THE ROOTS OF RESTRAINT IN WAR

ICRC

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ACKNOWLEDGEMENTS

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FOREWORD

It is a pleasure to introduce this new study on restraint in war. It is the fruit of an interdisciplinary, cross-sector partnership between the International Committee of the Red Cross (ICRC) and distinguished scholars from around the world. For us, it marks an important step forward in understanding the sources of influence on soldiers and fighters when it comes to respect for the principles and norms of international humanitarian law (IHL).

As the title suggests, the study aims to better identify the roots of restraint – the factors that induce weapon bearers across the spectrum to observe certain limits when engaging in armed violence and to preserve a minimum of humanity even in the heat of battle. The researchers' insights into the culture and practices of two State militaries and several types of non-State armed group reveal various political, ethical and socio-economic reasons why different parties to conflict behave as they do. The key is socialization – the process by which norms and rules become socially accepted and then fulfilled on the battlefield.

The ICRC has a long history of working with State armed forces and non-State armed groups in a constant effort to foster respect for the rules of war at the strategic, operational and tactical levels. To this end, we work with senior commanders, policy-makers and front-line fighters across the world to promote the integration of humanitarian norms and IHL into their training and decision-making.

Accordingly, the ICRC's approach has traditionally relied on established systems of command and control, so that IHL is valued and respected throughout the chain of command, and every fighting unit has a basic knowledge of the legal norms. This goes some way towards socializing those norms, but not the whole way. The study shows that we can do better by understanding how a culture of restraint is socialized, not only formally and vertically, from the top down, but also informally and horizontally. It opens up new avenues for ensuring that the basic principles of IHL are embedded in the DNA of all members of armed forces and armed groups.

Today's conflicts are characterized by a plethora of armed actors with differing goals and ideologies. There is also a growing tendency for conflicts to be fought in coalitions, with a number of States joining forces or State militaries partnering with non-State armed groups to achieve a given, shared purpose. This makes it all the more important that we gain a better idea of the many and varied ways in which these forces inculcate respect for humanitarian norms, and thus restraint, in their members, and what external influences there may be. By improving our understanding of these processes and influences, we can work more effectively with all parties to armed conflict to ensure civilians, detainees, wounded people and others protected by the rules of war are treated humanely in accordance with IHL.

I thank everyone involved in the research, coordination and funding of the various studies. I commend their important findings to all those who are committed to bringing about greater restraint in the exercise of armed violence. The novel insights from this research are of direct relevance to the ICRC and military authorities. They will help us further strengthen the "roots of restraint" and thus, we hope, make a greater impact on the conduct of many of today's protracted armed conflicts.

Professor Gilles Carbonnier
Vice-President
International Committee of the Red Cross

EXECUTIVE SUMMARY

As the reference organization on international humanitarian law (IHL), the International Committee of the Red Cross (ICRC) seeks to ensure that the rules and norms aimed at restraining the destructive forces of armed conflict are known and respected by soldiers and fighters around the world. This report is a contribution to that endeavour.

The report, based on two years of research by a group of distinguished scholars, sets out to identify the various sources of influence on the behaviour of those bearing arms in different types of armed forces and armed groups. To date, the bulk of the ICRC's work in this domain has centred on State armed forces and on ensuring that IHL is incorporated into their doctrine and directives, into the regular training of soldiers and into the disciplinary mechanisms designed to enforce compliance with the rules. As such, it has focused predominantly on the formal norms prescribed by IHL.

The ICRC has also engaged with many non-State armed groups, encouraging them to adopt codes of conduct to align the behaviour of their fighters with the norms of IHL. But the nature of armed conflict has changed over the last decade, particularly in the proliferation of non-State armed groups that do not have a central hierarchical structure through which to transmit, and train members in, the rules of IHL. This has necessitated new research into how both formal and informal norms condition behaviour in the wide array of armed groups encountered in the ICRC's work, and how ICRC staff might promote restraint within their ranks.

This report draws on a rich body of empirical studies seeking to explain armed-group behaviour. Two constants stand out: first, there is considerable variation in the patterns of violence and restraint between and within armed organizations, and in the beliefs, mechanisms, resources and people that influence their behaviour; second, those variations may also change over time. Therefore, rather than formulating new directives for the ICRC to adopt in its dealings with armed forces and armed groups, the report offers a framework of analysis to assist its staff in situating armed groups on a spectrum according to their organizational structure. It further explains how the transmission and adoption of norms might occur in these groups depending on where they fall on the spectrum. The report then suggests approaches that might be adapted effectively to specific contexts.

MAJOR FINDINGS

1. Integrating the law into doctrine, training and compliance mechanisms in centrally structured armed forces and armed groups increases restraint on the battlefield. The intensity of training and how norms are taught make a difference, and adherence is best tested under duress.

2. An exclusive focus on the law is not as effective at influencing behaviour as a combination of the law and the values underpinning it. Linking the law to local norms and values gives it greater traction. The role of law is vital in setting standards, but encouraging individuals to internalize the values it represents through socialization is a more durable way of promoting restraint.

3. Understanding the structure of armed groups is a first step in identifying potential sources of influence over their behaviour. The more decentralized the armed group, the more the sources of influence are external to the group.

4. By focusing on restraint as well as violence, we broaden our understanding of who or what influences behaviour. Analysing patterns of violence can help to pinpoint instances where restraint has been exercised.

5. Youth make up the bulk of present and future fighters. Finding innovative and locally adapted ways to reinforce norms of humanity among them, including via digital media, is essential.

6. External entities are able to influence the behaviour of armed forces and armed groups. Making it a criminal offence for humanitarian organizations and local communities to interact with armed groups is counterproductive and hampers efforts to promote respect for humanitarian norms.

INTRODUCTION

This publication, based on two years of research by a group of distinguished scholars, is an update of the ICRC's 2004 study, *The Roots of Behaviour in War*.[1] The original study explored the social and psychological processes that condition the behaviour of soldiers and fighters during armed conflict, and sought to identify ways in which the ICRC might persuade them of the need to comply with the rules of war contained in the four Geneva Conventions of 1949 and other instruments of international humanitarian law (IHL).

The study's findings led to significant policy changes at the ICRC. The organization expanded its focus from making the law better known to pursuing more robust efforts to ensure that the legal framework was incorporated into the inner workings of armed forces and armed groups. Recognizing the importance of group conformity[2] and obedience to authority[3] in conditioning behaviour, the study recommended that the ICRC encourage armed forces to integrate IHL into their doctrine and training and to apply sanctions for breaches of the law. In other words, the ICRC's role was to persuade armed forces to make respect for IHL a clear command within their ranks and to advise and assist them in developing related training programmes and compliance mechanisms. The original study also recommended that the ICRC approach the teaching of IHL as a legal and political issue and not as a moral one – to give precedence to legal norms over the values underpinning them, since the latter were seen to shift according to the reasons for, and way in which, conflicts were fought. The policies that ensued were dubbed the "integration approach" and have since guided the ICRC's efforts to promote adherence to IHL among a wide variety of armed forces and armed groups.

Just over a decade later, this report revisits some of the findings of that study in light of the changes in the nature of conflict and of armed groups that have taken place in the intervening years. It also benefits from the burgeoning academic and policy attention to the issue of armed-group behaviour.[4]

PURPOSE OF THE STUDY

The principal objectives of this new study are twofold. First, the research sets out to deepen the ICRC's understanding of some of the processes and mechanisms influencing behaviour that were identified in the earlier study, seeking evidence of what works best. Of particular interest are the impact of IHL training on behaviour and the pedagogic methods judged to be most effective by soldiers themselves. The "integration approach" is unpacked to assess which aspect of the model – knowledge of the law, training in the law, or threat of punishment under the law – has a greater influence on behaviour, and how it compares with the influence of informal norms, particularly peer-group conformity.

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1   Daniel Muñoz-Rojas and Jean-Jacques Frésard, *The Roots of Behaviour in War: Understanding and Preventing IHL Violations,* ICRC, Geneva, 2004.

2   Dave Grossman, *On Killing: The Psychological Cost of Learning to Kill in War and Society,* Little, Brown and Company, New York, 1995, updated 2009; Christopher R. Browning, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland,* HarperCollins, New York, 1992.

3   The seminal work cited being Stanley Milgram's *Obedience to Authority: An Experimental View,* Harper & Row, New York, 1974.

4   See, for example, Hyeran Jo, *Compliant Rebels: Rebel Groups and International Law in World Politics,* Cambridge University Press, Cambridge, 2015; *Humanitarian Exchange,* No. 58, July 2013, special issue on humanitarian negotiations; Geneva Academy of International Humanitarian Law and Human Rights, *Reaction to Norms: Armed Groups and the Protection of Civilians,* Policy Briefing No. 1, Geneva, January 2014; and Geneva Call, "Exploring Criteria & Conditions for Engaging Armed Non-State Actors to Respect Humanitarian Law & Human Rights Law", Conference Report, Geneva, 4-5 June 2007.

Second, the study encompasses the growing number of non-State armed groups that have emerged in recent years and that do not have a vertical, hierarchical structure suited to the "integration approach". How can we encourage members of these horizontally organized armed groups to adopt norms of restraint? Are they as fragmented and unstructured as often depicted, or do they have clear sources of influence over their behaviour? If so, how can we identify and seek to influence the influencers?

The report begins here by contextualizing the issue of armed-group behaviour within today's broader political environment, highlighting some of the major emerging challenges to ensuring the safety of civilians in armed conflict. It then briefly explains the study's methodological approach. Chapter 1 provides an overview of what we mean by norms of restraint, why organizational structure is relevant, and how norms are instilled in members of armed forces and armed groups through socialization. Chapters 2 to 5 present the findings of empirical research conducted with four types of armed group, exploring in each case the sources of influence over the development of norms of restraint. Chapter 6 draws together the findings most applicable to the work of humanitarian organizations and proposes a framework to guide analysis and reflection on factors to take into account when seeking to influence the behaviour of soldiers and fighters.

MORE ARMED CONFLICTS, MORE ARMED GROUPS

Important new trends over the last decade have raised profound challenges for humanitarian organizations. To begin with, the number of armed conflicts around the world has risen significantly over the last decade and a half. According to the ICRC's legal classification, the number of non-international armed conflicts has more than doubled between 2001 and 2016, from fewer than 30 to more than 70.

The number of non-international armed conflicts has more than doubled between 2001 and 2016.

The number of parties fighting in these conflicts has likewise grown exponentially. ICRC data show that only one-third of conflicts today are between two belligerent parties: 44 per cent have between three and nine opposing forces, and 22 per cent have more than ten. Some conflicts have hundreds: by the end of the war in Libya in October 2011, 236 separate armed groups were registered in the city of Misrata alone,[5] and the Carter Center counted over 1,000 armed groups fighting in Syria in 2014.[6] The sheer numbers complicate efforts to understand and engage with these armed groups.

5   Brian McQuinn, *After the Fall: Libya's Evolving Armed Groups*, Small Arms Survey, Geneva, 2012, p. 13.

6   Carter Center, *Syria: Countrywide Conflict Report No. 5*, Carter Center, Atlanta, February 2015.

Exceptional forms of violence are, moreover, jeopardizing the progress made in inculcating restraint in war. Humiliation and perceived injustices and corruption have driven many new recruits into the arms of self-proclaimed jihadist groups.[7] These groups have proliferated and spread through the Middle East, Africa and Asia, aided, amongst other things, by the rapid expansion of low-cost telecommunications technology and social media platforms. In 2017, some 40 per cent of States experiencing armed conflict were confronting jihadi groups, and the vast majority of all foreign interventions are currently against armed groups with a jihadist agenda. The extreme and sometimes indiscriminate violence practised by some jihadi groups has prompted many States to enact harsh counterterrorism laws that risk eroding the very freedoms that these States profess to be protecting. Pronouncements by several leading politicians of the desire to see fighters from Islamic State group killed rather than detained or prosecuted radically departs from longstanding international law on the treatment of captured or surrendered fighters.[8]

> *Armed conflicts are increasingly fought in cities, leading to heavy civilian casualties and the destruction of vital infrastructure.*

Armed conflicts are increasingly fought in cities, leading to heavy civilian casualties and the destruction of vital infrastructure such as power grids and water-treatment plants. The interconnectivity of infrastructure means that the loss of one such service will have a knock-on effect on other services and hamper efforts to repair damage.[9] Explosive weapons with a wide impact area are more likely to be indiscriminate when used in densely populated zones, with devastating consequences for the civilian population, as was seen in Aleppo, Mosul and Raqqa.

Lastly, several powerful States are increasingly outsourcing warfare to human and technological "surrogates"[10] in order to maintain a geographical distance from the battlefield and ease the domestic costs of direct involvement. This may take the form of logistical, training, intelligence, advisory, air or other support to belligerent parties. While such support generally goes to State military forces, it may also be directed to private security companies, non-State armed groups, militias and community vigilantes working at the behest of the domestic State. The increasing use of cyber warfare, remote technologies such as surveillance and combat drones, and the development of autonomous weapon systems create further distance. Taken together, both human and technological "outsourcing" can be seen as an attempt to dilute responsibility for battlefield conduct, as State sponsors eschew accountability for the actions of their partners (despite their legal obligation to ensure respect for IHL), while the use of such surrogates and the detachment of drone operators from their targets make it

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7   See the work of Scott Atran, who has extensively studied the factors that drive recruits to these groups. See also the debate between Olivier Roy and Gilles Kepel on whether the growth of jihadism is about the Islamicization of radicalism or the radicalization of Islam. For a brief overview, see Adam Nossiter, "'That Ignoramus': 2 French Scholars of Radical Islam Turn Bitter Rivals", *The New York Times*, 12 July 2016.

8   See Anne Barnard, "Red Cross warns of 'dehumanizing' rhetoric in ISIS fight", *New York Times*, 26 October 2017. Unfortunately such statements persist; see Jessica Elgot: "British Isis fighters should be hunted down and killed, says defence secretary", *The Guardian*, 8 December 2017.

9   ICRC, *Urban Services during Protracted Armed Conflict: A Call for a Better Approach to Assisting Affected People*, ICRC, Geneva, 2015.

10 Andreas Krieg and Jean-Marc Rickli, "Surrogate warfare: The art of war in the 21st century?", *Defence Studies*, January 2018, pp. 113–130.

easier to dehumanize the enemy. As Alex Leveringhaus said in a recent blog, "Far from ushering in an age of more humane warfare, the introduction of new, distance-enhancing combat technologies may, in reality, undermine more informal violence-restricting norms."[11]

RESEARCH APPROACH

The present study sought to identify sources of influence over the development of norms of restraint in four types of armed group, two with centralized organizational structures and two with flatter, more horizontal structures. Within each category, research focused on two armed forces or groups, for a total of eight subjects. The groups identified were not necessarily parties to armed conflict according to the criterion for legal classification under IHL.

Chapter 2 summarizes quantitative and qualitative research conducted by Andrew Bell with, respectively, 409 and 1,030 members of the Australian and Philippine armies. Through interviews and experimental surveys posing hypothetical scenarios, the research teased out the relative importance of different sources of influence on combatant views. This research constitutes the first-known survey of active-duty combatants in State armed forces on issues regarding IHL, combat ethics and conduct towards civilians during conflict, providing unique insights into socialization mechanisms in State armed forces.

Chapter 3 presents the findings of research in Colombia led by Francisco Gutiérrez Sanín on patterns of violence and restraint by the *Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo* (FARC-EP) and the *Ejército de Liberación Nacional* (ELN). Based on extensive data from the *Registro Único de Víctimas* (RUV) database of violence against civilians,[12] and supplemented by 115 interviews with former and active combatants, victims and social entities, the research sheds light on the role of armed-group structure and ideology on behaviour.

Chapter 4 explores sources of influence on two jihadi groups in northern Mali, Ansar Dine, active in the Kidal region, and the Movement for Unicity and Jihad in West Africa (MUJAO) in Gao. Yvan Guichaoua and Ferdaous Bouhlel looked at changes in the behaviour and sources of influence of the two groups between when they contested power and when they governed in their respective regions. Data sources included speeches and radio broadcasts, official documents and statements made by the groups, along with interviews with people close to the groups and those who observed their behaviour first-hand.

