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THE UNCHANGING YIN AND YANG OF HUMAN NATURE

by

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Robert McNamara's 11th lesson in the documentary "The Fog of War" is that we cannot change human nature[1]. He argues that "war is so complex, it's beyond the ability of the human mind to comprehend all the variables". He states that as humans our judgments and understanding are not adequate, that we kill people unnecessarily, that in war we make mistakes which lead to these deaths; despite the rationality of humans there is a limit to this rationality. His conclusion is that because we cannot change human nature, we can't eliminate wars. While I agree with his claim that human nature is unchanging, I cannot agree with the way he characterizes and defines human nature. Will we always have war? Undoubtedly yes. But stating that massive amounts of casualties are caused merely by mistakes is too simplistic. This paper, therefore cannot merely argue in support of McNamara's statement that human nature is unchanging, but must also address the concept of human nature in order to appropriately define what it is that is unchanging. This essay will discuss two major components of human nature, its greed and its altruism. It is this combination of elements within human nature that is unchanging.

Thomas Hobbes believed that basic human nature was greed. However, in order to create partnerships and relationships with

[1] Morris, Errol, Michael Williams, Julie Bilson Ahlberg, Robert Chappell, Robert S. McNamara, and Philip Glass. 2004. *The Fog of War: Eleven Lessons from the Life of Robert S. McNamara*.

other individuals, one makes trade-offs accepting limitations to his complete freedom. Hobbes did not try and say humans were confused and making mistakes when they committed egregious acts. He argued that they were at their very core, naturally cruel, greedy, and selfish[2]. McNamara on the other hand, contends that man has limits to his rationality and makes mistakes in the 'Fog of War', arguing in a manner that attempts to lessen responsibility for man's inhumanity to man. It is easier to say we made mistakes and now we must learn from them than to admit that war is caused by greed (for power or resources) and fear (of the unknown or loss of power). It is true that one may make mistakes and misinterpret a threat because of not understanding nor trying to empathize with their enemy as is seen with McNamara's examples of the Vietnam war, but this is only one factor[3]. Wars are always the product of national or group interests, whether that is oil, water, land, food, security or power.

McNamara's definition of human nature, apart from being somewhat dishonest, is also one-sided. Human nature, while greedy and self-interested, also has a more altruistic side. It is a duality, a constant conflict and contrast of two major human traits. We have already established the first to be greed and self-interest, the other, is altruism and a striving for limiting the barbarity of war. It is this side of humanity that has lead to the creation of human rights codes and modern-day International Humanitarian Law. Like the Chinese philosophic concept of Yin (阴) and Yang (阳), the two sides of human nature, seemingly opposite forces, are actually complementary and interconnected. Human nature will never change, but what this means is that a) we will always have wars, but b) we will always strive to limit warfare. Humanity

[2] Hobbes, Thomas. 2000. Léviathan. St-Amand, Cher: Éditions Gallimard. 220-228.
[3] Supra, note 1.

has both the capacity for great evil and great good. There are individuals in society more influenced by the Yin and others by the Yang. This is how we can have both those who spend their lives feeding the poor and fighting for the voiceless and those that rise up and command armies to slaughter entire villages.

Consider a spectrum set over a geometric horizontal axis, the left is human nature's greed and self-interest, and the right is man's altruism and sense of moral justice. The majority of society is a combination of the two and found at varying distances from either side somewhere in the middle. Any individual can move on the sliding scale as they make decisions. At either ends are the extremes of both traits in human nature, they are the 'Génocidaires' on the left and the philanthropists on the right. Unfortunately people are easily manipulated and so the collective in the middle of this spectrum are those that contribute to charity campaigns to help refugees, but on the other hand are also, when in the hands of the right circumstances and the wrong leaders, those that aid in committing mass atrocities. It is all circumstance, environment and leadership. In both of these extremes the circumstances and leadership brings out one of the two competing sides of human nature. Most individuals in the middle of the spectrum, given the right environmental pressure, will comply (like in the Milgram Experiment or Standford Prison Experiment, or in more extreme examples the Holocaust or Rwandan Genocide)[4].

If the Yin (greed) in human nature is the cause of wars and conflict, then the Yang is responsible for limitations on warfare

[4] The Holocaust and Rwandan Genocides are clearly more complex than mere environmental pressure but rather the combination of various factors including dehumanizing the other, failure to empathize with the enemy, and environmental/societal pressure.

and human rights. McNamara points out that some believe "war is cruel, war is cruelty"[5], but true cruelty in war comes from disproportionate attacks, indiscriminate weapons, and the disregard for the rights of civilians, essentially it is wanting to win at all costs, or justifying that the end justifies the horrific means. The Yang of human nature has lead to many treaties and rules surrounding warfare attempting to counterbalance the cruelty and protect civilians and prisoners of war.

