales, such as Donbas, Aidar or Azov, the battalions have mixed membership with volunteers from all over the country, regardless of ethnic or regional origins, joining each of them.

All the King's Men: Volunteers' Military Strength

The number of volunteer battalions and their membership began to grow rapidly with the start of Ukraine's offensive in Donbas in July 2014. By the end of July, there were already over 30 battalions operating within the zone of ATO. At the time of this writing,

² Serhiy Melnichuk in his interview to Reuters on July 29, 2015.

³ Author's interview with a member of "Donbas" battalion, Kiev, July 14, 2015.

⁴ Author's interview with a former member of "Maidan Self-Defense" unit, Kiev, July 14, 2015.

the number of volunteer battalions has reached 44. Some estimates placed the strength of *volontery* at just over 5,000 men at the start of ATO (Shynkarenko, 2014). In 2015, the number of volunteer battalions' members is assessed to be anywhere between 10,000 and 30,000 fighters (Kramer, 2014). Bearing in mind that a total number of Ukrainian pro-government forces currently (as of August 2015) based in the zone of ATO, including regular army, the National Guard and paratroopers, stands at approximately 50,000 men, volunteer battalions account for more than half of that force. "Azov," "Donbas," "Aidar," "Right Sector" and "Dnipro-1" became the most well-known names of volunteer battalions. Famous due to their efficiency on the battlefield, their prominent role in Ukrainian government offensive in July-August 2014 and their ability to halt separatist onslaughts since the September 2014 ceasefire, volunteer battalions' members acquired reputation of Ukraine's authentic "war heroes" (Hyde, 2014).

As most combat-fit elements of Ukraine's military forces, volunteer battalions played a critical role in a large-scale government's offensive on separatists in July-August 2014. For example, one of the last government successes before the Russian-led separatist counter-offensive in August 2014 was the capture of Ilovaisk – which later fell back to rebels – executed by four volunteer battalions, spearheaded by "Donbas" battalion. Similarly, government's recapture of the major port city of Mariupol had been advanced by the "Azov" battalion. Volunteer battalions' superiority over the conventional armed forces of Ukraine is not only engendered in their numbers and high spirits of their members, but also in them being better equipped and paid than the army. In his interview to Reuters in March 2015 (Baczynska, 2015), the commander of "Azov" battalion, Andriy Biletsky, stated that his paramilitary organisation has heavy artillery and is in a process of creating a tank unit. According to a number of government officials, most volunteer battalions currently have in their disposal heavy weaponry, including long-range artillery, as well as armoured vehicles.⁵ In comparison to less than US\$100 per month salary of a Ukrainian army private participating in the ATO, the monthly salary of rank-and-file paramilitary fighters is between US\$400 (in "Azov") to US\$1,000 (in "Dnipro-1") (Shynkarenko,

⁵ Author's interviews with independent Ukrainian journalists and bloggers, Kiev, July 21, 2015.

2014). Keeping in mind, that Ukraine has one of the highest unemployment rates in the former Soviet Union, service in volunteer battalions appears very attractive for many. Not surprisingly, as revealed by the leader of “Azov” battalion, the flow of volunteers to his battalion consisted of individuals aged between 18 and 62 years old, including homeless and pensioners.⁶

Volunteer battalions’ military strength is partly derived from their relative financial independence from the State. Although Ukraine’s paramilitary battalions are funded through a variety of sources, one of the most prominent of these is the covert support of battalions by Ukraine’s numerous oligarchs. For example, the volunteer battalion “Dnipro-1”, based in the eastern city of Dnipropetrovsk, stands out among other paramilitary units with primarily grassroots origins in that it was founded and continues to be financed by a well-known oligarch and the former governor of Dnipropetrovsk, Igor Kolomoisky. In the early days of ATO, while pro-Russian separatists were rapidly advancing towards the banks of Dnipro River, Kolomoisky had little hopes in the Ukrainian army’s ability to halt the rebel advance on Dnipropetrovsk. According to unofficial estimates (Hirst, 2015), an army of 20,000 men armed with heavy weaponry had been amassed and fully funded by Kolomoisky during the summer of 2014. Kolomoisky is also known to provide financial “patronage” to two other most influential volunteer battalions, “Donbas” and “Azov.”⁷

Between Trenches and the Parliament: Political Representation

The murky relationship between the country’s oligarchs and paramilitary armies is further complicated by the volunteer battalions’ direct association with political elites. Rather than operating as shadowy self-defence groups in the spirit of classical SMPs, Ukraine’s volunteer battalions enjoy direct representation in the country’s legislative branch *Verkhovnaia Rada* (the Parliament). The scale and scope of the involvement of volunteer battalions’ leadership in post-Euromaidan political life is impressive. For

⁶ Serhiy Melnichuk in his interview to Reuters on July 29, 2015. See Elisabeth Piper, “Special Report: Ukraine struggles to control maverick battalions,” *Reuters*, July 29, 2015.