Lastly, research for Chapter 5 focused on *gelweng*, *titweng* and *gojam* armed cattle-keeping groups of the south-western Dinka communities (former Lakes State), north-western Dinka communities (former Warrap State) and western Nuer communities (former Unity State) respectively in South Sudan. The research, led by Naomi Pendle between July 2016 and August 2017, built on ethnographic studies she and her team undertook in the country between 2009 and 2015. Data sources included interviews with cattle keepers and their families, community leaders, politicians, spiritual leaders and community members, and was supplemented by analysis of press articles and the content of bull songs sung by the cattle keepers.

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11   Alex Leveringhaus, "Autonomous weapons mini-series: Distance, weapons technology and humanity in armed conflict", *Humanitarian Law & Policy* (blog), 6 October 2017.

12   https://www.unidadvictimas.gov.co/

NORMS OF RESTRAINT, ORGANIZATIONAL STRUCTURE AND SOCIALIZATION

This chapter provides an overview of what we mean by norms of restraint, why organizational structure is relevant, and how norms are instilled in armed forces and armed groups through socialization processes.

1. NORMS OF RESTRAINT

This report explores restraint, defined here as behaviour that indicates deliberate actions to limit the use of violence. Most scholars of armed conflict, and organizations such as the ICRC, tend to focus on documenting and understanding the use of excessive violence by those bearing weapons, especially that which violates IHL.[13] The more common violations witnessed today include attacks on non-combatants, disproportionate attacks, the use of indiscriminate weaponry, forced displacement, sexual violence, and attacks on health-care infrastructure and personnel. But work over the last decade by several scholars, mentioned below, demonstrates the utility of broadening the scope to identify instances or patterns of restraint. A reduction in the frequency or type of violence used against civilians in a given conflict, or respect for a previously disregarded symbol, structure or person protected under IHL, can shed light on the sources of this restraint and on previously unknown influences on behaviour. It can also indicate the extent of commanders' control should restraint be shown by their fighters in one instance and not in another. The sparing of Kodok hospital during a violent attack on the town in 2017 (see box) is one such case.

Sparing the Kodok hospital: An example of restraint
During a three-way clash between armed actors in Kodok, South Sudan, in April 2017, the entire town was looted except for the hospital. This instance of restraint stands out markedly from the looting and destruction of health facilities that have characterized the violence affecting the country for the past four years. Having been informed by all sides that fighting was likely to reach the town, the ICRC evacuated hospital staff and patients and padlocked the wooden doors. To their surprise, they returned to find that only items in the outer hospital compound had been looted. The padlocks remained in place.

This show of restraint enabled the ICRC to reflect on possible contributing factors. The organization had sent real-time messages to contacts at various levels of each command structure, stipulating that "the medical personnel and health facilities in Kodok must be respected at all costs". The specific request to spare Kodok hospital capped a broader, longer-standing dialogue with all levels of the hierarchy of the armed forces and armed groups in the country on the importance of adhering to humanitarian norms.

The receipt by the ICRC of an advance warning to evacuate the town attests to successful trust-building with all sides. Even so, the ICRC compound in Kodok was looted and the same approach failed to prevent attacks on hospitals elsewhere, suggesting that other factors were at play. Further analysis led to the conclusion that the desire to retain the population in place was a major factor in the ordering of the hospital's protection.

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13   See, for example, Stathis N. Kalyvas, *The Logic of Violence in Civil War*, Cambridge University Press, Cambridge, 2006; Hugo Slim, *Killing Civilians: Method, Madness and Morality in War*, Columbia University Press, New York, 2008, reprinted 2010; Benjamin A. Valentino, "Why we kill: The political science of political violence against civilians", *Annual Review of Political Science*, Vol. 17, May 2014, pp. 89–103.

This case demonstrates that commanders in South Sudan have more control over the intensity and targeting of violence than is sometimes claimed, and can potentially play a greater role in preventing violations.

Restraint can be conceptualized in different ways.[14] In his analysis of why violence escalated to genocide in Rwanda but not in Côte d'Ivoire, Scott Straus identifies sources of de-escalation and restraint.[15] Comparing historical patterns of violence in the Israeli-Palestinian conflict, James Ron advances the notion of what he calls "savage restraint" – the worst that, given past experience, could have been done, but was not.[16] And Elisabeth Wood explores why fighters from Sri Lanka's Liberation Tigers of Tamil Eelam (LTTE) engaged in many forms of extreme violence against the civilian population but rarely in sexual violence.[17] In each study, restraint was measured against a different benchmark: comparison with a similar case; comparison with past behaviour; and comparison with other forms of violence.

For this report, restraint is measured against the standards set by IHL. Comparisons between armed groups operating in the same context, and in relation to historical patterns of violence, also help to monitor improvements in the way civilians are treated. Genuine restraint should not be confused with restraint caused by mechanical factors: for example, attacks might decrease because of the mass desertion of fighters, the disruption of weapon supplies, or seasonal weather. Furthermore, comparing violence and restraint between armed groups requires that differences in size, capabilities and terrain be taken into account.

Although this report uses the norms of IHL as a benchmark for measuring restraint, there is a tighter version of restraint in counter-insurgency warfare known as "courageous restraint". It recognizes that while some civilian casualties might be lawful under IHL, incurring such casualties can undermine the very purpose of the military operation and increase civilian support for insurgents. Empirical evidence from Afghanistan confirms this assumption, finding that harm inflicted on civilians by the International Security Assistance Force (ISAF) increased support for the Taliban, while Taliban-inflicted harm on civilians did not increase support for ISAF.[18]

Identifying genuine restraint is challenging since it is essentially demonstrating a counter-factual: something that could have happened but did not. Francisco Gutiérrez Sanín and Elisabeth Wood have developed a framework to track patterns of violence that could be helpful in this endeavour.[19]

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14   We are grateful to Francisco Gutiérrez Sanín for a rich discussion on this issue.

15   Scott Straus, "Retreating from the brink: Theorizing mass violence and the dynamics of restraint", *Perspectives on Politics*, Vol. 10, No. 2, June 2012, pp. 343–362.

16   James Ron, "Savage restraint: Israel, Palestine and the dialectics of legal repression", *Social Problems*, Vol. 47, No. 4, November 2000, pp. 445–472.

17   Elisabeth J. Wood, "Armed groups and sexual violence: When is wartime rape rare?", *Politics & Society*, Vol. 37, No. 1, March 2009, pp. 131–161.

18   Jason Lyall, Graeme Blair and Kosuke Imai, "Explaining support for combatants during wartime: A survey experiment in Afghanistan", *American Political Science Review*, Vol. 107, No. 4, November 2013, pp. 679–705.

19   Francisco Gutiérrez Sanín and Elisabeth J. Wood, "What should we mean by 'pattern of political violence'? Repertoire, targeting, frequency, and technique", *Perspectives on Politics*, Vol. 15, No. 1, March 2017, pp. 20–41.
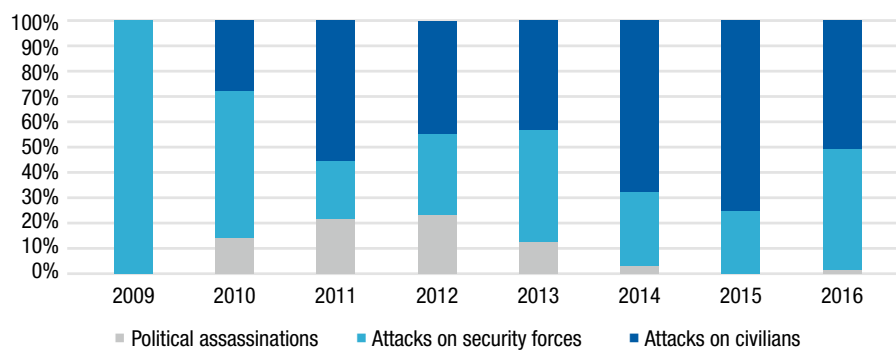
PATTERNS OF VIOLENCE

Documenting and analysing patterns of violence in an armed conflict can help to better understand that violence and to identify examples of restraint. A pattern of violence consists of the "repertoire" or type of violence regularly used (such as killing or forced displacement), and for each type observed, the target (who), the frequency (how often) and the technique or method used (for example, killing by machete or burning houses to evict residents). After the Islamic State group occupied parts of northern Iraq, for example, its repertoire of violence included sexual violence (type), against Yazidi women and girls (target), many times (frequency), using sexual slavery (technique).[20] Overall patterns can also be broken into sub-patterns that combine two variables, such as frequency and target, or type and technique, providing clues as to the fine print of a group's ideology or rationale for perpetrating violence.

Analysing patterns of violence is useful for the ICRC's field work in three ways. First, it can indicate changes in an armed group's behaviour over time. This can help pinpoint periods of restraint when the repertoire or target of the violence has narrowed or the overall use of violence has decreased. This in turn allows us to retroactively investigate possible reasons for, and thus possible influences on, the change of behaviour. At one point in the Colombian conflict, for example, the ELN ceased blowing up oil pipelines owing to pressure from conservationists – a group that the ICRC would not normally consider when mapping "actors of influence".

Tracking an armed group's pattern of violence over time can also help to predict violence and restraint. By documenting violence perpetrated by the Lord's Resistance Army between 1994 and 2003, Jessica Stanton demonstrated that the group tempered its violence during peace negotiations with the Ugandan government, but resumed it with renewed vigour each time one of the seven mediation attempts broke down.[21] The ability to predict periods of violence and restraint could guide preventive and remedial responses.

Having a solid record of an armed organization's pattern of violence also increases the persuasiveness of the ICRC's arguments in dialogue with the leadership (assuming that such dialogue is possible). For example, in discussions with Jamā'at Ahl as-Sunnah lid-Da'wah wa'l-Jihād (JASDJ – aka Boko Haram), the ICRC would be able to demonstrate that the group's tactics changed between 2009 and 2016 from exclusively attacking military targets to increasingly targeting those not belonging to the security forces (see Figure 1).

Figure 1: Targets of JASDJ violence 2009–2016.[22]

Legend: ■ Political assassinations   ■ Attacks on security forces   ■ Attacks on civilians

20 Mara Revkin and Elisabeth J. Wood, "The Islamic State's pattern of violence: Ideology and institutions, policies and practices", paper presented at the annual meeting of the American Political Science Association, San Francisco, 31 August–3 September 2017.

21 Jessica A. Stanton, *Violence and Restraint in Civil War: Civilian Targeting in the Shadow of International Law*, Cambridge University Press, Cambridge, 2016, p. 261.

22 We are grateful to Nathaniel Allen for providing this analysis based on data from the Nigeria Social Violence Project at Johns Hopkins University School of Advanced International Studies.

Second, analysing patterns of violence allows us to draw comparisons between groups operating in the same context, furthering our understanding of the mechanisms and factors that influence armed-group behaviour. Comparing patterns of violence between two Islamist groups controlling territory in Mali, for example (see Chapter 4), demonstrates that despite espousing the same Islamist doctrine, one engaged in a much broader repertoire of violence than the other, including suicide bombings, kidnapping of foreigners, and attacks against other non-State groups and the State.

Third, analysing patterns of violence at the unit level within an armed force or group allows us to make a distinction between violence as an ordered "policy" and violence which is tolerated but not ordered, which Wood terms "practice".[23] This important distinction can steer the ICRC's intervention to the appropriate level of responsibility. As Chapter 3 demonstrates, where sub-units of armed groups are responsible for opportunistic violence not sanctioned by the leadership, interventions would best target the sub-commander and larger force levels.

Measuring influence via social media
For this report, we tested whether big data from social media could help to identify people with influence, specifically through the content of their posts and the extent to which they were shared.

The research focused on Twitter, using key words during fixed periods to catch references to the "restraint fatwa" issued by Ayatollah al-Sistani in early 2015 in response to allegations of abuses by the Popular Mobilization Units fighting the Islamic State group in Mosul. Al-Sistani was instrumental in mobilizing the units. His "Advice and Guidance to the Fighters on the Battlefields" specified acts that are not permitted under Islamic law and tradition, most of which accord with important elements of IHL, including respect for non-combatants and for the sanctity of the dead.

Ayatollah al-Sistani is the most influential Shia cleric in Iraq, yet the importance of his "restraint fatwa" was not reflected in social media content accessible to us. This finding suggests the limitations of using social media to measure influence in this case.

2. WHY ORGANIZATIONAL STRUCTURE MATTERS

An armed group's organizational structure is an important determinant of its behaviour. This structure is shaped by several factors, including: ideology and doctrine; leadership preferences; recruitment strategies; funding sources; group history; and pre-existing social networks. Structure is also shaped by external factors, such as the opposing force's strength and effectiveness, the topography of the group's operating terrain and, most importantly, external political or military support. Armed groups given sanctuary in a neighbouring country can organize completely differently from those denied a safe haven.

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23 Elisabeth J. Wood, "Rape as a practice of war: Towards a typology of political violence", *Politics and Society* (forthcoming); Amelia Hoover Green, "The commander's dilemma: Creating and controlling armed group violence", *Journal of Peace Research*, Vol. 53, No. 5, September 2016, pp. 619–632.

Despite these variations, a few basic requirements must be met should an armed group wish to survive for more than a few months. These include: a) reliable fighters – requiring recruitment; b) regular supplies of food and ammunition – requiring money and logistics; and c) control over group members so that they follow instructions and do not turn on their leaders – requiring military discipline and/or group loyalty. How a group solves these challenges determines its structure, ranging from centralized hierarchies with strict top-down discipline, to groups so decentralized they retain a role in the community between bouts of violence. Group structure influences military capability, the type of control exercised by leaders, and how combatants learn honourable from dishonourable behaviour. While many factors shape group structure, the most determinant concern how their three essential needs – recruitment, resources and control – are met.

Recruiting new members and indoctrinating them into group norms are essential for group survival. While the reasons for joining an armed group vary, Jeremy Weinstein's research suggests that access to resources strongly influences the type of recruit that an armed group will attract, which in turn conditions relations between fighters and the community.[24] Resources such as diamonds or coltan attract opportunistic fighters whose lack of a need for community support leads to harsher treatment of community members. In resource-poor contexts, by contrast, fighters rely on the local population, incentivizing better behaviour.

Sustaining an armed group is expensive, costing up to millions of dollars a year.[25] To capitalize on a given revenue source, a group needs to organize itself in a specific way. This affects the type of control leaders exert and the group's propensity to use violence. To extract diamonds in Sierra Leone, for example, the Revolutionary United Front (RUF) only needed to control a few mines and several hundred recruits. This required a highly militarized and violent group (to protect the mines), with minimal levels of hierarchy to monitor operations (to prevent diamond theft). By contrast, the Maoist insurgents in Nepal – one of the world's poorest and most inaccessible countries – extracted revenue by taxing local communities and businesses. This necessitated a large and disciplined organization. Unlike the RUF, the Maoists were known for their discipline and adherence to a code of conduct. In both cases, the group's pursuit of specific resource strategies influenced their structure and propensity for violence or restraint.

Retaining control or fighter loyalty is also central to survival, as well as to military effectiveness.[26] Armed organizations are built around company-sized groups of (less than 150) fighters. Shared combat experience unites group members, creating bonds that can surpass family ties. For decentralized groups, this type of cohesion is the main glue, holding each sub-unit together. Sub-units are then interlinked through their leaders, allowing unit cohesion to survive changing alliances. Centralized military structures build cohesion by fostering loyalty to the organization as well as to the unit. This requires forging an identity based on group narratives and collective rituals. Here, highly centralized State militaries leverage the history of regiment-size groups, linked by nationalist ideals. In centralized non-State armed groups, ideology serves this function. What matters most, though, is not the specific content of the ideas or values, but their translation into practices that create a completely immersive experience and alignment with the group.

24   Jeremy M. Weinstein, *Inside Rebellion: The Politics of Insurgent Violence*, Cambridge University Press, Cambridge, 2007.