Human nature has not changed thus far. We see this from the history of wars that have swept the earth, from ancient to contemporary. Armed conflict pre-exists recorded history with 10, 000 year old skeletons recently found at Nataruk in Kenya suggesting the massacre of one hunter-gatherer tribe by another[6]. Cave art from the New Stone Age also "depicts bowmen apparently in conflict" [7]. "Since that time, there have been few periods in human history when there has not been an armed conflict someplace"[8]. Man's penchant for war has not changed, merely the lethality of the weaponry used. We also see that the attempt to limit the cruelty of war has not changed either.

While many consider human rights to be a modern creation, limitations on warfare in one form or another have been propounded for centuries. The Mahabharata (from Ancient India) and Chapters of the Bible's Old Testament (also in the Torah) are early examples of theorizing a 'just war' and arguing for

[5] Supra, note 1.
[6] Lahr, M. Mirazón, F. Rivera, R. K. Power, A. Mounier, B. Copsey, F. Crivellaro, J. E. Edung et al. "Inter-group violence among early Holocene hunter-gatherers of West Turkana, Kenya." *Nature* 529, no. 7586 (2016): 394-398.
[7] Solis, Gary D. *The law of armed conflict: international humanitarian law in war*. Cambridge University Press, 2016. 659.
[8] Ibid.

limitations on warfare. The Mahabharata offers one story of five brothers discussing justified warfare. During their discussion, they establish criteria for a just war such as proportionality, just means, just cause and fair treatment of captives and the wounded[9]. Examples are given such as, chariots cannot attack cavalry but only other chariots, one may not use barbed arrows, and no attacking out of rage[10]. The fifth book of the Torah and Bible, Deuteronomy, has a number of regulations concerning war. 20:19-20 limits the amount of acceptable environmental damage[11]. Deuteronomy 20:10–12, requires the Israelites to attempt to make peace with the opposing party before laying siege to their city[12]. Deuteronomy 21:10–14 even requires that female captives who were forced to marry the victors of a war could not be sold into slavery once their husband's were tired of them[13].

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[9] Robinson, Paul F. *Just war in comparative perspective*. Gower Publishing, Ltd., 2003. 117.

[10] Ibid.

[11] "When thou shalt besiege a city a long time, in making war against it to take it, thou shalt not destroy the trees thereof by forcing an axe against them: for thou mayest eat of them, and thou shalt not cut them down (for the tree of the field is man's life) to employ them in the siege: [20] Only the trees which thou knowest that they be not trees for meat, thou shalt destroy and cut them down; and thou shalt build bulwarks against the city that maketh war with thee, until it be subdued"; *Holy Bible, King James Version*. 1987. Bible Gateway. Sept. 25, 2016.

[12] When thou comest nigh unto a city to fight against it, then proclaim peace unto it. [11] And it shall be, if it make thee answer of peace, and open unto thee, then it shall be, that all the people that is found therein shall be tributaries unto thee, and they shall serve thee. [12] And if it will make no peace with thee, but will make war against thee, then thou shalt besiege it; Ibid.

[13] When thou goest forth to war against thine enemies, and the LORD thy God hath delivered them into thine hands, and thou hast taken them captive, [11] And seest among the captives a beautiful woman, and hast a desire unto her, that thou wouldest have her to thy wife; [12] Then thou shalt bring her home to thine house, and she shall shave her head, and pare her nails; [13] And she shall put the raiment of her captivity from off

In the 5th century AD, Augustine of Hippo in "The City of God" Book XIX Chapter 7 describes when he believes war can be morally justifiable. By the early seventh century, the first Caliph[14], Abu Bakr, instructs his army with the following rules of warfare:

> "Stop, O people, that I may give you ten rules for your guidance in the battlefield. Do not commit treachery or deviate from the right path. You must not mutilate dead bodies. Neither kill a child, nor a woman, nor an aged man. Bring no harm to the trees, nor burn them with fire, especially those which are fruitful. Slay not any of the enemy's flock, save for your food. You are likely to pass by people who have devoted their lives to monastic services; leave them alone.[15]"

Centuries later, Thomas Acquinas, builds on Augustine's work in his "Summa Theologica"[16]. By the 14th century, there were

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her, and shall remain in thine house, and bewail her father and her mother a full month: and after that thou shalt go in unto her, and be her husband, and she shall be thy wife. [14] And it shall be, if thou have no delight in her, then thou shalt let her go whither she will; but thou shalt not sell her at all for money, thou shalt not make merchandise of her, because thou hast humbled her; Ibid.