⁷ Author’s interview with a member of “Dnipro-1” battalion, Kiev, July 14, 2015

instance, the leader of “Donbas” battalion, Semen Semenchenko, was elected in the 2014 Parliamentary Elections as an MP (second on the party list) for Samopomosch Party. Serhiy Melnichuk, the former commander of “Aidar” Battalion was also an MP (third on the party list) of the oppositional Radical Party of Oleh Lyashko until he was excluded from the party in 2015. Andriy Biletsky – the leader and founder of “Azov” Battalion – is an independent MP representing in *Verkhovnaia Rada*, one of the districts of the capital city Kiev. The “Azov” Battalion is also under the direct patronage of Oleh Lyashko, the leader of the Radical Party. Dmytro Yarosh, the Commander of the far-right “Right Sector” battalion is an MP for his own party. Unlike all of the above paramilitary commanders, who are in opposition to the governing coalition, the Commander of “Dnipro-1”, Yury Bereza, was elected as an MP for the governing People’s Front party (10th on the list). Despite Bereza’s association with Prime Minister Arseniy Yatsenyuk’s party, political affiliations of the most powerful leaders of paramilitaries suggest that their loyalty to Poroshenko’s government is, at least, nominal.

Direct representation in Ukraine’s executive branch ensured volunteer battalions’ legitimacy and legal protection. From the first moments of their inception, *volontery* were given the legal status of “territorial self-defence units” and were subordinated either to the Ministry of Interior (as parts of National Guard) or the Ministry of Defence (as defence battalions). Nonetheless, the emergence and rise of *volontery* occurred in a complete legal chaos. While Donbas and Azov battalions were legally incorporated into the National Guard, “Dnipro-1,” “Aidar” and “Shakhtar” allegedly remained under the jurisdiction of the Ministry of Defence as “territorial defence” or “special purpose” battalions in accordance with the Presidential decree of September 02nd 2013 regarding “the approval of territorial defence of Ukraine”. Others, such as the “Right Sector” and another ultra-nationalist group – the “OUN Battalion” – remained in a legal vacuum until mid-2015 when following an announcement from the Ministry of Defence (Gordon, 2015), the “Right Sector” was “integrated” into the armed forces.

Given the weakness of Ukraine’s army and its inability to perform counterinsurgency tasks – most of which are currently being conducted by volunteer battalions – *volontery* are confident in their superiority. Despite the official claims that all

volontery are under the direct control of ATO's command,⁸ the evidence shows that paramilitary battalions obey Kiev's orders as long as they are aligned with the battalions' goals and objectives, such as the standoff between the members of the "Azov" Battalion and the government troops, which occurred in April 2015 near the village of Shirokino in the district of Mariupol, when "Azov" fighters refused to leave the village and, with relative ease, were able to impose their will on the army command. In his interview to *Kyiv Post*, Semenchenko hinted that after war in the East was over, *volontery* might have to take fight to Kiev's government offices in order to "weed out" corrupt politicians.⁹ The fact that *volontery* battalions are not directly accountable to anyone but their immediate leaders is well known and understood in Kiev.¹⁰ For example, in March 2015, fighters of Kolomoisky's "Dnipro-1" Battalion were ordered by the oligarch to block offices of the UkrTransNafta bank after the bank's CEO – Kolomoisky's associate – had been removed from his job (Balmforth, 2015). This move was described by Kolomoisky as a necessity to protect the company's facilities from "Russian saboteurs."

Threats of military coup – in case the officials in Kiev either agree on the special status of Donbas region or cede occupied territories – have been reiterated not only by the leadership of the right-wing "Right Sector" Battalion, but also by more moderate commanders of "Donbas" battalion. Concerns by government officials over serious threats posed by members of *volontery* had been voiced by Elena Yakhno, the Spokeswoman for Kiev's Prosecutor General, who quoted the Prosecutor General commenting the following about the fighters of the "Aidar" Battalion who staged a protest in Kiev in November 2014: "... it is one thing when they protect the state in the East and it is another thing when they appear in cities with their weapons. Particularly in the capital, I consider it an internal threat ... they can't be ignored, they can easily attempt to overthrow the government." In early July 2015, verbal confrontations between paramilitary leaders and Kiev officials escalated

⁸Interview of Ukraine's Minister of Defence, Stepan Poltorak, with the German newspaper *Die Zeit* in August 2015.