25   Achim Wennmann, "Grasping the financing and mobilization cost of armed groups: A new perspective on conflict dynamics", *Contemporary Security Policy,* Vol. 30, No. 2, 2009, pp. 265–280.
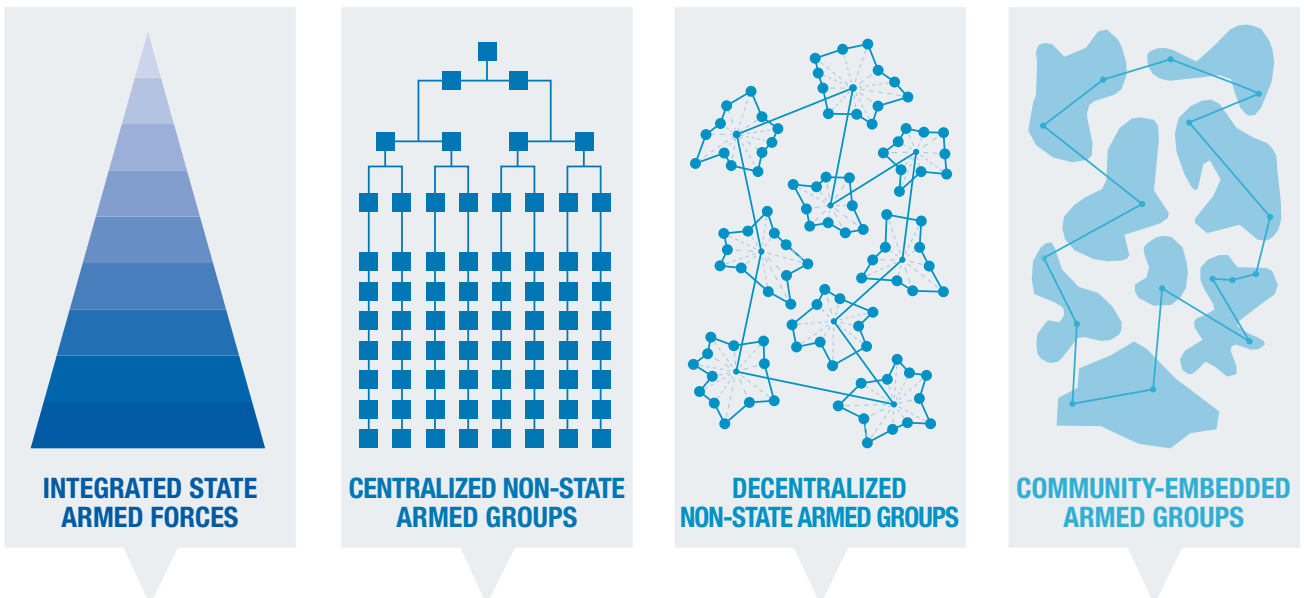
26   Guy L. Siebold, "Key questions and challenges to the standard model of military group cohesion", *Armed Forces & Society*, Vol. 37, No. 3, June 2011, pp. 448–468.

Understanding organizational structure is important for humanitarian organizations in two ways. First, it helps to identify key decision-makers within a group. In decentralized groups, each sub-commander has significant authority over the unit's operations and conduct. Thus, local commanders are key contacts with whom to discuss the conduct of their units' members. In more centralized armed groups, sub-commanders must follow orders, rendering senior leaders the central decision-makers and primary contacts for addressing operational and humanitarian concerns. Weak monitoring systems can compromise oversight, however, giving sub-commanders more leeway in interpreting central directives, so it may also be necessary to establish dialogue at the sub-commander level.

Second, organizational structure can indicate the levers of influence that leaders have at their disposal. Centralized armed groups rely on clearly established rules and values, which are likely to be imparted to the rank and file through indoctrination and training. Decentralized and community-embedded armed groups do not always have written codes of conduct, drawing instead on shared values and traditions. Here, the source of norm-influencing behaviour needs to be identified within the community, which might not be obvious or accessible to outsiders.

For this report, the various types of armed forces and armed groups have been placed on a spectrum ranging from highly centralized State militaries to armed groups that are so decentralized they lack the organizational structure and responsible command to be considered an armed group under IHL (see Figure 2). The latter type of group, therefore, cannot be deemed a party to an armed conflict in the legal sense.

Figure 2: The spectrum of armed-group organization

INTEGRATED STATE ARMED FORCES

CENTRALIZED NON-STATE ARMED GROUPS

DECENTRALIZED NON-STATE ARMED GROUPS

COMMUNITY-EMBEDDED ARMED GROUPS

Four criteria were used to determine a group's position on the spectrum: the locus and type of authority; the nature of the hierarchy; the nature of discipline; and the degree of social isolation. Observable indicators were used to determine comparable values for each criterion (see Table 1).

Table 1: Internal structure of armed organizations

FEATURE	INDICATOR	CENTRALIZED	DECENTRALIZED	EMBEDDED
Locus and type of authority	Operational authority	Top leaders	Sub-commanders	Negotiated among various authorities both inside and outside the group
	Decision-making	Top-down	Consensus among sub-commanders	Joint decision-making with key influencers
	Nature of authority	Bureaucratic (i.e. recognized in every interaction, such as saluting)	Charismatic, with weak bureaucracy	Charismatic
Nature of hierarchy	Levels of hierarchy in an organization	Established hierarchy (9–17 levels)	Limited hierarchy (5–8 levels)	Flat hierarchy (1–4 levels)
	Consistent use of rank across an organization	Highly regimented	Limited	Not present
	Regulation of promotion from one level to the next	Highly regimented	Informal	Informal and fluid
	Level of military coordination	High	Limited	Low
Nature of discipline	Observable rules	Clear signs of military discipline; regimented daily schedules; internal mechanisms for military justice	Few signs of military discipline, regimented schedule or internal mechanisms	No signs of military discipline
	Codification of rules	Rules explicitly documented and referenced	Some rules documented	Rules unwritten and transmitted orally
	Consistent application of rules	Consistent across the organization	Inconsistent	No consistency across group
Degree of social isolation	Interaction with individuals outside of group	Tightly controlled; explicit permission required to leave barracks or camp	Some interaction	Embedded in social structures (remain a community member)

Identifying where an armed organization falls on the spectrum provides a clearer view of how they might operate, although this can change over time. The ELN in Colombia, for example, went from a highly centralized armed group to a relatively decentralized one following an internal purge and almost total defeat at the hands of government forces, with a consequential change in behaviour (see Chapter 3).

Although seemingly united as one fighting force, many of today's non-State armed groups are, in fact, alliances of distinct groups. Despite common features or close variations of the same name, these groups can be organized quite differently. Al-Qaeda is a good example: founded in 1988, it now consists of more than 40 distinct groups, each with its own structure and history. Collectively they operate as a movement with a common identity and ideology, but demonstrate significant variation in their patterns of violence and orientation to external entities. In movements of this type, there is a centralized core with shifting authority over a number of decentralized smaller groups.

Like all typologies, this spectrum has its limitations. A linear model cannot capture every variation. A decentralized group, for example, might have features of a centralized structure but still operate as an alliance. Conversely, a highly centralized armed group might allow its members to be in regular contact with society, retaining decentralized aspects to its organizational model. In Somalia, al-Shabab combines a centralized and highly disciplined core with units whose members have strong clan-based loyalties; this tension affects the group's command and control. Thus, the spectrum merely offers a starting point for analysing armed groups without being a substitute for detailed and context-ualized examination of their particularities.

3. SOCIALIZATION

In seeking to understand how norms of restraint develop and are propagated in armed groups, the report explores socialization, the process by which people adopt the norms and rules of a given community.[27] The ICRC's focus in the past has been on the formal socialization mechanisms in armed forces and armed groups, ensuring at a minimum that the rules of IHL are made known among all group members, are incorporated into practical training and are backed by threat of punishment for non-compliance. The ICRC has paid less attention to the informal norms, which can be as strong as formal norms, even within highly professional State armed forces. Attesting to this is the persistence of hazing rituals and sexual abuse in the Australian and US armed forces described in Chapter 2, despite concerted efforts to stamp them out. It is well known that in military and police forces, new recruits are introduced to the formal norms by the institutional hierarchy and then shown how to interpret these norms in real-world operations. The more that official group norms are supported or enforced at the peer level, the more likely they are to be internalized.

There are three types of socialization identified that are of interest to us here.[28] The first (Type 0) involves no internalization of norms, just temporary norm adoption following instrumental calculations of punishment or reward. The other two types involve differing degrees of internalization: learning and following a norm in order to conform to group expectations and behaviour (Type 1); and fully internalizing the norm, so that it becomes part of the individual's identity – the "right thing to do" (Type 2).

Socialization is a process, and individuals can be socialized into committing violence or showing restraint. But violence can itself be a socialization mechanism, particularly among fighters forcibly recruited into non-State armed groups and obliged to commit acts that will rupture family or community ties and form new bonds with the armed group. Dara Kay Cohen has shown how gang rape can play this role, creating bonds of loyalty and esteem among forced recruits.[29]

This study demonstrates the value of considering socialization mechanisms when looking for ways to instil restraint – as it is interpreted under IHL – in soldiers and fighters. The Roots of Behaviour in War study took the ICRC beyond simply raising awareness of the law to promoting its integration at all levels of armed forces and vertically structured armed groups. The present study goes one step further, advocating creative cooperation with integrated State armed forces and their partners and with non-State armed groups (centralized, decentralized or community-embedded) to socialize their soldiers and fighters to act with restraint towards civilians.

DISSEMINATION ➡ **INTEGRATION** ➡ **SOCIALIZATION**

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27 See Jeffrey T. Checkel, "Socialization and violence: Introduction and framework", *Journal of Peace Research*, Vol. 54, No. 5, September 2017, pp. 592–605. This special issue on socialization and violence contains nine excellent empirical studies on this theme.
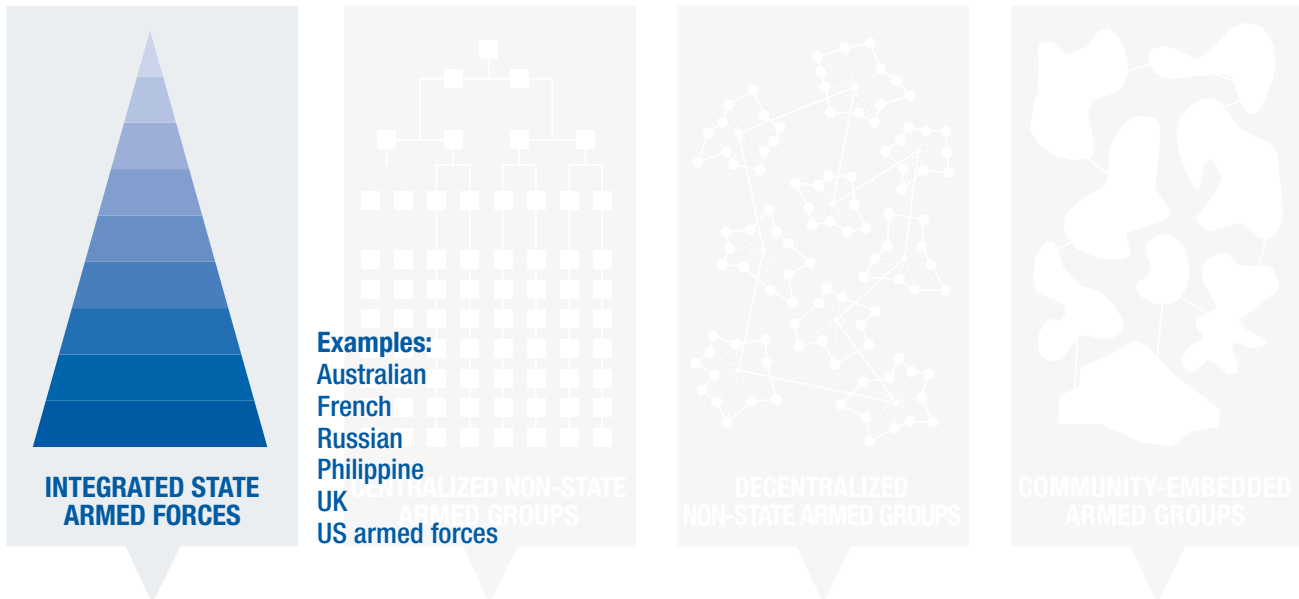
28 *Ibid.*

29 Dara Kay Cohen, "The ties that bind: How armed groups use violence to socialize fighters", *Journal of Peace Research*, Vol. 54, No. 5, September 2017, pp. 701–714.

INTEGRATED STATE ARMED FORCES

Examples:
Australian
French
Russian
Philippine
UK
US armed forces

INTEGRATED STATE ARMED FORCES

DECENTRALIZED NON-STATE ARMED GROUPS

DECENTRALIZED NON-STATE ARMED GROUPS

COMMUNITY-EMBEDDED ARMED GROUPS

2.1 CHARACTERISTICS

The key characteristics of integrated State armed forces are:
- Strictly hierarchical decision-making and authority
- Codified, observable rules that are consistently applied
- Observable signs of discipline (professionalism in uniforms, saluting, routines)
- Separation from civilian life when on duty.

Members of integrated State militaries make up the bulk of fighting forces around the world. Such forces have a strict vertical hierarchy through which authority flows from the leadership to the rank and file. Rules are laid out in doctrine, socialized through training and rituals, and enforced through threat of punishment. This does not mean, however, that members of State armed forces do not engage in unordered or unauthorized violence. Whilst State armed forces share much in common, there is variation between and within them in their socialization processes and sources of influence.

Not all State militaries are highly centralized. Some might be modelled on a centralized structure, wear uniforms with insignia, and display a certain amount of discipline. But a weaker central influence on the rank and file – owing, for example, to competing clan or ethnic loyalties or irregular payment of wages – will place some State militaries towards the right of the spectrum, with their sources of influence and methods of socialization closer to those of decentralized armed groups.

2.2 METHODS OF FORMAL SOCIALIZATION

Empirical studies have shown that training increases restraint on the battlefield.[30] But not just any training. Andrew Bell has found that intensity matters: conflict data from Afghanistan and Iraq suggest that US military units led by officers with more

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30 Andrew Bell, "Measuring the effect of norm socialization on the treatment of civilians: An analysis of U.S. army conduct in Iraq and Afghanistan", paper presented at the annual meeting of the American Political Science Association, San Francisco, 31 August–3 September 2017; Christopher H. Warner *et al.*, "Effectiveness of battlefield-ethics training during combat deployment: A programme assessment", *The Lancet*, Vol. 378, September 2011, pp. 915–924.

intensive training in norms of restraint engaged in less violence against civilians, even when controlling for combat leadership capability. Research conducted for this study similarly indicates that higher levels of IHL training result in greater adoption of norms of restraint by combatants in the Australian and Philippine armies.

However, training intensity is only part of the story: evidence from the Australian and Philippine militaries shows that mixed training methods, combining IHL briefings, classroom discussions, case-study reviews and practical field exercises, are the most effective in inculcating norms of restraint in combatants.[31] The Australian Army's Royal Military College recently discovered the importance of testing ethical compliance under duress: during a week-long training exercise in which cadets were sleep- and food-deprived, instructors tried to enlist the cadets in simulated unethical and unlawful behaviour. Many acquiesced, demonstrating how fatigue and stress can lead to ethical breakdown. The cadets themselves were shocked when anonymized recordings of their actions were played back to them in the classroom and said that the experience had taught them more than any other of the need to develop a strong moral compass before facing the stress of the battlefield. Based on this experience, the Royal Military College has since instituted an intensive, model ethics training programme that incorporates training while under duress, which has been found to significantly enhance the adoption of norms of restraint by cadets.

Research also suggests that who it is who delivers the message makes a difference in the socialization process. For Australian and Philippine soldiers, an effective instructor in IHL requires credibility derived from operational experience: they need to be able to draw on the dilemmas they have faced and explain the choices they made. Conversely, some combatants may give greater credence to people of certain backgrounds with no combat experience but recognized IHL expertise: in the Philippines, junior soldiers highly rated training by civilian lawyers from the ICRC. Perhaps troubling for IHL training efforts, however, both Australian and Philippine soldiers generally rated poorly the training conducted by military legal officers, finding such officers to be generalists from higher echelons with no direct combat experience. Ultimately, such research points to the need to understand organizational context in order to identify the most effective training providers within an armed force.

Related research shows that the key moments to reinforce norms of restraint include during immediate pre-deployment briefings and, most importantly, in the wake of an incident in which a unit member has been injured or killed. Military expert David Kilcullen suggests that restraint must be reiterated by the unit leader as soon as it is feasible after the event: debriefings by army psychologists do not have the same impact.[32] Reinforcing norms of restraint must take place down to the lowest level.

A further area of formal socialization explored in the research was the role of punishment in encouraging compliance with the law. Survey data and interviews with members of both the Australian and Philippine armies showed that the threat of punishment under domestic and military law exerts a much greater influence than that of punishment under "IHL" *per se*. This finding confirms the importance of integrating IHL norms into domestic law, standard operating procedures and rules of engagement. However, although the threat of punishment under internal military law had a strong influence on soldiers, particularly officers, this influence was surpassed by the socializing effect of informal norms and of "army values".

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31   This chapter is based on empirical research undertaken with the Australian and Philippine armies by Andrew Bell.
32   Interview with David Kilcullen, Geneva, 29 November 2017.