[14] A successor of Muhammad as temporal and spiritual head of Islam; "Caliph." Merriam-Webster.com. Accessed September 25, 2016. http://www.merriam-webster.com/dictionary/caliph.

[15] Aboul-Enein, H. Yousuf and Zuhur, Sherifa, *Islamic Rulings on Warfare*. Strategic Studies Institute, US Army War College, Diane Publishing Co., Darby PA. 2004. 22; ibn Anas, Mālik. *Al-Muwatta of Iman Malik Ibn Ana: The First Formulation of Islamic Law*. Routledge, 1989. Hadith 21.3.10.

[16] Aquinas, Thomas. "Summa Theologica, Volume 3 (Part II, Second Section)." *New York: Cosimo* (2007). 40.

published rules for the limits of hostilities with King Richard the II's "Ordinance for the Government of the Army"[17]. In it, violence against women and unarmed priests was punishable by death[18]. Other nations soon followed suit with similar legislation[19].

There are also, interestingly, early instances of trials that appear to be similar to our modern-day trials for crimes against humanity. The 1474 trial of Peter von Hagenbach is one such example. He was charged with large-scale murder, rape, illegal taxation and confiscation of property, all of which was done to establish dominance and control over the region (know as the siege of Breisach)[20]. Instead of an ordinary tribunal, an ad hoc tribunal was set up. He also attempted a defence of following a superior's orders, which did not save him as the gravity of the offences were deemed "contrary to the laws of God", or as we would now consider them, illegal orders[21].

Human nature's dual propensity to commit war on one hand, but also to attempt to limit the savagery of that warfare on the other, has not changed with the ages, nor will it change in the future. We currently have a number of conflicts: ethnic violence in South Sudan, the Somali Civil war, Syrian Civil war, the Israeli-Palestinian conflict, the war in Afghanistan and the war in Iraq (including the more recent Iraqi Civil War), just to name a few. Current attempts

[17] Greppi, Edoardo. "The evolution of individual criminal responsibility under international law." *Revue Internationale de la Croix-Rouge/International Review of the Red Cross* 81, no. 835 (1999): 531-553.
[18] Ibid.
[19] Ibid.
[20] Ibid.
[21] Ibid.

at regulating warfare are the Geneva Conventions, the Rome Statute of the International Criminal Court, and the Treaty on the Non-*Proliferation* of *Nuclear Weapons*. The good of new agreements and laws are constantly being balanced out by not only new conflicts but by the infiltration of politics into the administration of international justice. The ICC, which is a beautiful entity in theory, is plagued with politics limiting its effectiveness and reach. It is very much aspirational and hopefully only gets stronger and more effective with time as more nations sign and ratify the Rome Statute. Unfortunately, as human nature does not change, self-interest continues to play a role in attempting to apply sanctions for breaches of International Criminal law and International Humanitarian law. The stronger nations will always find a way to come out on top. McNamara confesses himself, if they had lost the war (US-Japanese War), they would have been prosecuted as war criminals.

The future is to be filled with more of the same but the politics are getting trickier as the risk of war carries with it a higher severity. The new age of war makes human nature all the more dangerous with technologies such as nuclear and biological weapons. New ethical dilemmas are also arising with the invention of drones and unmanned warfare devices. As the Yin of mankind is equipped with modern warfare tools, the importance of our Yang, the ever-changing International Humanitarian law and International Criminal law, will continue to grow as well. As nations continue to battle terrorism, some governments and some solders, will continue to seek to blur the lines of acceptable behaviour as fear and anger cloud their judgment or changes their perspectives on morality. Escalation of conflicts will arise as the US declines slowly from power, as China and Russia attempt to assert their global leadership,

as nations fight over the Arctic, and as potable war and natural resources become more scarce. The Yin, our greed, hunger for power and nationalistic interests will always find its way to stir up conflict; it is only through the continual presence of the Yang that humanity maintains a balance with this chaos and horror and gives all man hope that the future can be better than the past.

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« CENT JOURS DE MACHETTES »
LORSQUE L'ACTION PRIMITIVE RENCONTRE L'INACTION MODERNE