⁹ Semen Semenchenko's interview to *Kyiv Post* on August 24, 2014.

¹⁰ Author's interview with an official at the Ukraine's Ministry of Interior, Kiev, July 12, 2015.

into a shootout between security forces and the “Right Sector” fighters in the town of Mukachevo. At a massive rally attended by several thousand protesters that was organised by the “Right Sector” in the centre of Kiev, following the violent incident, paramilitary commanders openly announced their readiness to “change” the regime unless it took a tougher stand on the issue of the occupied territories in the Donbas region and tackled the corruption. The “Right Sector’s” capacity to stage audacious mass rallies in its support in the capital and other big cities, as well as other battalions’ ability to move their armed fighters freely around the capital and threaten the government as they see it fit is not only derived from the political legitimacy of volunteer battalions but is also engendered in widespread popular support that these groups enjoy.

People’s Army: Popular Support

Volontery’s pivotal role in standing up to Russian aggression and in successfully halting separatist military advances in the East – particularly after the failure of Ukrainian security forces to achieve either of these tasks – has earned them broad popular support and recognition. A representative survey, conducted by the Kiev International Institute of Sociology in December 2014, revealed that over 30% (over 50% in the West and 19% in the East of the country) of the Ukrainian public thought that volunteer battalions are the “military-patriotic elite.” Another 25% believed that *volontery* will serve as a background for reforming the Army and security services. A smaller percentage of respondents (16%) were concerned that *volontery* are “private armies” of oligarchs and only 10% said that *volontery* pose a threat to the government and can potentially stage a coup d’état. The same survey has captured markedly high levels of popular trust towards the *volontery*: out of maximum of 10 points of trust, every fourth respondent gave volunteer battalions 7.3 points (the highest among all other institutions on the list). These figures sharply contract popular trust towards the government, which only scored 4.5 points, and towards the official security services which received 3.8 points (Ukraine Today, 2014).

Instead of creating an image of brutal counterinsurgents, typical to self-defence paramilitaries, volunteer battalions have struggled hard to present themselves as a

“people’s army” that fights a “people’s war.”¹¹ Juxtaposing themselves to the government, which is increasingly seen as corrupt and “infested” by oligarchs, volunteer battalions, despite their fairly open association with those political forces which they accuse of corruption and nepotism, seek to create an image of grassroots popular movements. *Volontery*’s virtually unchallenged monopoly on the use of violence and their ability to confront the regime are further enhanced by their relative financial independence from the State. While a share of volunteer battalions’ funding is siphoned off by Ukraine’s oligarchs and other elites with political interests, a significant portion of paramilitaries’ funding is derived from private donations made by the public. Extensive fundraising campaigns for volunteer battalions are implemented through both social media where *volontery* are vocally represented and door-to-door campaigns.¹²

Given the fact that the Ukrainian State, which is strapped for cash and severely crippled by the economic crisis, is unable to equip and supply official armed forces, private support constitutes a vital source of funding not only for volunteer units but also for the Army. As detailed by a member of Ukraine’s regular armed forces, his family had to spend over US\$2000 to purchase uniform and body armour, none of which had been provided by the Army, which only issued him an old Kalashnikov assault rifle (Luhn, 2015). In the words of Alexander Glyadelov (Hyde, 2014), a Ukrainian journalist embedded with the “Donbas” battalion, “[t]he government is only providing weapons and even those not to everyone, and not of the best quality.” In light of this, the role of private donations and non-combat volunteers offering assistance with supply, logistics, technical maintenance, medical aid and many other issues remains crucial for the survival of volunteer battalions.¹³

In order to maintain the image of “people’s army,” *volontery* have shunned involvement in criminal activities and sought to counter accusations that some of their members were convicted criminals (Zhurnal Zhytomira, 2015). For example, the leader of “Azov” Battalion, Biletsky, describes his previous conviction for an armed assault as

¹¹ Author’s interview with a civil society representative at the “Reanimation Package of Reforms”, Kiev, July 18, 2015.

¹² Author’s interview with a Ukrainian journalist, Kiev, July 25, 2015.