2.3 INFORMAL SOCIALIZATION

The importance of the peer group's informal norms in shaping the attitudes and behaviour of soldiers has received considerable attention in recent decades, demonstrating that social bonds of "brotherhood" among soldiers invariably trump patriotism or ideology as a rationale to fight and kill.[33] Unwritten norms such as "never leave a man behind" are deeply ingrained in unit members across a wide range of State armed forces. Data from the Australian and Philippine militaries show the vital role of such informal norms and socialization processes.

The norm of brotherhood – or "mateship" in the Australian Army – is consistently cited across ranks as having a fundamental influence on the views and actions of soldiers. In interviews, soldiers noted that the decentralized nature of counter-insurgency warfare, in which small units fight at a distance from central command, further increases that influence. The bonds of brotherhood are especially pronounced among members of special forces, who operate in small, tightly knit units that act independently of conventional units.

The strength of informal norms in military forces is starkly illustrated in the persistence of sexual abuse and "hazing" rituals – the harsh and often humiliating initiation processes to which new recruits are subjected, ostensibly to forge group cohesion – in spite of military laws, reforms and disciplinary measures meant to stamp it out. Wood and Toppelberg's research on the US military points to informal mechanisms that trivialize sexual assault, establish it as an appropriate form of punishment, and condone retaliation against those who report it.[34] In Australia, 11 formal investigations, including several parliamentary inquiries, were undertaken into hazing and other forms of abuse in the Australian military between 1971 and 2009, and yet new cases of abuse continue to arise,[35] prompting a strong reiteration of values within the army.

> *Informal norms can be a double-edged sword, reinforcing or undermining official organizational norms.*

Informal norms can thus be a double-edged sword, reinforcing or undermining official organizational norms. While there is no doubt that informal norms increase unit cohesion, this cohesion becomes problematic when unit members begin "protecting one another from the system, if or when you stuff up".[36] When loyalty to the group supersedes loyalty to the organization as a whole, witnesses to unethical behaviour are unlikely to come forward, compromising the ability of compliance mechanisms to ensure adherence to the rules.

Lastly, survey experiments tested what proportion of a combatant's peer group (25%, 50% or 75%) was needed to shift their opinion on conducting a hypothetical military

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33   See, for example, Guy L. Siebold, "The essence of military group cohesion", *Armed Forces & Society*, Vol. 33, No. 2, January 2007, pp. 286–295; Charles Kirke, "Military cohesion, culture and social psychology", *Defense & Security Analysis*, Vol. 26, No. 2, June 2010, pp. 143–159.

34   Elisabeth J. Wood and Nathaniel Toppelberg, "The persistence of sexual assault within the US military", *Journal of Peace Research*, Vol. 54, No. 5, September 2017, pp. 620–633.

35   Richard Evans, "Hazing in the ADF: A culture of denial?", *Australian Army Journal*, Vol. X, No. 3, 2013, pp. 113–127, at 117.

36   Denny Neave and Craig Smith, *Aussie Soldier: Up Close and Personal*, Big Sky Publishing, Wavell Heights, 2008, p. 52.

operation that would result in heavy civilian casualties. For both the Australian and Philippine armies, the opinions of the peer group appear to play a significant role in shifting combatant views towards restraint, with diminishing effects over the 50 per cent mark. This suggests that those concerned with the promotion of IHL do not need to ensure that all members of a unit internalize norms of restraint; even adoption by half of the group or less can sensitize their comrades to the need to spare civilians.

Formal vs informal sources of influence

The graph below illustrates the comparative effects of formal mechanisms of IHL and informal mechanisms of peer-group influence on the preferences of officers and unit members in the Australian Army.
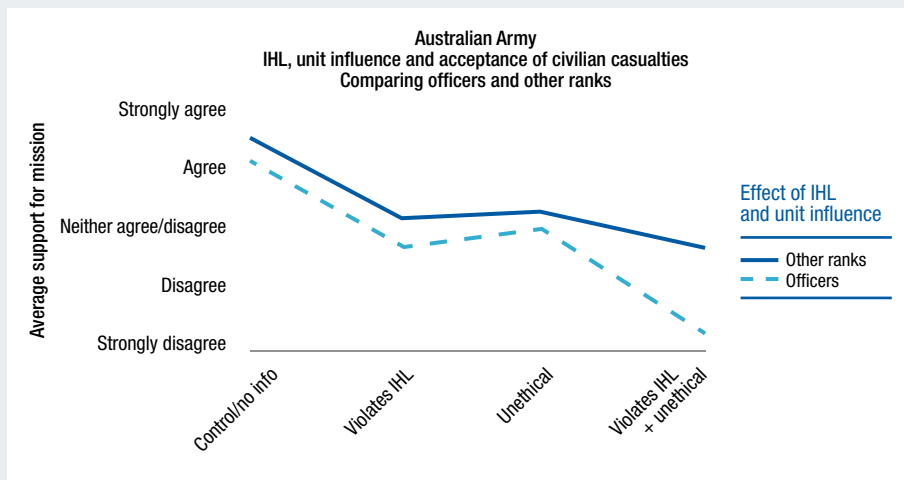
In a survey experiment, participants were asked to advise their commander on whether to target a high-value bomb-maker in a residential area. The hypothetical operation was likely to incur civilian casualties. The control survey gave no further information. Survey 1 added that the unit's legal officer advised that the operation would violate IHL. Survey 2 added that the majority of unit members believed that the operation was unethical. Survey 3 provided both sets of information.

It is interesting to note that Australian officers were more influenced by both IHL status and the opinion of their unit members than were enlisted soldiers. The graph clearly shows that the combined effects of the formal and informal socialization mechanisms had the greatest impact on shifting the views of the officers.

2.4 EMPHASIZING ETHICS

One way it seems that both the Australian and Philippine armies are trying to reconcile the formal and informal processes of socialization is by emphasizing "army values": such values were frequently cited by all ranks as an important source of influence on behaviour.[37] These ethical values appear to play a strong complementary role to the law, a hybrid of formal and informal norms that aims to discourage unwanted behaviour not only because it is "against the rules" but also because it is "not who we are". It is a hybrid in the sense that the values are not formally enforced in the way that the law is – unless behaviour that violates a value also violates the law – but career progression and respect within the organization clearly depend on the extent to which these values are embodied.

The use of values as a socialization tool in aligning behaviour to organizational norms was demonstrated by the Australian Army in 2013 when it added "respect" to its existing values of "courage", "initiative" and "teamwork" in the wake of the above-mentioned sexual abuse scandals within the Australian Defence Force (ADF). In an appeal to soldiers' ethical values, the then chief of army, Lieutenant General David Morrison, said at the launch of "respect":

> No one has ever explained to me how a coward in barracks is a hero
> on operations. And bullies who humiliate their comrades are cowards
> – as are those who passively watch victimisation without the moral courage
> to stand up for their mates.[38]

This appeal to personal honour resonated with soldiers from the Australian and Philippine armies. In the words of one Australian soldier, "you need to be able to look at yourself in a mirror" after the fight.

Thus, it is here that this study differs with the *Roots of Behaviour in War* conclusions, which opposed invoking moral values, arguing them to be relativist and unreliable, and instead advocated for a formalistic adherence to orders, discipline and hierarchy.[39] It posited that the combatant is not morally autonomous, although this contradicts rulings that do not allow the defence of "I was only following orders". Military training does indeed seek to automate reflexes and limit the moral autonomy of individuals; however, survey and interview data suggest that value-based motivation can in fact be as powerful a motivator of combatant behaviour as the threat of punishment.[40]

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37   Amelia Hoover Green, "Armed group institutions and combatant socialization: Evidence from El Salvador", *Journal of Peace Research*, Vol. 54, No. 5, September 2017, pp. 687–700; "The commander's dilemma: Creating and controlling armed group violence", *Journal of Peace Research*, Vol. 53, No. 5, September 2016, pp. 619–632.

38   Address by the chief of army, Lieutenant General David Morrison, AO, at the launch of the fourth value of the Australian Army – "Respect", Lavarack Barracks, Townsville, 4 July 2013.

39   For a very thoughtful, longer critique of this point, see Dale Stephens, "Behaviour in war: The place of law, moral inquiry and self-identity", *International Review of the Red Cross*, Vol. 96, No. 895/896, December 2014, pp. 751–773.

40   In fact, the ICRC has not restricted its efforts to the law. In the 2016 commentary on Article 47 of the First Geneva Convention, footnote 4 refers to the *Roots of Behaviour in War* study and adds:
>   In order to be effective and to induce behaviour compliant with the law, international humanitarian law must not be taught as an abstract and separate set of legal norms, but must be integrated into all regular military activity, training and instruction. Such integration should aim to inspire and influence the military culture and its underlying values, in order to ensure that legal considerations and principles of international humanitarian law are incorporated, as much as possible, into military doctrine and decision-making.

This emphasis on organizational identity, "warrior's honour" and ethical behaviour allows soldiers to internalize such norms of restraint, encouraging IHL compliance to a degree not possible through enforcement mechanisms alone. The internalization of norms beyond IHL-based punishments is all the more necessary in decentralized counter-insurgency warfare, where units operate far from commander oversight and the legal enforcement mechanisms of higher command.

The research found that there is a need for both the law and the values underpinning it, with the emphasis of each influence dependent on the target audience. The role of law is vital in setting the standards, but ensuring that the values it represents are internalized seems to be a more durable way of promoting restraint. Despite the increased legalization of military operations over the last decade – known as "lawfare" in some quarters[41] – the words of British historian John Keegan still ring true, especially in counter-insurgency warfare:

> There is no substitute for honor as a medium of enforcing decency on the battlefield, never has been, never will be. There are no judges, more to the point, no policemen at the place where death is done in combat.[42]

T. Aljibe/Getty Images

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41   There is even a blog dedicated to the topic: https://www.lawfareblog.com
42   John Keegan, cited in Michael Ignatieff, *The Warrior's Honor: Ethnic War and the Modern Conscience*, Vintage, London, 1999, p. 118.

2.5 CHALLENGES TO SOCIALIZATION

The research also identified key issues that pose challenges to the socialization of combatants in norms of restraint. Perhaps the greatest challenge is the scepticism with which junior soldiers serving on the front line view abstract principles of law and ethics, particularly when confronted by the deadly risks they and their comrades face. Moreover, maintaining military adherence to IHL in the face of consistent violations by the opposing side remains a major obstacle to the observance of such principles on the battlefield. Hence, emphasizing the identity-based nature of restraint could help to encourage compliance in cases where soldiers question why they should respect IHL when their enemies do not.

Identifying methods to overcome this scepticism is thus a major challenge for those charged with promoting IHL and norms of restraint. Surveys and interviews show that the example set by junior non-commissioned officers (NCOs) has the greatest influence on junior soldiers' thoughts and behaviour. Such enlisted leaders must therefore be central to efforts to promote and transmit norms of restraint among junior soldiers within small operational units. In many ways, the junior NCO must become as much a partner in IHL training as the senior battalion commander, for it is only when officers at those levels adopt those norms that soldiers will experience formal and informal socialization.

Additionally, evidence from this study shows that religious identification can be an alternative focus for combatants' loyalty, particularly for Muslim soldiers for whom IHL resonates much less strongly than principles of Islamic law. To mitigate the potential for conflict between these two influences, trainers must emphasize the correlation between IHL and Islamic principles regarding restraint towards civilians and the prohibition of the use of certain means and methods of warfare, using language and references applicable to the particular context. The ICRC holds such seminars with State and non-State entities throughout the Muslim world, emphasizing the shared principles between the two systems and pointing out that Islamic law precedes IHL by over a millennium. In the Philippines, for example, a seminar on Islamic law related to armed conflict and IHL and Muslim customs and traditions was held in early 2018 at the Philippine National Police Center for Law Enforcement Studies in Quezon City.

2.6 IMPLICATIONS

This research demonstrates that the "integration approach" has considerable ongoing validity in seeking to shape the behaviour of combatants towards civilians, but it needs to be fully tailored to the audience, taught with intensity and tested under duress.

Some of the findings are at odds, however, with those of the *Roots of Behaviour in War* study, particularly in the emphasis on law over values, and suggests that a combination of the two, through formal and informal socialization mechanisms, would provide a broader basis on which to advocate for restraint.

CENTRALIZED NON-STATE ARMED GROUPS

Examples:
FARC-EP (Colombia)
LTTE (Sri Lanka)
MNLF (Philippines)
Shan State Army (Myanmar)

INTEGRATED STATE
ARMED FORCES

**CENTRALIZED NON-STATE
ARMED GROUPS**

COMMUNITY-EMBEDDED
ARMED GROUPS
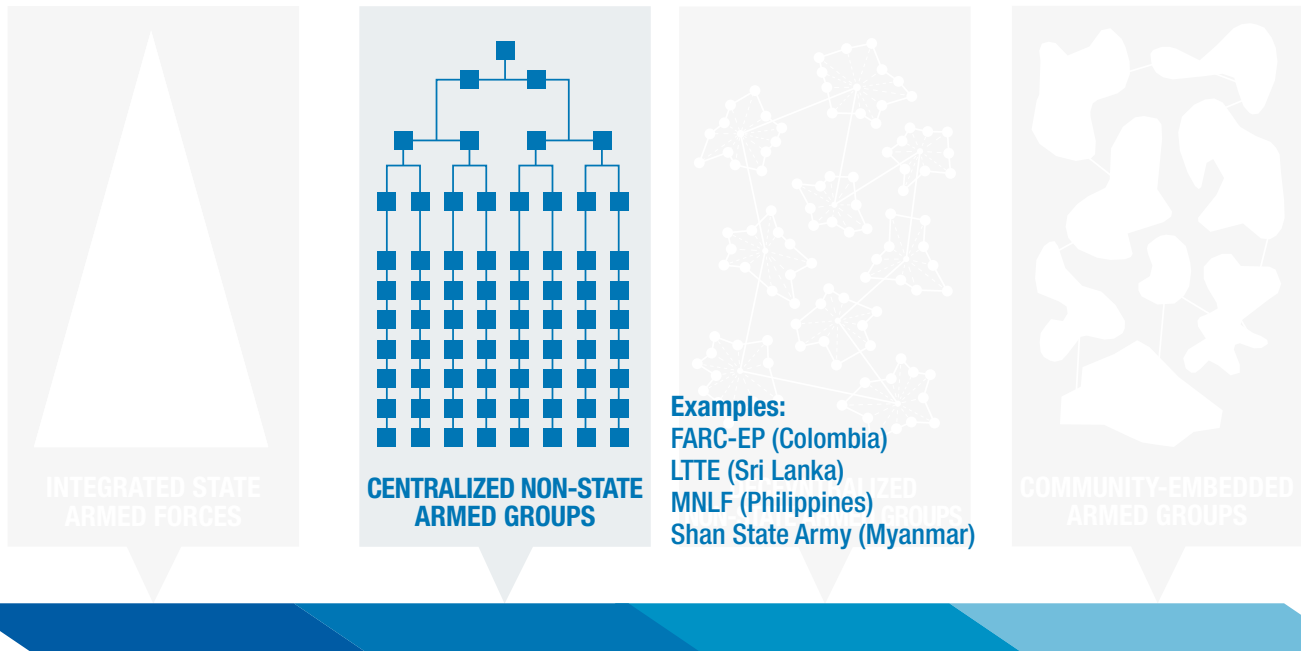
3.1 CHARACTERISTICS

The key characteristics of centralized non–State armed groups are:
- Leadership exercises tight command and control over subordinates through a strict hierarchy
- A prominent doctrine or ideology outlines goals, approaches and world view
- Observable signs of discipline (professionalism in uniforms, saluting, routines)
- Isolated from civilian population (housed in camps or barracks).

Centralized non–State armed groups share many of the structural characteristics found in integrated State militaries, including a prominent hierarchy, elaborate doctrine and strict discipline. But unlike State militaries, they do not benefit from State resources and infrastructure, creating greater challenges for leaders to communicate with, and monitor the behaviour of, field commanders and their units. To align their beliefs and preferences with that of the leadership, group members are subjected to a system of socialization and control penetrating almost every facet of daily life. This process reshapes members' identities and builds allegiance to the overall organization. Ideologies espoused can be as diverse as communism or Salafi jihadism.