par

SOUS-LIEUTENANT GERRY MÉNARD

Introduction

À la suite des atrocités découvertes après l'Holocauste, le monde avait consenti qu'en cas qu'un tel évènement puisse à nouveau survenir, la responsabilité de prévenir et d'intervenir incombait à tous (Never again). C'est à partir de cette résolution que l'Organisation des Nations Unies (ONU) et l'Organisation du traité de l'Atlantique Nord (OTAN) seront formées. Cependant, cinq décennies plus tard, dans le contexte d'une guerre à faible intensité, mais longue et tous azimuts, ces paroles ne sont pas suivies par des actions alors que le Rwanda est le théâtre d'une horreur indescriptible atteignant une efficacité meurtrière cinq fois supérieure à la machine nazie. Au contraire de la communauté internationale, qui considérait à tort le contentieux de nature ethnique spontané, les études révèlent que l'animosité et la distinction nette entre les deux ethnies remontent à plusieurs siècles, et plus récemment, les répercussions d'un manque de volonté politique se dévoilèrent sous une forme des plus tragiques. Premièrement, nous examinerons les circonstances historiques complexes par lesquelles le génocide s'est mis en œuvre, soit de la précolonisation à la présence belge

aggravant les dissensions ethniques jusqu'à l'intensification du conflit après l'indépendance. Deuxièmement, nous nous intéresserons au processus de cette amplification et à son importance dans une perspective nationale, régionale et internationale durant la Guerre froide. Troisièmement, nous essayerons de déceler les signes avant-coureurs d'une catastrophe à venir et pourquoi ces signes n'ont pas été écoutés à partir de la théorie de Zygmut Bauman. Méthodiquement, en raison de l'inaction de la communauté internationale durant une période où la bureaucratie s'est complexifiée, une approche sociologique analysant le génocide rwandais au centre du nouvel ordre mondial pourra clarifier comment celui-ci s'avère autant le produit de l'inaction de la modernité que de son activité. Nous étayerons qu'au-delà de l'aspect historique, le modernisme institutionnel revendiqué par les Lumières et mettant fin à l'absolutisme créera, au fil du temps, une machine si complexe et rigide qu'elle perdra de son essence morale. Finalement, nous relèverons quelques erreurs commises durant ce conflit afin de mieux préparer l'avenir, car la seule piste envisageable à la suite de ces évènements est la rétrospection constructive.

Période précoloniale du Rwanda

Contrairement à l'avis de certains observateurs, le génocide rwandais n'était pas un conflit ethnique, mais plutôt de castes. Avant la période coloniale, les Hutus et les Tutsis avaient toujours partagé le même territoire, la même religion et la même langue — Kinyarwanda — qui sont normalement des dénominateurs communs de conflits. On ne peut affirmer avec certitude ce qui a permis aux Tutsis (17 % de la population rwandaise) d'asseoir leur domination sur les Hutus, cinq fois plus nombreux qu'eux. Néanmoins,

il y avait un consensus qu'être Hutu n'était pas envié, mais cette distinction semblait n'avoir que pour critère le gain matériel. Cela dit, l'accumulation matérielle d'un Hutu pouvait le départir de son ethnie méprisée (kwihutura). La croyance fallacieuse que les termes « ethnie » et « gain matériel » étaient indissociables prendra une ampleur considérable durant la présence belge et après son départ. Quoiqu'il puisse n'y avoir eu aucune violence systématique de l'ampleur de ce que nous avons pu connaître au printemps 1994, la « tutsification » politique et la densité démographique du petit Rwanda ont longtemps permis d'exercer un autoritarisme oppressant.

Colonisation allemande et belge

Afin de comprendre non seulement la présence des puissances européennes en sol africain, nous nous devons de retourner avant le siècle des Lumières. Ce qui a pu en partie permettre le siècle des Lumières est l'essoufflement militaire de l'Europe après la Guerre de Trente Ans et ses conflits adjacents dans la deuxième moitié du 17e siècle. Bien que les Lumières furent les disciples de la démocratie, de la liberté individuelle et de la tolérance ainsi que des différentes avancées scientifiques, techniques, mathématiques et philosophiques héritées de la rationalité kantienne, des empiriques et des déistes (Voltaire le premier), ils seront également générateurs de préjugés qui traceront la conduite coloniale des siècles à venir. Les milieux intellectuels occidentaux éprouvèrent une grande xénophobie et un sentiment de supériorité vis-à-vis l'Autre. À travers l'Europe occidentale, les canons intellectuels partageaient de cet avis, de Locke à Voltaire en passant par David Hume : « I am apt to suspect the Negroes ... to be