¹³ Author’s interview with a former member of “Donbas” battalion, Kiev, July 18, 2015.

politically motivated (Bereza, 2014). Regardless of several attempts to refine their popular image, accusations of human rights violations and war crimes committed by volunteer battalions were plentiful. Among others, “Aidar” has come under the harshest criticism from the Amnesty International for alleged war crimes, which included torture, theft, extra-judicial executions and rape (Amnesty International, 2014). In June 2015, in an unprecedented move to address international accusations, the *Verkhovnaia Rada* stripped the former leader of “Aidar” Battalion, Melnichuk, of parliamentary immunity from prosecution, accusing him and other members of the battalion of raiding private businesses in the region of Lugansk. As of August 2015, the case against Melnichuk has not proceeded any further and no arrest warrant has ever been issued. Bearing in mind that Melnichuk left the battalion in early 2015 and had been replaced in February by Yevhen Ptashnyk as the battalion’s Commander, his prosecution – provided that it ever occurs – would hardly affect the battalion’s public image. Unable to challenge such powerful volunteer battalions as “Donbas” or “Azov,” the government, however, sought to weed out less significant rogue elements of the paramilitary cohort. In September 2014, an unnamed volunteer battalion has been disbanded by the Ministry of Interior for engaging in what the Minister of Interior, Arsen Avakov, described as “plunder and the violation of discipline” (Liga Novosti, 2014).

All of the above, however, did not seem to affect either the popular support for *volontery* or their position vis-à-vis the government. As the bulk of war crimes and human rights violations cases raised against the *volontery* were allegedly committed in rebel-controlled eastern regions of the country, these rogue behaviours of paramilitaries were simply perceived as part of the “necessary evil.”¹⁴ Instead, Kiev’s efforts to reign in volunteer battalions are seen by the latter as a sign of fear on part of corrupt government officials, who in the words of the “Right Sector’s” Commander, Dmytro Yarosh, “will soon be cleared off their offices.”¹⁵ Since statements of this nature are increasingly popular among the broader public, unhappy with the slow pace of reforms and the failure of post-Euromaidan government to follow on with its promises, the paramilitaries’ legitimacy vis-à-vis the State remains solid.

¹⁴ Author’s interviews with representatives of civil society, Kiev, July 15-24, 2015.

¹⁵ Dmytro Yarosh, in his speech during “Right Sector’s” rally on Maidan on July 21, 2015.

Conclusion

This article suggested that state-parallel militias is a relatively under-researched type of paramilitaries that differs from state-manipulated paramilitaries. In contrast to state-controlled militias, state-parallel paramilitaries have superior military strength which the state needs to ensure its survival. These organisations function, at least on paper, within legal frameworks and have strong political representation, sustained not only through obscure links with the country's financial and political elites, but also via direct representation by elected and appointed officials. They also enjoy popular support and broad recognition among the population, even though both the former and the latter might be limited to representations of titular ethnic or sectarian groups. Despite their apparent embeddedness into the state's structures, these organisations are fiercely independent from the state. They also have their own sources of funding. All of the above enables paramilitaries to act and function parallel to government. The weakness of the state and the presence of strong armed opposition to the state, such as a rebel movement, are essential for the emergence and rise to prominence of state-parallel paramilitaries, who might thrive only under the combination of these two factors. It is worth noting that, just as in the case with state-manipulated groups, lumping all state-parallel paramilitaries into one monolithic category is erroneous and it must be emphasised that the degree of these organisations' military superiority vis-à-vis the state or their political representation may differ from one case to another. Nevertheless, a combination of military strength, political representation and popular support has played a prominent part in each case of state-parallel paramilitaries' appearance.

The emergence of Ukraine's volunteer battalions, discussed here as an example of an state-parallel paramilitary organisation, provides empirical insights into inherent organisational, operational and functional differences between this type of paramilitaries and their contemporaries, described here under the term state-manipulated militias. With their primary purpose of protecting the state from the military superiority of insurgents, rather than being created to perform state's "dirty jobs," Ukraine's *volontery* had effectively substituted the army during the summer of 2014 government's offensive on pro-

Russian separatists functioning as a primary counterinsurgent. Their emergence, despite legally sanctioned by the state, began beyond the state's control and with its limited assistance or interference. Self-appointed leaders of volunteer battalions skilfully manoeuvred through Ukraine's political sphere, allying themselves with oligarchs and opposition parties and eventually becoming democratically elected to the Parliament.

These findings offer a number of policy implications for international community. Firstly, due to state-parallel militias' higher capacity to engage in violence, their presence in conflict zones might be expected to escalate conflicts and to complicate peace-making efforts. Unlike state-manipulated paramilitaries, which commonly seek to remain outside of state structures, state-parallel militias are keen to present their organisations as key conflict stakeholders. Secondly, the emergence of state-parallel paramilitaries is to be expected in situations of state weakness and the presence of armed conflict. Efforts by the international community to alleviate state failure and to prevent escalation of civil wars might prevent the mobilisation of paramilitaries in the midst of conflict. Lastly, the existence of powerful state-parallel groups presents further challenges to state-building. Governments with an experience of relying on state-parallel militias might face difficulties in restoring their power and dissolving powerful paramilitary groups.

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