Many of the liberation movements in Africa and left–wing revolutionary armed forces in Central America and Asia during the Cold War were structured in a highly centralized manner, owing partly to their external funding as proxies in superpower rivalry. Today, such groups are a small minority of non–State armed groups operating in the world, but their military capabilities give them a prominent role in several armed conflicts. Recent examples of centralized groups include the Communist Party of Nepal (Maoist), which fought the Nepalese government from 1996 to 2006; the Liberation Tigers of Tamil Eelam (LTTE), which fought the Sri Lankan government from the late 1970s to 2009; the Moro National Liberation Front (MNLF) in the Philippines; and the Islamic State group in Iraq and Syria.

This chapter focuses on two non-State armed groups active in Colombia's long civil war, the *Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo* (FARC-EP), which signed a peace agreement with the government in 2016 ending 52 years of conflict, and the *Ejército de Liberación Nacional* (ELN), which remains active.[43] Both armed groups established a highly centralized structure at inception, but the ELN decentralized in the early 1970s following a brutal internal purge and almost complete annihilation by the Colombian armed forces. The new ELN that arose opted for more collaborative decision-making among commanders and sub-commanders and a decentralized structure so that no leader would again hold enough power to kill or evict comrades. Based on these experiences, this chapter sheds light on the impact that an armed group's structure, ideology and institutions can have on patterns of violence and restraint.

3.2 DIVERGENT PATTERNS OF VIOLENCE AND RESTRAINT

According to available data, the FARC-EP and the ELN displayed similarities and differences in their patterns of violence and restraint. Both groups employed a similar repertoire of violence against civilians, including massacres, murder, kidnapping, recruitment of minors, extortion, destruction of infrastructure and forced displacement. Unlike the paramilitary groups, neither the ELN nor the FARC-EP engaged in widespread rape or the seizure of goods or property. However, there were important distinctions in sub-patterns of violence between the two groups. Even when accounting for difference in group size – the FARC-EP at times reached two to four times the ELN's size – the FARC-EP committed seven times more civilian massacres, planted ten times more landmines and recruited four times more minors than the ELN. The ELN, by contrast, committed almost as many kidnappings as the FARC-EP, despite being smaller, and focused for a long period on destroying infrastructure, particularly oil pipelines.

Ideology and armed-group structure account for some of these variations. As shown in Table 2, both armed groups espoused versions of Marxism and professed their engagement in a people's war. The ELN's ideology, however, was heavily influenced by Che Guevara's "revolutionary humanism", infused with Catholic values emphasizing self-sacrifice, heroism and empathy with the poor, while the FARC-EP's ideology was pitched more in terms of class struggle. While both armed groups considered "disrespecting the masses" to be a serious offence,[44] with stealing punishable by death, ideological differences led to different group trajectories, and ultimately different behaviour. The ELN, for example, initially prohibited on moral grounds coca production in areas it controlled, thereby forgoing the financial windfall that the FARC-EP used to finance its expansion into an army-like structure. For the FARC-EP, civilians were viewed through the lens of class struggle rather than as illegitimate targets, and killings and kidnappings of "class enemies" were justified in these terms. The two groups differed in their receptiveness to IHL: while the ELN supported "humanizing war", the FARC-EP only partially adopted IHL, preferring to end the war rather than humanize it. The FARC-EP specifically opposed IHL's prohibition on recruiting minors in its ranks, considering 15 to be an acceptable age.

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43 This chapter draws on field research led by Francisco Gutiérrez Sanín, based on a methodology explained in the introduction to this publication, and on prior work, including: Francisco Gutiérrez Sanín, "Telling the Difference: Guerrillas and Paramilitaries in the Colombian War", *Politics & Society*, Vol. 36, No. 1, March 2008, pp. 3–34; Francisco Gutiérrez Sanín and Antonio Giustozzi, "Networks and armies: Structuring rebellion in Colombia and Afghanistan", *Studies in Conflict & Terrorism*, Vol. 33, No. 9, August 2010, pp. 836–853; and Francisco Gutiérrez Sanín and Elisabeth J. Wood, "Ideology in civil war: Instrumental adoption and beyond", *Journal of Peace Research*, Vol. 51, No. 2, March 2014, pp. 213–226.

44 Chapter 1, Article 1, of the FARC-EP's statutes. The ELN's rules are even more elaborate, with a whole chapter on mandatory rules regarding "behaviour vis-à-vis the masses".

Table 2: Comparison between former FARC–EP and ELN

CRITERION	FARC-EP	ELN
Organizational blueprint	Army	Guerrilla
Ideology	Communism	Che Guevara and Christian liberation theology
Specific ideology with respect to civilians	Debate with IHL; "war does not have to be humanized, it has to be ended"	"War has to be humanized"
Membership	For life, difficult exit	Relatively flexible
Structure of command	High levels of centralization	Relatively decentralized, but not network-like

In terms of organizational structure, the photos below highlight the differences in the models adopted by the FARC-EP and the ELN. Both were disciplined and organized armed groups but to a different degree, with important repercussions on the way behaviour was controlled. Having a strict hierarchy, strong disciplinary mechanisms and an immersive socialization process, the FARC-EP was able to curb opportunistic violence at the unit level. Therefore, most of its violence was ordered from the top. The ELN had a harder time controlling its fighters, so not all violence accorded with the group's political objectives. In fact, patterns of violence varied across field units of either group, indicating that intermediate commanders had leeway to interpret rules and make decisions. Ideologies are full of ambiguities and potentially contradictory cues, permanently teased out by force leaders, intermediary cadres and rank and file members. To justify actions, certain aspects of the doctrine can be emphasized over others, rules reinterpreted or subjects renamed (such as recasting "people" as "informers"). Thus, ideologies set the parameters of permissible violence and restraint, and the institutions and mechanisms of socialization turn ideologies into observable practice.

FARC-EP soldiers display the military-style discipline of a highly centralized armed group, while the ELN's more relaxed approach is closer to that of the decentralized model.

Reuters

C. Villalon/Getty Images

3.3 SOCIALIZATION MECHANISMS

Both FARC-EP and the ELN engaged fighters in deep processes of preference and personality transformation, emphasizing revolutionary morality. These were reinforced in the FARC-EP by strict rules, army-like drilling, tight daily schedules, and other practices that dominated members' lives. First, membership in the FARC-EP was for life: deserters, if caught, were executed. New recruits were given a three-month grace period, no more. Second, in recruiting women to its ranks from the 1970s onwards, the FARC-EP created a self-contained project, encouraging members to develop the whole of their personal and sexual lives within the organization, although pregnancy was forbidden.[45] Informal contact with society was strongly discouraged. Third, daily drills, exercise and political education sessions filled every minute of non-combat time, reinforcing the norms outlined in the FARC-EP's doctrine and creating a shared sense of discipline and belonging. This infusion of organizational culture ("cultura fariana") aimed to shift the rationale for restraint with respect to certain forms of violence such as rape from being "against the rules" to being "not who we are". Fourth, the FARC-EP created specific institutions so that "trials" of both members and civilians were overseen by hierarchical superiors and were not addressed by expedient, violent methods. These institutions played a significant role in controlling behaviour in most – but not all – circumstances.

Each force's level of control over its fighters can be illustrated by data on rape, a form of violence commonly associated with armed conflict. Both the FARC-EP and the ELN had strict rules against rape, without exception, even for the enemy or for communities loyal to the enemy. Rape was punishable by death. Although incidents of rape are notoriously underreported, existing data indicate low frequencies among the FARC-EP and the ELN, especially compared with the paramilitaries. Narratives by victims of kidnapping confirm this impression. Ingrid Betancourt, the political leader famously held and harshly treated by the FARC-EP for six years, reported not a single case of rape.[46] Other former hostages,[47] none of whom had a favourable opinion of the FARC-EP, have said much the same.[48] Hence, both armed groups were able to practise restraint when it suited them.

3.4 COMMUNITIES AS A SOURCE OF RESTRAINT

As elaborated above, both armed groups' institutions held decisive influence over fighter behaviour. The FARC-EP and the ELN seemed less concerned by the political costs of their violence, especially kidnapping, which the FARC-EP only ceased once peace negotiations had begun. The ELN is still practising it. The final part of this chapter examines a relatively recent area of study of interest to humanitarian organizations facing increasingly protracted conflicts: the role of communities in influencing armed-group behaviour.

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45 Francisco Gutiérrez Sanín and Francy Carranza Franco, "Organizing women for combat: The experience of the FARC in the Colombian war", *Journal of Agrarian Change*, Vol. 17, No. 4, October 2017, pp. 770–778.

46 Ingrid Betancourt, *No hay silencio que no termine*, Aguilar, Bogotá, 2012; "Dura experiencia del secuestro convirtió a Íngrid Betancourt en símbolo de la libertad en el mundo", *El Tiempo*, 8 October 2008; "Así fue el secuestro de Íngrid Betancourt", *El Espectador*, 3 April 2008.

47 There are far more narratives from people kidnapped by the FARC-EP than by the ELN.

48 See, for example, Centro Nacional de Memoria Histórica, *Una verdad secuestrada: Cuarenta años de estadísticas de secuestro 1970–2010*, Imprenta Nacional, Bogotá, June 2013; and Clara Rojas, *Captive: 2,147 Days of Terror in the Colombian Jungle*, Simon and Schuster, New York, 2009.

Oliver Kaplan's work,[49] focused mainly on Colombia, documents how civilian communities can positively influence armed actors and limit violence – particularly if the community is cohesive and well organized.

Communities employ several tactics to achieve this. First, by promoting a culture of active neutrality and by demarcating safe zones, they can resist their members being recruited or turned into informants for either side. Here, community cohesion is crucial to avoiding certain members collaborating with, and receiving benefits from, armed actors and others not. Over time, demonstrating non-partisanship can disincentivize armed groups from entering demarcated zones.

Second, strong communities can implement local conflict-resolution processes. This saves civilians from soliciting outside entities to address local disputes, particularly where State institutions have a weak presence. It also avoids giving armed actors an excuse to get involved in the community's affairs and exploiting divisions to their advantage.

Third, communities can establish local investigatory institutions to clarify accusations made against suspected enemy collaborators. Armed groups may misinterpret civilians' activities as aiding their enemies, or a rival may falsely denounce another community member. By vouching for falsely accused suspects but not for confirmed collaborators, a civilian transparency process can reduce violence against the wrongfully accused. Such investigatory processes are established in dialogue with the armed groups concerned to convince them to allow civilians to police their own communities.

The feasibility of these mechanisms largely depends on the strength of community leadership and cohesion, and on the readiness of community members to show restraint themselves. Just as communities' positive agency is often overlooked by humanitarian organizations, so too is their negative agency, evident in conflicts ranging from Afghanistan and Colombia to Mali and Syria, where communities have demanded violence against individuals considered to be a threat to the social order, particularly criminals.

3.5 IMPLICATIONS

The research demonstrates the importance of armed-group organization and ideology on the behaviour of members of centralized non-State armed groups, in many ways mirroring the importance of doctrine and hierarchy in State armed forces. The major differences are found in the weaknesses of monitoring mechanisms in non-State groups, which can undermine adherence to orders from the central command, and in the immersive socialization processes required to align members' behaviour with that of the leadership.

The strong ideological drive of centralized non-State armed groups provides the entry point for discussions on whether their behaviour accords with the principles and objectives espoused in the doctrine. This necessitates a good understanding of the fine print of the doctrine, and possible contradictions, ambiguities and loopholes that can be used to justify certain actions.

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49   In particular, see Oliver Kaplan, "Protecting civilians in civil war: The institution of the ATCC in Colombia", *Journal of Peace Research*, Vol. 50, No. 3, May 2013, pp. 351–367, and *Resisting War: How Communities Protect Themselves*, Cambridge University Press, Cambridge and New York, 2017. See also Juan Masullo, "A Theory of Civilian Noncooperation with Armed Groups: Civilian Agency and Self-Protection in the Colombian Civil War", doctoral dissertation, Department of Political and Social Sciences, European University Institute, Florence, August 2017.

The role of communities in influencing armed-group behaviour warrants further exploration, particularly given the correlation between the cohesiveness of a community and its ability to protect its members from violence. Humanitarian organizations are increasingly exploring ways to support communities' self-protection initiatives, particularly in protracted conflicts where navigating violence becomes the norm rather than the exception. But aid organizations need to be mindful of the potential pitfalls of their agency in this process, both for the communities involved and for perceptions of their own neutrality, on which the safety of their personnel, access to communities and ability to talk to armed forces and armed groups depend. This point is revisited in Chapter 6.

DECENTRALIZED NON-STATE ARMED GROUPS

Examples:
Movement for the Emancipation of the Niger Delta (Nigeria)
Anti-Balaka militia (Central African Republic)
Mouvement des Forces Démocratiques de la Casamance (Senegal)

INTEGRATED STATE ARMED FORCES

CENTRALIZED NON-STATE ARMED GROUPS

DECENTRALIZED NON-STATE ARMED GROUPS

COMMUNITY-EMBEDDED ARMED GROUPS
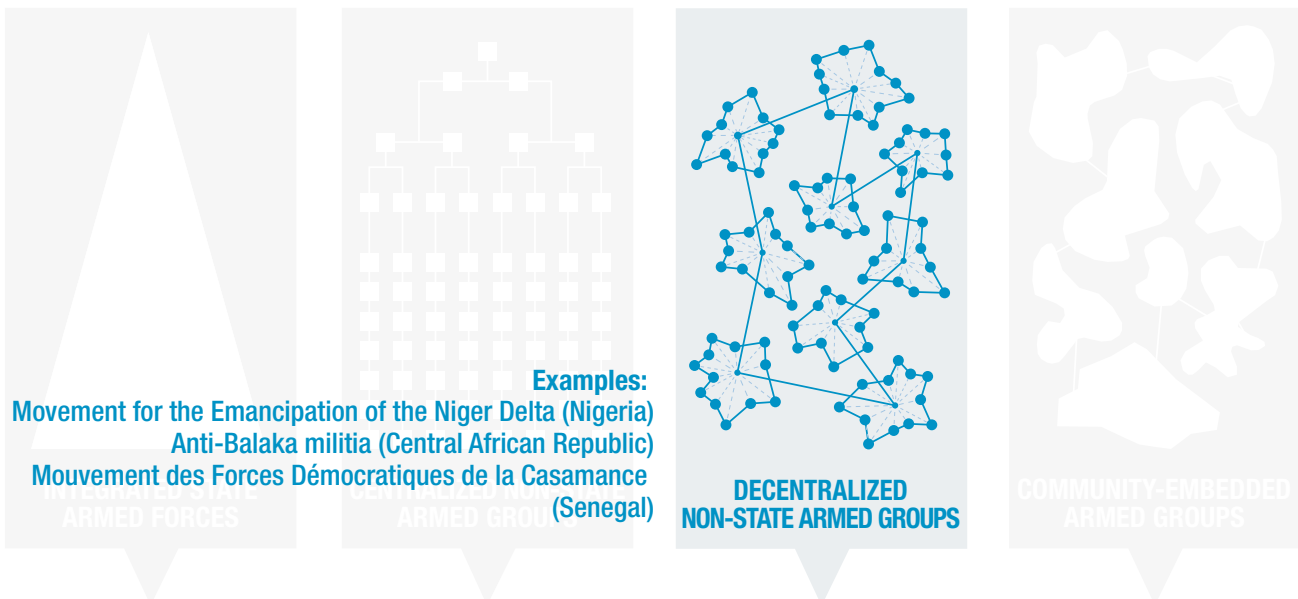
4.1 CHARACTERISTICS

The key characteristics of decentralized non-State armed groups are:

- An alliance of small armed groups, whose individual commanders retain considerable decision-making power and responsibility over group members
- Alliances are fluid as leaders and their groups may break away to form or join new associations, without compromising group cohesion
- Multiple decentralized groups can work together within a broader movement, such as al-Qaeda or the Islamic State group, giving them local, regional and global reach
- Loose coordination within the alliance, including in military planning and operations
- Few observable signs of military discipline (e.g. absence of uniforms, saluting and daily routines).

Decentralized non-State armed groups are generally composed of alliances of smaller groups, whose individual sub-commanders retain significant authority. Although appearing as a unitary group, in practice these alliances work as federations of small autonomous groups. The shifting nature of the alliances and the small size of sub-groups can lead to seemingly chaotic and disorganized violence. Yet such alliances have seriously challenged more structured opponents in Libya, Syria and Yemen. Retaining an image of disorganization can help commanders confuse the enemy, while distancing financial backers from responsibility for group actions. Today, decentralized armed groups constitute the majority of non-State armed groups operating worldwide, and are predominantly found in the Middle East and North Africa. Their decentralized nature and unwritten codes of conduct make them especially challenging for humanitarian organizations to engage with, adding complexity to the operating environment.