naturally inferior to the whites. There never was a civilized nation of any complexion than whites, nor even any individual, eminent either in action or speculation. » De plus, pour des raisons de suprématie, les puissances ont légitimé leur expansion territoriale en invoquant la raison que le retard économique et institutionnel des populations conquises rendait légitime leur invasion (terra nullius). La Glorieuse Révolution de 1688 s'est propagée en France pour aboutir à la Révolution française un siècle plus tard suivant aux talons le Sturm und Drang. La conférence de Berlin attribua le royaume du Ruanda-Urundi à l'Allemagne. La courte colonisation par l'Allemagne du Rwanda n'a eu lieu qu'à la fin du 19e siècle, mais déjà depuis plusieurs décennies, le scientisme et le positivisme faisaient forte autorité. Dans cette croyance bornée de la vérité scientifique absolue et non de réalités empiriques ou humanistes, les Belges, nouveaux propriétaires du Rwanda au dénouement de la Grande Guerre, procédèrent à une dichotomisation des Hutus et des Tutsis sur la base paradoxale selon laquelle, d'une part, les avancements pseudo-scientifiques tels que la craniologie, la phrénologie et l'indice céphalomandibulaire longuement étudié par Broca et Ammon, permettraient de déterminer quelle ethnie serait la plus apte à diriger et que, d'autre part, le droit naturel des Tutsis de régner se justifiait par le mythe hamitique, selon lequel Arthur Gobineau les reconnaissait comme les vestiges d'une coulée blanche. Selon ce mythe, produit des Belges, les Tutsis proviendraient de l'Éthiopie (Seligman). L'appui belge a inévitablement renforcé les différends entre les deux ethnies, mais lorsque les Hutus ont revendiqué l'indépendance en raison de cet asservissement outre mesure, les Belges, grandement surpassés numériquement par les Hutus, pensaient avoir trouvé la solution dans le renversement du mythe hamitique et, plus

tard, l'imposition française des cartes d'identité en 1993. Ce fut trop tard alors que le Rwanda, devenu indépendant en 1962 et dirigé par un Hutu, force le départ des troupes belges et provoque l'exil de dizaines de milliers de Tutsis.

Le Rwanda après l'indépendance

Dans une approche sociohistorique, le génocide rwandais ne peut que s'expliquer dans le contexte de la Guerre froide. On ne peut être certain de ce qui a convaincu les Belges de privilégier d'abord les Tutsis, outre leur statut de minorité et leur ressemblance avec la race blanche, mais il est indéniable que ce fut une erreur. D'un point de vue du Rwandais, la présence belge en son sol peut se résumer comme telle : une double trahison par le mythe hamitique et l'abandon militaire après la mort de ses soldats permettant le chaos. Bien que les Tutsis en ressortent grandement victorieux, l'expérience coloniale n'a toutefois rien appris d'édifiant aux présidents rwandais : « Colonial regimes taught very bad lessons. First, people came to believe that political power is the only source of wealth. The state dictates who propers. » De cette mauvaise croyance, les Hutus se sont empressés de se libérer de siècles d'oppression, obligeant alors les Tutsis à l'exil vers les pays limitrophes du Zaïre, du Burundi, de la Tanzanie et de l'Ouganda. L'un des premiers signes avant-coureurs de génocide est l'attaque des inyenzi (called cockroaches by the Hutu government) en 1961. Tandis que les insurgés ont mené une attaque sur Kigali en provenance du Burundi et percé jusqu'à moins de quinze kilomètres de la capitale, 20 000 Tutsis furent tués et 200 000 autres conduits dans des camps de réfugiés dans les cinq années suivant l'invasion. Avec l'élection présidentielle de Juvenal

Habyarimana en 1973, la faible opposition tutsie au Rwanda et de ses pays limitrophes et le refus présidentiel du retour des réfugiés permettent aux Hutus d'asseoir leur assise politique jusqu'à la fin des années 1980. Si le génocide rwandais n'a pas bénéficié d'une intervention adéquate, c'est principalement parce qu'il s'est mis en œuvre à l'extérieur du pays, et c'est surtout l'instabilité des pays limitrophes au Rwanda, antérieure à la venue des réfugiés, qui a rendu impossible le statu quo. En Ouganda, les réfugiés étaient bien accueillis sur l'expectative qu'ils resteraient peu longtemps. Cependant, le refus présidentiel mina cet espoir et aggrava la situation : « the refugee camps were being used as rear bases and recruitment areas for inyenzi attacks into Rwanda; the refugees received special benefits from the United States, creating jealousy and resentment among some Ugandans; and the Tutsis allied themselves with a culturally-related Uganda ethnic group, the Hima, who were resented locally as elitists. » La polémique des réfugiés en Ouganda était de grande importance et nécessitait une action imminente. Ces réfugiés posèrent problème aux présidents Obote, Amin et Museveni, les obligeant, malgré eux, à effectuer la commandite des réfugiés et dissidents rwandais par l'armée ougandaise afin d'accélérer le processus de rapatriement. De sa création à son coup d'État, il prit trois ans au Front patriotique rwandais (FPR), son organisation devait se faire en catimini pour ne pas alerter le président rwandais hutu et les opposants ougandais. L'intensification de la situation entre le président Habyarimana et le FPR peut s'expliquer par ces réalités : 1) le retour des réfugiés tutsis était inévitable en raison de la grogne montante des pays voisins ; 2) le président rwandais était forcé d'acquiescer aux demandes du FPR sans quoi il perdrait le support de la communauté internationale ; 3) le FPR est devenu

intransigeant après que le président rwandais eût fait fausse route aux accords d'Arusha et infiltré les rangs du FPR et de l'armée ougandaise ; et 4) dans aucun des deux clans ne régnait une sincérité diplomatique.

Des signes révélateurs d'une catastrophe à venir

Dès 1990, il y a des signes perceptibles d'une escalade à la violence. En octobre 1990, le FPR envahit le Rwanda, évènement suivi d'une série d'emprisonnements, d'abus et de meurtres de masse envers les Tutsis commandités par les autorités locales hutues. Dès 1992, il eut une grande quantité d'armes infiltrées à l'intention de l'armée rwandaise, en plus de la propagande haineuse, poussant ainsi des dizaines de milliers de Tutsis à la fuite. En ce qui concerne la situation sur le terrain avec la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR), le fait que la radio utilisait les Belges comme les boucs émissaires de l'attentat présidentiel et que le Colonel Bagosora ait expliqué comment il interpréterait la présence voyage aurait dû alerter les autorités. Le plus choquant est l'information partagée par Jean-Pierre sur l'endroit des cachettes d'armes. L'unique objectif de ces cachettes d'armes était de tuer les Belges en raison de la croyance suivante : « [...] extremis knew the Belgians had the best contingent in UNAMIR and were the backbone of the mission, and they assumed that if the Belgian left, the mission would collapse. » La réponse non coopérative de New York cachant peut-être quelque chose d'encore plus perfide : l'implication militaire française. En ce qui concerne les agences humanitaires au Rwanda, l'euphémisation de la situation, la croyance que le conflit concernait seulement le FPR et les Forces rwandaises de

défense (FRD), oubliant du même coup la politique génocidaire gouvernementale, et que les rapports n'étaient pas à titre préventif, mais rétroactif, n'ont pas permis à celles-ci d'informer convenablement leurs autorités respectives. Alors que nous avons relevé quelques signes projetant une catastrophe à l'horizon, expliquons maintenant pourquoi ils n'ont pas été entendus.

Pourquoi les signes n'ont-ils pas été entendus ?

Il y a une diversité de raisons pour lesquelles il n'y a pas eu d'intervention appropriée au Rwanda. Commençons par l'évident : tous les conflits subséquents à la Grande Décolonisation sont en soi une gifle à la fierté européenne qui se croyait investie d'une mission presque évangélisatrice depuis quelques siècles en répandant le modèle civilisationnel à l'étranger. De plus, en ce qui concerne la prévention du conflit, autant l'ONU que les gouvernements et les agences humanitaires, par manque d'intérêt (de réalisme), n'avaient jamais anticipé le déroulement boule de neige des évènements suivant le 6 avril 1994 — le RPF lui-même — sans mentionner que les institutions internationales n'étaient pas habilitées comme le déplorera Kofi Annan à répondre adéquatement à la situation après l'attentat de l'avion présidentiel. Dans un autre ordre d'idées, la demande du général Dallaire pour un changement du type de mission n'aurait jamais été approuvée — par le veto de la France et des États-Unis à commencer — car elle aurait exposé l'implication française. Puis, considérant l'instabilité régionale du conflit, le risque de perdre le contrôle dans un conflit armé à l'extérieur de ses frontières était plus qu'envisageable. L'épuisement militaire occidental : les guerres du Vietnam, du Golfe, d'Iran-Irak, d'Afghanistan, et vers la fin, la Bosnie et la

Somalie, ont fait en sorte que les puissances occidentales étaient réticentes à se mobiliser davantage.

Après la chute soviétique, le nouvel ordre mondial est dominé par le pays de l'Oncle Sam. Dès lors, son inaction ou son désaccord dissuade l'intervention unilatérale. Un autre grand problème est que la communauté internationale a largement pris le parti hutu, criminalisant le RPF — identifié comme perturbateur à la paix — ainsi que les Tutsis innocents du Rwanda. D'un point de vue cynique et un peu simpliste, le génocide rwandais n'est que l'application très tardive de la politique belge lorsque ceux-ci ont renversé le mythe hamitique en 1958 sous la pression indépendantiste hutue.

Le génocide rwandais, un phénomène distinctement moderne ?