"Decentralized armed groups constitute the majority of non-State armed groups operating worldwide.

The proliferation of decentralized non-State armed groups and their resilience in the face of stronger State militaries is partly owing to their horizontal structure, allowing for a high degree of adaptability. Their structure makes them difficult to defeat, as no one self-sufficient sub-group is critical to the survival of the broader alliance. While the groups do not rely on a central command for directions and supplies, they may strategically pool and disburse resources. A further advantage of this kind of federation is that it permits the inclusion of groups emanating from local communities, linking local grievances to broader political goals and providing a dynamic space in which a herder can become a foreign fighter.

As this report will demonstrate, the more decentralized an armed group is, the stronger the influence of sources external to the group. External actors draw upon religious, social, political and economic authority to sway armed groups. Yet this authority changes as power balances between armed groups and those entities shift.

To explore some of the dynamics operating within this extremely diverse category of armed groups, this chapter compares two decentralized groups in Mali: Ansar Dine and the Movement for Unicity and Jihad in West Africa (MUJAO).[50] Although both were inspired by al-Qaeda's global call, each group used violence and demonstrated restraint in different ways. This can shed light on how local actors can shape the behaviour of decentralized groups even where both groups share a similar Salafi-jihadi method-ology. This chapter also explores how local clerics used references to Islamic jurispru-dence indigenous to Western Sahara in their negotiations with Ansar Dine and MUJAO.

4.3 DIVERGENT PATTERNS OF VIOLENCE AND RESTRAINT

In 2012, after a Tuareg separatist rebellion expelled local State governance from north-ern Mali, a coalition of jihadi groups took control of the region. These jihadi groups dislodged the Tuareg separatists through political tactics more than military victory, siphoning off their combatants and striking alliances with influential civil leaders.

The research looked at how two of these jihadi groups – Ansar Dine, in the region of Kidal, and MUJAO, in the region of Gao – took control of and governed areas of north-ern Mali prior to the French military intervention in January 2013.[51] Each group estab-lished a system of governance drawing upon Islamic principles promoted by al-Qaeda, and its two main figures, Osama Bin Laden and Ayman Al-Zawahiri. Yet each group also portrayed itself as following a historically authentic Islam rooted in Western Sahara.

Governing northern Mali constituted a real-life laboratory for using, codifying and controlling violence within the Salafi-jihadi project.[52] Yet there is no unequivocal set of rules for a sharia-regulated society, hence al-Qaeda's and the Islamic State group's changing policies regarding *takfir* (declaring that a fellow Muslim is a non-believer) and the targeting of Muslims.[53]

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50   This chapter is based on research conducted by Yvan Guichaoua and Ferdaous Bouhlel.

51   The intervention followed the Malian interim government's official request for French military assistance and the adoption in 2012 of UN Security Council Resolution 2085. Operation Serval began in January 2013 and was replaced by Operation Barkhane in August 2014.

52   The experience also arguably seeped into social practices, prompted new questioning on governance, and left a persistent legacy, for example in redefining the role of local sharia court judges (*cadis*).

53   As shown by Donald Holbrook, *The Al-Qaeda Doctrine: The Framing and Evolution of the Leadership's Public Discourse*, Bloomsbury Press, London, 2014, and Thomas Hegghammer, "The ideological hybridization of jihadi groups", *Current Trends in Islamist Ideology*, Vol. 9, November 2009, pp. 26–45.

The two groups studied here used concepts such as *takfir* in different ways to justify warfare against other Muslims or to strengthen alliances in Kidal and Gao. For instance, Ansar Dine did not have MUJAO's history of regularly perpetrating suicide attacks, attacking other Malian armed groups or mistreating detainees. Ansar Dine also banned forced marriage and the taking of foreigners hostage, while MUJAO's governance policy pursued both. What explains these dramatically different choices despite similar ideologies? And what role did local notables have in influencing these outcomes? The history of each group and their socialization mechanisms provide some clues.

4.4 DIFFERING SOCIAL EMBEDDEDNESS AND SOCIALIZATION MECHANISMS

While ideologically similar, Ansar Dine's and MUJAO's orientation to local social networks and socialization mechanisms differed. Ansar Dine was primarily a Tuareg movement with historical links to local tribal networks in Kidal. The longstanding relationship of the group's leaders with local communities led to heavy recruitment from within these communities, further strengthening mutual bonds. The territory Ansar Dine would come to control was also the only region of northern Mali with a Tuareg majority.[54] This explains why Ansar Dine gained control of Kidal with little resistance from Tuareg separatists. By contrast, the more diverse, regional commercial hub of Gao had a bitter history of ethnic competition and violence between the majority Songhay people and local Tuareg and Arab groups. MUJAO exploited these divisions and aligned itself with the majority Songhay people to displace the Tuareg separatists controlling the city.

MUJAO's membership was more diverse than Ansar Dine's, integrating fighters from across the region. The group therefore had weaker ties to Gao, the city it would come to control. MUJAO's diversity was also reflected in its structure, a looser alliance than Ansar Dine's. It built cohesion by running training camps based on al-Qaeda doctrine and military training manuals. Drawing on commanders' experience in Afghanistan and Algeria, the group used long-established al-Qaeda training regimes as a regional recruiting tool and the group's primary socialization mechanism. The capacity of these camps to reshape recruits' identities and forge allegiance to the organization was evident after MUJAO took control of Gao. The group expanded its recruitment pool, enlisting and training local ethnic groups, which quickly formed a significant part of the group's offensive force as fighters and suicide bombers. By contrast, Ansar Dine's goals of Tuareg nationalism resonated specifically with the Tuareg community's long history of rebellion, enticing local fighters and echoing existing narratives of injustices. Local socialization processes were quickly assimilated, and new recruits easily integrated, courtesy of the significant, existing cohesion forged by previous experience of fighting together. Ansar Dine's political consolidation among Tuareg tribes also brought with it the military benefit of uniting these small-scale groups.

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54   International Crisis Group, *Mali: Security, Dialogue and Meaningful Reform*, Africa Report No. 201, International Crisis Group, Brussels, 11 April 2013, p. 11.

P. Robert/Corbis Historical/Getty Images

4.5 SOURCES OF INFLUENCE, AUTHORITY AND LEGITIMACY

In both cases, local actors had significant influence over Ansar Dine's and MUJAO's fortunes. Yet, as the power and authority of local actors fluctuated, so too did their influence and that of the rules and social norms governing them. At one point, each armed group relied heavily on community notables to achieve dominance – a move that bore starkly different outcomes. Achieving dominance is an extremely complex process, informed by local Islamic traditions, a history of local ethnic conflict, contested control over trafficking routes, fragile military control, and community perceptions of the Islamic ideology advanced by jihadist groups. Hence, it is useful to explore how three types of actors leveraged their sources of influence and authority to shape events differently, despite the strong influence of al-Qaeda on the two groups' language and policies.

LOCAL BUSINESS ELITE

To displace Tuareg separatists and rule, both armed groups relied, to different degrees, on the support of local business elites. In Gao, the pre-war economy was booming, bolstered by cross-border trade and investments by traffickers (one of Gao's fast-developing neighbourhoods was even named "Cocaïnebougou" – Cocaine Town). The Tuareg separatist rebellion threatened these commercial interests, as well as Songhay political dominance. In response to the separatists' alleged behaviour of mass looting and rape,[55] the business elite, dominated by Arab traders, established a council to negotiate with the armed groups occupying Gao.[56] In this period, where neither armed group controlled the city, each group alternatively cajoled, intimidated or victimized populations to try to achieve dominance. The groups' fierce competition over support from the community and business council demonstrates the importance of these influences.

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55   Human Rights Watch, *Mali: War Crimes by Northern Rebels*, Human Rights Watch, Bamako, 30 April 2012.

56   The business group, known as the Conseil de Concertation des Sages, was set up to communicate the population's needs to armed groups occupying the city.

Eventually the Tuareg separatists' undisciplined violence led the business elite to support MUJAO – financially and politically – in taking control of Gao, secure businesses and protect the population. In Kidal, commercial interests were less powerful but still played a supportive role in Ansar Dine's consolidation of control.

LOCAL ISLAMIC SCHOLARS AND LEGAL INSTITUTIONS

Both Ansar Dine and MUJAO used Islamic norms and al-Qaeda methodology (*manhaj*) to produce a governing system regulating the use of force against perceived enemies and non-combatants. In both cases, norm formation was based on Islamic scriptural sources and "inferred" sources that constitute the basis of Islamic jurisprudence (*fiqh*). However, the implications of *fiqh* require interpretation through discussion and debate. In Kidal and Gao, this was done through *shura* (consultation) councils. These councils' decisions shaped public administration and the rules of daily life for those living under the groups' control. In Gao, debates also occurred in Islamic tribunals, enabling greater popular participation. Significant differences emerged in how Ansar Dine (Kidal) and MUJAO (Gao) drew upon or undermined existing legal systems.

In Kidal, Ansar Dine relied on the existing Islamic legal system to interpret rules around local governance. This legal system included the local and centuries-old sharia judges (*qadis*) originating from the Kunta tribe. Their influence had a tangible impact on how rules evolved: for example, it was these judges who endorsed the decision not to apply corporal punishment in Kidal. Based on interviews conducted for this study, the group's relative restraint, when compared with MUJAO's, was strongly attributed to its community links and the moderating voice of the local *qadis*. Yet, the strength of this restraint deteriorated outside of Kidal and over time. There was also a dramatic shift in the group's behaviour following the French military's arrest of alleged sympathizers of Ansar Dine, camp searches and restricted access to some wells, among other actions.

In contrast, MUJAO undermined Gao's existing judicial system. It appointed new judges, causing confusion and competition over who had the legitimacy to make decisions. Local religious leaders, drawing upon indigenous Islamic tradition had some success at altering what they saw as a "wrong" application of sharia. Once MUJAO achieved complete control, however, it established a set of rules (see box). Debate on how the rules should be interpreted was stifled, with most of the authority in that regard delegated to Islamic police. This led to sporadic resistance and, in turn, brutal repression by the police chief. Local actors, including *qadis*, lost most of their influence. Yet the extent to which they continued to be targets of intimidation and bribery suggests that MUJAO was still concerned by their opposition.

GLOBAL SALAFI-JIHADI SCHOLARS

MUJAO and Ansar Dine were also influenced by the global al-Qaeda network, largely mediated through the regional branch known as al-Qaeda in the Islamic Maghreb (AQIM). AQIM did not have direct command and control over these groups but reached them through strategic guidance and training. The arrangement was mutually beneficial: while association with the groups increased AQIM's regional influence, MUJAO and Ansar Dine benefited from al-Qaeda's regional and global legitimacy. The fluid and changing nature of these "networks of networks" illustrates the extent to which the relationships thus formed are political and strategic and highlights the front-line role of sub-commanders in decision-making. Moreover, the three groups' desire to maintain distinct identities is suggested by their 2017 alliance as opposed to a merger. Importantly, influence is often reciprocal – local groups such as MUJAO and Ansar Dine can also have an impact on the character, policy and leadership of the umbrella group and its regional branches.

MUJAO's rules in Gao

In an interview, a Gao resident described what it was like living under MUJAO rule:

Anyone caught smoking one cigarette was punished with one lash; two cigarettes, two lashes; ten cigarettes, ten lashes.

If you had a cardboard box with a photograph on it, the box would be torn apart. Rice bags printed with a photo had to be covered.

The rules had to be obeyed without question: women had to wear the veil; shops had to close on Fridays by the first call to prayer; the sale and consumption of cigarettes were strictly prohibited; thieves had their hands cut off; unmarried men or women who committed fornication received a hundred lashes; adulterers would be punished by stoning; and highway bandits had their right hands and left feet cut off.

This last sanction was applied to young men from Fafa (a constituency of Gao on the road to Niamey, Niger), who indulged in the practice of stopping vehicles heading to Niger and robbing the passengers.

4.6 IMPLICATIONS

As these cases illustrate, decisions by commanders of decentralized groups can be shaped by local, regional and global actors. In mapping sources of restraint, it is necessary to understand these different types of authority and levels of influence, as well as the networks linking key commanders and their constituencies.
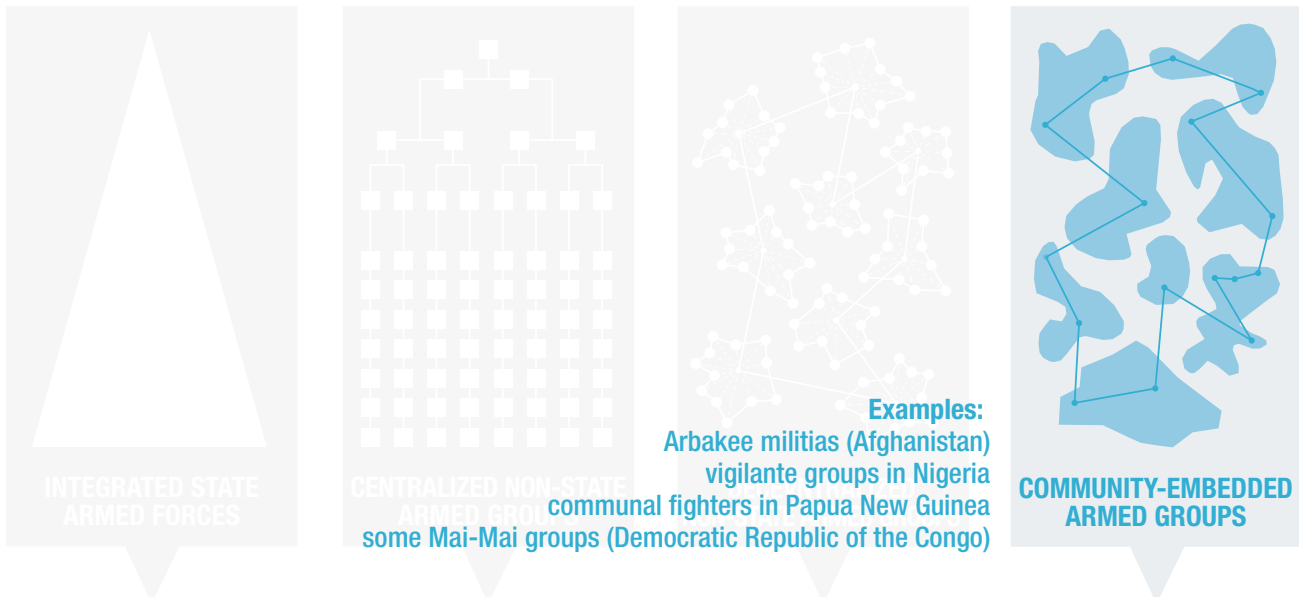
Our research also demonstrates the value of taking into account the principles and world view of armed-group members. In the ICRC's experience, familiarity with an armed group's history and ideological references is essential for effective dialogue with that group. However, this is complicated by the fact that many groups operate within broader movements, requiring coordinated engagement at the local, national, regional and global levels.

In addition, the ICRC engages with the broader community of Islamic scholars to highlight common ground between Islam and IHL and discuss issues of humanitarian concern. This dialogue is essential to building mutual understanding and a prerequisite for efforts to influence behaviour. This dialogue must be neutral if it is to be effective: any attempts by States to co-opt and instrumentalize this engagement in the guise of "countering violent extremism" are likely to undermine it.

COMMUNITY-EMBEDDED ARMED GROUPS

Examples:
Arbakee militias (Afghanistan)
vigilante groups in Nigeria
communal fighters in Papua New Guinea
some Mai-Mai groups (Democratic Republic of the Congo)

INTEGRATED STATE ARMED FORCES

CENTRALIZED NON-STATE ARMED GROUPS

COMMUNITY-EMBEDDED ARMED GROUPS

5.1 CHARACTERISTICS

The key characteristics of community-embedded armed groups are:
- Comprise 10–50 young men (and occasionally women) from a local community
- Formed to defend community interests
- Flat hierarchical structure; leaders are elected or nominated by the group and can change frequently
- Mobilization is not necessarily decided by the group, but by authority figures in the community (traditional, religious or governmental)
- Initiation rituals (coming of age ceremonies) and visible markers (scars, tattoos, body ornaments) forge group cohesion
- Mobilization is temporary, with group members returning to community life between bouts of violence; may find themselves instrumentalized in support of a party to a conflict
- Codes of conduct are unwritten and reflect local values, customary laws and traditions.

Members of community-embedded armed groups are usually young men initiated into a (defensive or offensive) fighting role on behalf of their communities. They do not remain mobilized as an armed group, but resume roles in the community between engagements. Lacking the organizational structure and responsible command necessary to be considered an armed group under IHL, community-embedded armed groups have received less attention from the ICRC than those that do. However, their growing number and the humanitarian consequences of their armed violence necessitates a better understanding of their norms and sources of influence.

The wide variation in types of community-embedded armed groups makes it difficult to generalize: there are few obvious commonalities between the Arbakee militias in Afghanistan, vigilante groups in northern Nigeria, youth gangs in Central America and communal fighters in Papua New Guinea's highlands. This chapter will therefore focus

on one type of embedded group – South Sudan's *titweng*, *gelweng* and *gojam* armed cattle-keeping groups – to identify characteristics and sources of influence that might shed light on similarly structured groups elsewhere.[57]

5.2 NORMS OF RESTRAINT AMONG THE CATTLE-KEEPING GROUPS OF SOUTH SUDAN

South Sudanese living through the conflict unleashed in December 2013 claim that the overall level of violence witnessed over the past five years represents a break from previous ethical norms of restraint. Although the killing of non-combatants, including women, children and aid workers, did occur previously, it is the scale and frequency of the sexual violence, killing and mutilation of children and destruction of villages and health facilities that are unprecedented. The *titweng* and *gelweng* militarized cattle-keeping men from Dinka communities and the *gojam* or White Army cattle-herders from Nuer communities have been clearly implicated in this violence.

Both the Dinka and the Nuer communities of South Sudan have codes of conduct that regulate behaviour during violent conflict.[58] Spiritual protection from ancestors and deities was thought to depend on adherence to these codes. Fear of deadly pollution such as "leprosy" among the Dinka and of *nueer* (spiritual contamination) among the Nuer dissuaded breaches. Violations, when they occurred, were dealt with through religious ceremonies often involving cattle sacrifices. Since their creation a hundred years ago, customary courts have also actively addressed the consequences of violating codes of conduct in war. These codes have shifted in recent decades, challenged by youth using guns to access power or by political players manipulating and reinter-preting traditional belief systems to their own advantage. One political leader in the 1990s, for example, argued that fighting against government forces did not carry the same spiritual dangers as fighting against other communities, so there was no need for restraint. This same argument has been used in the current conflict to justify attacks against anyone allied with the government in Juba.

Although much of the violence witnessed over the last five years appears wanton and chaotic, an impression reinforced by the lack of an obvious hierarchical structure within the cattle-keeping community, there are different layers of authority seeking to control it. Influence over the cattle-keeping groups is highly contested and fluid and varies from group to group, making the identification of sources of influence at a given moment challenging. But it is clear that politico-military elites use this image of uncontrolled violence to shirk responsibility for arming and mobilizing these groups and to resist calls to rein them in.

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57   This chapter is based on research led by Naomi Pendle in South Sudan in 2016 and 2017. Not all groups mentioned here are active in countries in which an armed conflict is occurring.

58   See Francis M. Deng, *Tradition and Modernization: A Challenge for Law among the Dinka of the Sudan*, Yale University Press, New Haven, 1971; Francis M. Deng, *Customary Law in the Modern World: The Crossfire of Sudan's War of Identities*, Routledge, Abingdon, 2010; Edward E. Evans-Pritchard, *The Nuer: A Description of the Modes of Livelihood and Political Institutions of a Nilotic People*, Oxford University Press, Oxford, 1940; Sharon E. Hutchinson, *Nuer Dilemmas: Coping with Money, War, and the State*, University of California Press, Berkeley, 1996; Jok Madut Jok and Sharon E. Hutchinson, "Sudan's prolonged second civil war and the militarization of Nuer and Dinka ethnic identities", *African Studies Review*, Vol. 42, No. 2, September 1999, pp. 125–145.

5.3 SOCIALIZATION MECHANISMS

The strong socialization processes of young men into these cattle-keeping groups explains why influence over the group is so fluid and contested: although men can be mobilized to fight in their hundreds or even thousands,[59] their loyalty remains to the small group whose childhoods they shared in the cattle camps (*wuts*) and the broader community to which they belong. Cattle are essential to the livelihoods and mechanisms of justice and order for both Dinka and Nuer, giving the cattle keepers a central and esteemed role in the community. Boys are sent to the cattle camps at a very young age, and are socialized through songs and stories into the norms and boundaries of permissible behaviour and the spiritual and physical dangers of combat. Initiation into age-sets or a broader category of adulthood often involve scarification, bonding members of a cattle camp and marking their transition to community defenders. Over the last few years, certain cattle-keeping groups have adopted "uniforms" or other markers to distinguish themselves from others: some groups remove their t-shirts and tie them around their arms,[60] others have specific t-shirts made. Amongst the *gelweng*, certain haircuts designate group membership.

The cattle camps appoint leaders democratically, with the most popular rising to the top. This creates room for discussion and debate, and leaders can change at any time. The leader has the authority to resolve small disputes, make decisions over the movement of cattle, and represent the cattle camps among chiefs and governing authorities. Most importantly, the leader will decide when and how the group fights, and will participate in combat himself. But such decisions are subject to intense pressure from different sources of authority.

Targeting status, not role

There has been a rise among some cattle-keeping groups in the number of targeted revenge killings of non-combatants, particularly educated wage-earners, in their homes or offices and in town. This is facilitated by the availability of guns: the use of spears requires a larger group and might therefore spark a larger battle. Such assassinations often follow a sociocentric logic of justice whereby revenge for an individual's act falls upon his or her group. Thus, if a *gelweng's* family member is killed, he will seek revenge against a member of the perpetrator's family of an equivalent value to the person killed, regardless of the intended target's innocence. Since education and a wage income are valued, educated and/or employed family members are increasingly targeted. Aid organizations being a major employer in South Sudan, many aid workers have been killed, not because of their affiliation with the aid organization but because of family ties.

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59   In 2014, some 4,000–5,000 *gojam* fighters allegedly marched on the town of Bor.

60   Interview with a *titweng* conducted in Dinka by a South Sudanese researcher, Greater Gogrial, 15 January 2016; Naomi Pendle, "'They are now community police': Negotiating the boundaries and nature of the government in South Sudan through the identity of militarised cattle-keepers", *International Journal on Minority and Group Rights,* Vol. 22, No. 3, July 2015, pp. 410–434.

5.4 SOURCES OF INFLUENCE AND AUTHORITY

Authority is contested locally and nationally, inside and outside armed groups, between national military and political leaders, local government administrators, chiefs and religious leaders. All of these draw on different sources of influence, including community history, ethnic identity, cultural norms and spiritual beliefs. Authority can change over time, differ from one community to another, and might not be obvious to outsiders. Here we discuss three sources of influence.

POLITICO-MILITARY ELITES

The Sudan People's Liberation Army (SPLA) has been arming and mobilizing the cattle-keeping groups since the 1980s in response to attacks from Khartoum-backed northern militias.[61] It explicitly sought to break the strong ties binding men from the same communities by banning age-sets among the *titweng* and formally incorporating the cattle keepers into larger military formations. The *titweng's* identity was also reframed, with limited success, as "community police", to bring them under government control.[62] The 2013 outbreak of violence saw cattle keepers armed and mobilized to fight for and against the government, often but not exclusively along ethnic identity lines. The SPLA in Opposition (SPLA-IO) attempted to order the *gojam* into an army-like structure, with ranks equivalent to that of the SPLA, but the armed men were given little formal training, and authority over them was inconsistent.

Some politico-military elites have used patronage to gain authority over the cattle keepers. To guard their own large herds, many have created their own *wuts* from a gathering of trusted families. They provide ammunition, animal vaccination and the promise of health care and food to the young men, thereby binding them to their service. Accordingly, these powerful elites can steer behaviour towards violence or restraint: for example, instructions to ensure that the herd grows larger incites cattle raiding and combat, while inter-Dinka disputes between the Apuk and Aguok over rich grazing land in 2009 were stopped by a powerful cattle owner.

CHIEFS

Dinka and Nuer chiefs have varying levels of control over their communities' cattle keepers. Nuer chiefs hold arguably less sway than their Dinka counterparts for two reasons: the competing influence of Nuer prophets, discussed below; and the association of western Nuer chiefs with the government owing to a rapid succession of chiefs since the 1990s appointed by government authorities in a bid to exert local influence.

Dinka chiefs strongly influence the *titweng's* and *gelweng's* behaviour in two ways. First, chiefs act as intermediaries between leaders of the cattle keepers and government officials. As such, they can assert their opinions on requests made. Second, they preside over the customary courts, deciding how cattle will be redistributed in compensation claims and thereby pronouncing on the rights and wrongs of community behaviour. To settle disputes between cattle keepers, the chiefs' courts will even accompany larger *wuts* during the dry season as they migrate over big distances in search of water. An ad hoc chief's court was established near Rumbek in 2012, for example, to end lethal cattle-raiding between *gelweng*. In their rulings on compensation for deaths incurred during one raid, the chiefs imposed a much harsher penalty for men who did not issue a warning prior to the raid. It is an established norm that warnings be issued to allow women, children and other non-combatants to flee.[63]

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61 Luka B.D. Kuol, "Dinka youth in civil war: between cattle, community and government", in Victoria Brereton (ed.), *Informal Armies: Community Defence Groups in South Sudan's Civil War*, Saferworld, London, February 2017, pp. 19–26.

62 Naomi Pendle, "'They Are Now Community Police'".

63 Interviews with Dinka chiefs, Kuajok, 2012.

DIVINE AUTHORITY

Divine authority figures can be very powerful influences over cattle-keeping groups, encouraging violence or restraint. Community members and high government officials alike seek their guidance, and they can bestow protection on fighters in elaborate ceremonies before battle. One important Nuer prophetess was instrumentalized by politico-military elites for this reason, receiving generous cattle donations in exchange for the mobilization of *gojam* fighters.

Both the Dinka and Nuer believe strongly that *nueer*, or spiritual pollution, ensues from the violation of certain rules. The Dinka *bäny bith* (masters of the fishing spear) and the Nuer prophets and prophetesses are thought to hold the power, through sacrifice and petition to the divinity, to cleanse fighters of *nueer*. Through this process, these figures can reassert norms of restraint. Prophets have long played an important role in promoting a moral order amongst western Nuer communities.[64] Since the 1960s, Gatdeang Dit – a Bul Nuer prophet of the divinity Deng – has used his influence to prevent Nuer armed cattle keepers from carrying out violent raids against their Dinka neighbours. Meanwhile, powerful *bäny bith* have used the threat of curse to influence the behaviour of Dinka cattle-keeping groups.

The power of these spiritual authorities suffers, however, from two weaknesses. First, a divinity's presence in a prophet is not permanent. Ongoing empirical evidence of its power is needed, and many prophets have lost their authority after failing to protect cattle from a raid. Second, some *gojam* fighters feel so polluted by *nueer* that restraint seems pointless. Three decades of war have divided the Nuer to such an extent that a man might face his own brother in battle. Engulfed by the dangers of *nueer* that this represents, many feel that they are beyond redemption and see no need to act in accordance with traditional norms. In the words of one *gojam*: "Nuer are fighting for the government that is contaminated by *nueer* ... In this fight, Nuer are fighting alongside the government and are killing their own people. They do inhuman things like raping and torturing their own people. It is like they are cursed."

5.5 CONTESTING AND REINTERPRETING COMMUNITY NORMS

Over the last few years, the way in which communities have argued over the legitimacy of violence against women and children offers some insight into the variety of beliefs influencing the different groups, and their openness to debate.

Interviews with *gelweng* showed a strong reluctance to kill women and children. The latter's weakness would reflect badly on the killer, and the former's "motherly" role and "universality" would render their killing morally wrong (for women, not being part of the patrilineal line, can move between families, clans and tribes). The *gelweng* also wish to avoid the eruption of an unending feud should restraint be removed. It is worth noting that reluctance to kill women does not preclude sexual violence: in the words of a *gelweng* in January 2017, "We go at night. If we get a man we kill him. If it's a woman, we rape her. Then her husband will come to fight." Previously, fear of spiritual pollution *(rot)* for raping a married woman, which increases the chance of death during battle, incentivized restraint. But some *gelweng* have reinterpreted this norm to justify raping unmarried women – often still girls.

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64   Douglas H. Johnson, *Nuer Prophets: A History of Prophecy from the Upper Nile in the Nineteenth and Twentieth Centuries*, Clarendon Press, Oxford, 1994.

Among the *titweng*, by contrast, community debates over the legitimacy of killing women and children arose after the practice appeared in the 2016 and 2017 conflict (it had been absent during inter-Dinka disputes between Apuk and Aguok in 2005 and 2009). The killing of two children during a dawn cattle raid by Aguok *titweng* provoked a tit-for-tat that saw several woman and children killed over rounds of fighting. Both Nuer and Dinka believe that immortality is secured through future generations and so that killing children (and women as child-bearers) brings lasting, total death. National politicians joined debates in their home communities, with some arguing for restraint and others for retaliation, particularly where they had an interest in disputed grazing lands. Many chiefs advocated restraint for fear that the continued killing of children would ruin all hope of peace. Unfortunately, a customary court case failed to resolve the moral ambiguity over these killings and fighting continued.

Interviews with *gojam* echoed the *gelweng's* moral repugnance at the idea of killing women and children, with women again considered as "universal". In the past, women were spared since attackers could marry them. But the brutality of raids in 2015, which saw the killing and mutilation of children, prompted leaders to redefine women and children of the opposing group as "government" and therefore not deserving of restraint. This included anyone living in government-controlled garrison towns. Some of the Nuer prophets have pushed back on these reinterpretations, insisting on the continuity of customary beliefs. One even turned his home into a sanctuary for children from all parts of western Nuer, irrespective of their political lineage. Still, the debate among the *gojam* and their communities over the legitimacy and spiritual dangers of such killings continues, with many *gojam* feeling, as mentioned earlier, that they have broken too many taboos to be cleansed of *nueer*.

Creative ways of discussing norms of restraint

For several communities in South Sudan, wrestling competitions form a rite of passage into manhood. Passionate discussions around wrestling provide an excellent opportunity to introduce notions of IHL. During a first-aid training session with a cattle-keeping group, an ICRC staff member asked a couple of young men to explain the rules of a wrestling match. After they had done so, he sought clarification on who was a legitimate opponent, pointing to an old woman and asking if she could be challenged to a match. Predictably, derisive laughter followed as the young men responded that women, old men and children were deemed too weak to partake in this noble sport. Parallels were then drawn with protected categories of people under the rules of armed conflict.

F. Zizola/Noor

5.6 IMPLICATIONS

Community-embedded armed groups remain part of their communities and can be a formidable fighting force. As a consequence, local, regional and national authorities, whether political, social, religious or economic, may vie for control over when, and for what, such groups are mobilized. Understanding these competing authorities, and the local beliefs and traditions invoked to influence them, is an important step in identifying potential levers of restraint. These include local religious and social leaders whose influence might not be apparent to outsiders. Innovative approaches have proven effective in strengthening norms of restraint.

Humanitarian activities such as cattle vaccination, first-aid training, health-care services and family reunifications bring humanitarian agencies into direct contact with many of the community authorities who have influence over the behaviour of community-embedded armed groups. As illustrated in the box, these activities can serve as a springboard from which to explore local views on violence and restraint and on legitimate and illegitimate targets. ICRC staff members with the least formal education might be the best sources of information on and analysis of how to reinforce norms of restraint and better respect for humanity among these groups.

IMPLICATIONS AND APPROACHES

This report has demonstrated that armed forces and armed groups vary significantly in their organizational structure, capacities of command and control, socialization mechanisms and openness to external influence. It has shown that patterns of violence and restraint may differ both between and within armed forces and armed groups. The research also found that the number of competing influences over armed groups increases with the extent of decentralization and community-embeddedness of a group. Sources of influence also change over time and in response to events. These findings suggest that a detailed understanding of the inner workings of armed groups is a prerequisite for identifying the sources of authority, the beliefs, the traditions and the people steering their behaviour towards violence or restraint.