Afin d'expliquer le phénomène de l'Holocauste, le sociologue polonais Zygmut Bauman a essayé d'établir la corrélation entre génocide et modernité. Nous essayerons de faire de même avec le Rwanda. Si le génocide rwandais est une création moderne, il ne répond pas à tous les critères tracés par Bauman. Nous analyserons le génocide rwandais par les trois thèmes utilisés par le sociologue : bureaucratie, rationalisation et technologie. En ce qui concerne la bureaucratie, il est vrai qu'elle est intrinsèquement moderne. La structure de la bureaucratie, qui se veut autant un fonctionnalisme horizontal que vertical, est de nature très rigide. Le désir de se conformer à la culture bureaucratique restreint grandement le pouvoir moral de chaque individu au détriment de l'autorité qui est loi. L'autoritarisme rwandais a joué un rôle important dans la planification du génocide, et ce, pour plusieurs raisons : 1) le

pouvoir politique a toujours été lié à une ethnie ; 2) le petit pays facilita un contrôle sur la population ; 3) le manque d'éducation, principalement chez les Hutus, a permis leur soumission à l'autorité ; et 4) en regard au point précédent, la promesse de récompenses matérielles à des gens peu nantis acheta leur soumission. L'escalade de la violence génocidaire a été grandement bureaucratisée, mais pas son génocide. L'Akazu, groupe politique informel et derrière la planification du génocide, était la colonne idéologique du gouvernement. Bien que la planification du génocide rwandais ait pu avoir des tendances bureaucratiques : « [...] they passed on the orders to kill to the heads of sectors and the gendarmes. Many obeyed out of subservience. The heads of sectors in their turn passed the orders to cell leaders. The cell leaders mobilized the peasants to 'do the job' ». Maureen Hiebert affirme que le génocide rwandais n'était pas bureaucratisé, car il impliquait des meurtres publics face à face et fut également perpétré par des gens sans affiliation, outre leur ethnie. Bien qu'on se soit servi de l'administration locale et des hommes d'affaires, le génocide rwandais ne peut être considéré comme une manifestation bureaucratique, car après la mort de la première ministre dont l'autorité n'était pas reconnue par l'armée, cette dernière prend le contrôle de l'État. En temps normal, celle-ci aurait été sous l'autorité civile.

La rationalisation pragmatique est un concept propre à la bureaucratie. L'efficacité est un concept prévalent de la modernité et intrinsèque à l'idée du progrès, qu'à bien des égards, seule la bureaucratie est en mesure d'accomplir. Bauman explique par la métaphore du gardener state, qu'à l'aube de la modernité, les pays tendent à créer un nouvel ordre cohérent. Comme le mentionne Hiebert, la thèse de Bauman n'explique pas pourquoi la suppression des agents

aberrants (weeds) doit absolument passer par l'extermination physique. De cette comparaison, elle rappelle que si ces parasites ne sont pas contrôlés, ils finiront par tuer le jardin, c'est la raison pour laquelle l'État ne fait pas que les déplacer, les déporter ou supprimer son élite, mais s'assure qu'ils ne pousseront plus jamais. C'est à la même conclusion que le IIIe Reich est arrivé. Par contre, Hiebert semble oublier le contexte propre au Rwanda : 1) la déportation des Tutsis avait provoqué une militarisation des dissidents dans les pays limitrophes ; 2) les Hutus n'avaient pas les ressources pour entreprendre quelconque programme de déportation ; et 3) les Hutus avaient déjà eu plusieurs signes qu'ils pouvaient agir sans impunité. Pour Alex Alvarez, le génocide est une forme de criminalité étatique instrumentalisée par les idéologies du « nationalisme et de la « souveraineté ». Le nationalisme, sentiment d'attachement à la nation par le présupposé d'une histoire commune, semble impossible au Rwanda sans le retrait d'une ethnie. De ce fait, tant que l'État ne se sera pas départi de ses éléments nocifs, il sera plus en proie à des interventions extérieures mettant en jeu sa souveraineté.

La technologie est depuis longtemps un catalyseur à efficacité, et la bureaucratie est l'outil de prédilection pour en faire usage. En ce qui concerne l'Holocauste et la théorie de Bauman, le perfectionnement du Zyklon B et celui de l'utilisation des chemins ferroviaires sont deux composantes, distinctement modernes, qui ont permis à la machine nazie d'être si meurtrière. Sans le chemin de fer, il aurait été impossible d'envoyer dans les Lagers les dizaines de millions de prisonniers qui ont contribué à l'effort de guerre. Le gaz, quant à lui, a permis une suppression accélérée aux tueurs, plus précisément de se distancer du