For the ICRC, gaining such understanding requires the broad, multidisciplinary participation of its resident and mobile staff and the democratization of responsibility for analysing armed groups. It is not only those with a military background or training in negotiation who speak to armed forces and armed groups; frequently it is generalists and technical specialists running programmes to repair water supplies, vaccinate livestock, distribute seed, restore livelihoods, establish health clinics or deliver Red Cross messages who interact and build trust with communities and armed groups. They need to understand the nature of the armed groups they encounter and contribute their knowledge and experience to the analysis. Training manuals on engagement with armed groups are predominantly based on rational actor models, identifying leverage points based on their supposed economic or political interests.[65] But findings from this study demonstrate that behaviour is also shaped by values, traditions and ideology, and communities debate acceptable and unacceptable behaviour. Understanding local viewpoints and values starts by a deeper engagement with communities themselves.

The disparities between the different kinds of armed forces and armed groups revealed in the research demonstrate the futility of a one-size-fits-all approach to improving their compliance with humanitarian rules and principles. We have seen that organizational structure has a bearing on the sources of influence on armed forces and armed groups. This chapter therefore proposes a "blueprint" for each category of armed group based on its organizational structure. These blueprints aim to guide reflection on which type of approach might be appropriate for which category. But first, we will review the study's overall findings and what these might mean for the ICRC and other humanitarian agencies.

6.1 MAIN FINDINGS AND IMPLICATIONS

On the ICRC's current "integration approach"
The research found that the ICRC's approach to instilling norms of restraint in vertically structured State armed forces and non-State armed groups remains highly pertinent. In State armed forces, the intensity of training and its adaptation to the specificities of the audience increase its effectiveness. In centralized non-State armed groups, ideology and its inculcation through all-encompassing socialization practices shape behaviour to a large extent, suggesting that the approach of the ICRC and Geneva Call,[66] among others, to gain the commitment of armed-group leaders to humanitarian norms continues to be relevant.

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65   Gilles Carbonnier, *Humanitarian Economics: War, Disaster and the Global Aid Market,* Hurst, London, 2015, p. 20.
66   See Geneva Call's website for details on how the organization encourages non-State armed groups to sign a "Deed of Commitment" to respect specific humanitarian norms: https://genevacall.org/how-we-work/deed-of-commitment/

However, the research also found that the informal socialization processes of the peer group can have as strong an influence on behaviour as formal mechanisms like training, and thus can strengthen or undermine adherence to IHL. Hence, the ICRC could enhance its approach by gaining a better understanding of those socialization processes and by considering ways to address informal codes and practices that do not align with formal rules, such as marching songs glorifying sexual violence.

On influencing behaviour in decentralized and community-embedded armed groups

While it is difficult to extrapolate on findings from such a small sample of armed groups, it seems clear that the behaviour of members of these groups is not as chaotic or uncontrolled as often depicted; that there are clear sources of influence on their behaviour; and that the more decentralized the group, the more these sources are external to the group. The Mali and South Sudan cases highlight that there are competing sources of authority seeking to control the use of violence at the local, regional and global levels and that these shift over time and in accordance with events. This presents more entry points for dialogue on behaviour but dilutes the impact of any one source on the armed group.

The complexity of alliances among many of the armed groups to have emerged in the last decade – their manifestation as "networks of networks" – requires a long-term vision of sustained dialogue with those identified as having influence on violence and restraint at a particular time. Sowing doubt in the minds of armed-group members about their use of violence has been found in the ICRC's practice to temper behaviour over time. This long-term approach necessitates a coherent strategy and strong institutional memory to compensate for shorter-term staff turnover.

On the primacy of legal arguments

This study and the ICRC's experience suggest that across all types of armed groups, an exclusive focus on the law is not as effective at influencing behaviour as a combination of the law and the values underpinning it. Linking the law to local norms and values gives it greater traction. The role of law is vital in setting standards, but encouraging individuals to internalize the values it represents through socialization is a more durable way of promoting restraint. A downward spiral of reciprocal IHL violations seems less likely to occur if norms of IHL are intrinsic to a combatant's honour. Thus, identifying historical and contemporary references that resonate in local contexts enhances the persuasive power of arguments for restraint.

On understanding armed groups

The research suggests that the organizational structure of an armed group provides important clues to the sources of influence on the behaviour of its members. Analysing the patterns of violence of armed forces and armed groups – the type of violence, and for each type, the target, frequency and method used (see Chapter 1) – can in turn shed light on questions of command and control and help identify where and when restraint is exercised. Monitoring instances of restraint can in turn spark inquiry into why restraint was shown in one context and not another, potentially broadening understanding of the dynamics and personalities at play. Distinguishing between violence as a "policy" as opposed to opportunistic "practice" can steer decisions over the appropriate level at which to direct dialogue.

The following questions might help to provide further insights into an armed force's or armed group's organizational structure:

1. Is there an obvious leadership that issues orders? Do those orders appear to be followed?
2. Are there visible signs of hierarchy and discipline, such as uniforms, saluting, consistent use of ranks across the group?
3. How does a group relate to a local community? Does it receive support (political, social or economic)?
4. Who or what are the sources of influence over the group (political, social, economic, spiritual or other)? How do they exert their authority?
5. Is the group's ideology reflected in its practice?
6. How are the group's rules socialized and reinforced in the group (e.g. through training, rituals, speeches by influential figures, violent practices)?
7. Do units of a larger group exhibit rituals or practices that are at odds with the group's doctrine and stated purpose?

Not all armed groups will fit neatly on the spectrum of armed-group organization introduced in Chapter 1. Some are more akin to movements, with a centralized core inspiring and guiding decentralized sub-groups with differing degrees of affiliation to the core. Analysing such alliances by examining each member group individually advances understanding of their actual degree of autonomy. Individual groups, for example, might have different sources of influence, requiring engagement strategies at the local, national, regional and global levels.

On understanding civilian agency

The role that communities play in influencing the behaviour of armed groups was touched on in several of the cases studied. Civilians living in communities are not passive entities but can influence armed-group behaviour in favour of violence or restraint. In Colombia, cohesive communities with strong leaders forged self-protection strategies that shielded them from armed violence and abuse. But communities can also stimulate violence: in both Colombia and Mali, communities called for violence against those seen to be jeopardizing business interests or deemed socially undesirable.

A deeper engagement with communities can enhance understanding of mechanisms of restraint. Many opportunities present themselves in the course of humanitarian activities to open dialogue with community members on their norms of restraint (see the example of wrestling in Chapter 5). But in their desire to support community self-protection initiatives, humanitarian organizations need to be mindful of the potential ramifications of such efforts. Interventions by outsiders can change and possibly undermine community dynamics; aid projects can attract negative attention from armed groups; and supporting the organization and advocacy of social groups is an inherently political process that may harm perceptions of neutrality.

On trust as a prerequisite for engagement

The ability of humanitarian organizations to engage with, and try to influence the behaviour of, armed forces and armed groups depends to a large extent on the trust others have in the organization's purposes and practices. Commanders are unlikely to meet with, let alone listen to, representatives of organizations they distrust. Rationalists might argue that the prospect of goods and services in the regions under their control and potential legitimacy accrued from inter-actions with aid organizations would outweigh considerations of trust.[67] And this might have been true of many armed groups in the two decades following the end of the Cold War. But the reduced access by aid organizations to areas controlled by non-State armed groups (and some governments) over the past decade – through an absence of security "guarantees" and/or rejection of a "Western" humanitarian presence – attests to a changing environment.

The importance of trust was strongly reflected in a survey undertaken for this project among ICRC staff who engage with non-State armed groups. The survey asked what respondents considered to be the most important factors deter-mining the acceptance of the ICRC's humanitarian action in areas controlled by non-State armed groups. Fifty-one per cent of responses related to issues of trust in the principles and working methods of the organization (such as neutrality, independence, confidentiality and predictability), with only 21 per cent stating reasons related to what the non-State armed group sought for itself (such as goods and services for populations living in its territory, legitimacy, medical supplies, and first-aid training for its fighters). Respondents empha-sized the extent to which armed groups warn the ICRC that they are watching that the organization's actions are consistent with its claims, not just locally but across different contexts. This suggests a need to further strengthen the coherence and consistency of the ICRC's humanitarian credentials in the prac-tical and digital spheres.

6.2 BLUEPRINTS FOR ENGAGEMENT

The following "blueprints for engagement" summarize the main insights from the research on each category of armed force or armed group, and the questions we should ask ourselves when designing an engagement approach. They constitute a starting point for analysing armed groups without being a substitute for detailed and context-ualized examination of their particularities.

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67 For the various ways armed groups benefit from humanitarian action, see Fiona Terry, *Condemned to Repeat? The Paradox of Humanitarian Action*, Cornell University Press, Ithaca and London, 2002.

INTEGRATED STATE ARMED FORCES (Chapter 2)

CHARACTERISTICS

- Strictly hierarchical decision-making and authority
- Codified, observable rules that are consistently applied
- Observable signs of discipline (professionalism in uniforms, saluting, routines)
- Separation from civilian life when on duty

SOURCES OF AUTHORITY AND RESTRAINT

- Senior leadership
- Junior officers and non-commissioned officers
- Doctrine, standard operating procedures, rules of engagement and informal norms and values
- Threat of punishment

SOCIALIZATION PROCESSES

- Formal training, hierarchy and discipline
- Informal values and rituals (e.g. hazing, marching songs)

INSIGHTS

The intensity of training in IHL (frequency, methods) makes a difference to battlefield conduct. The trainer must be credible with the audience, whether through experience or expertise.

Training effectiveness is best tested under battlefield-like conditions.

Norms of restraint need to be reinforced at critical moments by the immediate superior.

Formal socialization can be reinforced or undermined by informal socialization processes.

Norms of restraint are more likely to hold if they are internalized as part of a soldier's identity – beyond "it is against the law" to "it is not who we are".

CONSIDERATIONS

What events, legends, personalities and values form part of the armed force's identity? How do these shape formal and informal socialization?

How much influence do junior and non-commissioned officers have on unit members' behaviour and viewpoints?

What intersecting identities (e.g. religious, ethnic) do members of the armed force have? Do they create other entry points for messages on restraint?

Do monitoring mechanisms weaken with distance from central command? How does this affect behaviour?

What profile of trainer would be most credible with particular audiences?

APPROACHES

Advise and assist in the integration of IHL into national laws and into military doctrine at all levels.

Assist in the development of IHL training tailored to the audience. Find references that resonate with participants. Recommend that training be tested under duress.

Promote the socialization of values related to IHL by supporting its integration into organizational culture.

Track patterns of violence and identify instances of restraint. Investigate the sources of influence on restraint. Distinguish between violence as a policy and as a practice.

Encourage States allying with other State and non-State forces to ensure that their partners socialize norms of restraint among their soldiers or fighters.
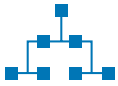
CENTRALIZED NON-STATE ARMED GROUPS (Chapter 3)

CHARACTERISTICS

- Leadership exercises tight command and control over subordinates through a strict hierarchy, but monitoring mechanisms may be weak
- A prominent doctrine or ideology outlines goals, approaches and world view
- Observable signs of discipline (professionalism in uniforms, saluting, routines)
- Isolated from civilian population (housed in camps or barracks)

SOURCES OF AUTHORITY AND RESTRAINT

- Senior leaders and commanders of sub-units
- Group ideologues and codes of conduct
- Ideology, codes of conduct, discipline
- Threat of punishment

SOCIALIZATION PROCESSES

- Immersive regime (e.g. controlling all aspects of the daily routine)
- Initiation rituals and informal bonds

INSIGHTS

Groups espouse an elaborate doctrine or ideology that specifies goals. They regularly publish or broadcast the group's ideas and values to a wider public.

The rules stipulate the parameters and targets of permissible violence.

A weak capacity to monitor the behaviour of fighting units leaves unit commanders with scope to interpret how norms are understood and applied.

Group loyalty is forged through intense socialization practices that aim to reshape members' identities.

CONSIDERATIONS

What is the group's ideology? What does its code of conduct say about violence and restraint? Where are the overlaps with IHL?

Who articulates or interprets the group's doctrine or ideology?

How are group beliefs and rules socialized among members?

Are there variations in patterns of violence between different units of the same group? What does this convey about command and control?

What is the relationship between the armed group and local communities? Are communities able to resist being drawn into the conflict?

What profile of trainer is most credible with particular audiences?

APPROACHES

Track patterns of violence and identify instances of restraint. Investigate the sources of influence on restraint. Distinguish between violence as a policy and as a practice.

Discuss parallels between the group's doctrine and IHL, and seek further alignment.

Discuss with the leadership any disparities between the rules and observed behaviour. Advise on ambiguities that allow different interpretations of the rules.

Discuss with the leadership the informal norms that may undermine formal rules, and the strength of monitoring mechanisms.

Discuss with communities ways in which they engage with an armed group and how they shield community members from violence and recruitment.

DECENTRALIZED NON-STATE ARMED GROUPS (Chapter 4)

CHARACTERISTICS

- Fluid alliances of small armed groups
- Individual commanders retain decision-making power over group members
- Units may break away to join new associations, without compromising group cohesion
- Multiple decentralized groups can work in a broader movement, giving local, regional and global reach
- Loose coordination within the alliance, including in military planning and operations
- Few observable signs of military discipline

SOURCES OF AUTHORITY AND RESTRAINT
- Unit commanders
- Local business, religious or cultural elites
- Senior leadership
- Ideological and religious texts
- Threat of punishment

SOCIALIZATION PROCESSES
- Extremely varied
- Can be based on local culture and customs
- Could include military and ideological training
- Strong informal socialization in the peer group

INSIGHTS

The more decentralized the armed group, the more its behaviour is influenced by sources external to the group.

The conduct of individual units depends heavily on the commander's preferences.

Groups are integrated into local social networks (e.g. communities, local notables) and can retain links to regional or global armed groups.

The influence of local actors on the behaviour of the armed group fluctuates over time and in response to events.

Group values and rules can promote restraint, even in the absence of monitoring systems.

CONSIDERATIONS

How does the alliance of armed groups fit together? What is the nature of the relationships between small-group leaders and alliance leaders?

What is the relationship between the armed group and the local community? Do community/business/religious leaders exert influence on armed-group behaviour?

Does the group draw on socialization processes based on local customs or traditions (e.g. coming-of-age rituals)?

How has the influence of key actors in an armed group changed over time, and why? What is the source of their influence (e.g. religious, financial, political or social).

What are the customary rules on warfare? What parallels are found in IHL?

APPROACHES

Track patterns of violence and identify instances of restraint. Investigate the sources of influence on restraint. Distinguish between violence as a policy and as a practice.

Prioritize dialogue with local commanders. These may change regularly.

Develop a nuanced understanding of the most important sources of influence over an armed group's behaviour, noting the type of authority they draw on.

Engagement strategies need to mirror the structure of the alliance, interacting at the local, national, regional and global levels.

The ICRC must be consistent, predictable and transparent in all that it says and does.

COMMUNITY-EMBEDDED ARMED GROUPS (Chapter 5)

CHARACTERISTICS

- Comprise 10–50 young men, and in some cases women, from a local community
- Formed to defend community interests
- Flat hierarchical structure
- Mobilized to fight by community notables or politicians
- Initiation rituals forge group cohesion
- Mobilization is temporary
- Codes of conduct are unwritten and reflect local values, customary law and traditions

SOURCES OF AUTHORITY AND RESTRAINT

- Traditional leaders
- Local politicians
- Local religious leaders
- Local business elite
- Leaders of local youth fighters
- Community norms and values
- Community debates over interpretation of norms

SOCIALIZATION PROCESSES

- Community coming-of-age rituals
- Local religious and customary practices

INSIGHTS

Group members do not remain mobilized, but return to their roles in the community.

Community-embedded groups may not choose when, where or how they fight.

Local, regional and national actors may compete for influence and control over such groups.

Traditional norms regulating violence and restraint may be subject to community debate.

The image of chaotic, uncontrolled violence by these groups may mask who is really in control.

CONSIDERATIONS

How do community-embedded armed groups fit into their communities?

How do group leaders emerge? On what does their authority lie? What is the extent of their direct influence over the group?

Who influences when and how a group fights?

What are the customary rules on warfare? What parallels are found in IHL?

How does the ICRC engage with group members when they are in their community role? Can we use this engagement to indirectly discuss behaviour during armed conflict?

APPROACHES

Track patterns of violence and identify instances of restraint. Investigate the sources of influence on restraint. Distinguish between violence as a policy and as a practice.

Acquire a deeper understanding of how community-embedded groups relate to different types of local and national authority figures.

Promote restraint through community norms, customary law or other legal frameworks (e.g. IHL and Islam).

Pursue a cross-sectoral approach to understanding and engaging with communities.

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