meurtre et de se prémunir du stress post-traumatique. Au Rwanda, l'utilisation de la radio est sûrement l'outil le plus contributeur à l'efficacité génocidaire. Avec 400 000 receveurs radiophoniques et une population relativement peu éduquée, la radio (Radio Rwanda) s'avérait le meilleur moyen de répandre la politique génocidaire des Hutus extrémistes, sans que son autorité soit contestée, alors elle acquérait une légitimité indépendante de son amoralité. Si les chemins de fer ont permis de mener à bien l'effort de guerre par les camps de concentration, les routes du Rwanda ont facilité le génocide. Rappelons que moins de 24 heures après la mort du président, les routes étaient bloquées par les agences militaires hutues. Les différents barrages routiers se sont avérés des guets-apens mortels pour les Tutsis qui cherchèrent premièrement à fuir par les grands-routes. De surcroît, à la suite de l'attentat présidentiel, l'administration hutue avait coupé les communications afin d'empêcher les Tutsis de prévoir les prochaines attaques et d'attirer l'attention du monde extérieur.

Quelques réflexions

En écho à cette tragédie, quelques points restent à visiter. Les Belges n'auraient jamais dû revenir en sol rwandais, car, malgré leur expérience du pays, ils ont créé le chaos et fâché en leur temps les deux ethnies. Ce n'est pas pour rien que les colonels Théoneste Bagosora et Nindiliyimana, bien qu'ils ambitionnaient d'autres projets, ont demandé à plusieurs occasions le retrait des forces belges au Major général Dallaire. Le fait que moins de 24 heures suivant l'attentat sur l'avion présidentiel, il y avait des barrages routiers imposé par les forces armées hutues, qu'on eût assassiné la première ministre Agathe Uwilingiyimana

(dirigeante de jure) et que la RTLM propageât des messages haineux à l'endroit des Tutsis et des Belges, porte à croire en une planification génocidaire par les Interahamwe et le Mouvement révolutionnaire national pour le développement et la démocratie (MRND [D]). Mal renseignée politiquement, mal équipée en communications et divisée, la MINUAR fut un désastre de consolidation dans la mesure où même les différentes forces coalisées ne reconnaissaient pas le commandement suprême de Dallaire: « I would be left with [...] nearly useless Bangladeshis contingent of about 1, 100 soldiers, an excellent Ghanaian battalion of about 800 [...] with no operational equipment or vehicles, 300 [...] military observers scattered around the country [...] Bangladeshis who listened to their contingent commander and not me. » Afin de bien illustrer l'inaction de la communauté internationale, Boutros Boutros-Ghali croyait qu'un contingent additionnel de 400 hommes aurait été suffisant pour neutraliser les forces.

Ce manque de réalisme, reflétant un manque d'intérêt et de volonté politique surtout après le 6 avril 1994, s'est traduit par l'immuabilité du mandat de la MINUAR. Finalement, en ce qui concerne la justice post-génocide, la France n'a-t-elle pas sa part de responsabilité autant que la Belgique ? Qu'est-ce qui permet aux pouvoirs occidentaux de laisser à la tête d'un pays un criminel de guerre, mais que ce même criminel de guerre ne puisse pas réprimander la lâcheté belge et la culpabilité française ? Bien que la réponse soit à même la question, celle-ci expose concrètement ce que la modernité permet : elle laisse des monstres en liberté sous la promesse que ceux-ci ne se retourneront pas contre les monstres qui les ont amenés et tenus au pouvoir. Cependant, seuls les premiers sont invariablement jugés par les instances juridiques.

Conclusion

À la lumière du texte, nous avons démontré avec conviction comment ce petit pays tiers-mondiste, au-delà de sa réalité ethnique et de l'inaction internationale, le génocide rwandais, comme nous l'avons vu avec Bauman, Hiebert et Alvarez, est avant tout un déchet de la modernité organisationnelle. La communauté internationale n'a pas su prévenir et intervenir dans cette catastrophe de cent jours ni dans le rapatriement de ses réfugiés. Si l'État moderne nous a libérés du fardeau de la liberté par le contrat social, elle nous a également déresponsabilisés de notre devoir moral personnel. Un autre grand problème axiologique de la modernité est sa relation imbriquée entre victoires militaires/politiques et pouvoir juridique. Qu'importe les actions commises, la justice est légitimement exercée par les victorieux, ce qui est un grand problème dans quelconque agenda de réconciliation : « What is missing from Rwanda's reconciliation agenda is the political will to recognize that guilt and innocence do not run parallel to ethnic lines. » La justice post-génocide semble se résumer en de fausses oppositions binaires, telles que bien et mal, coupables et victimes ou perdants et victorieux. Non seulement le génocide rwandais est un phénomène distinctement moderne, mais sa justice subit l'amoralité de son temps en ne traduisant pas les chefs du FPR, et ce, de la même sorte qu'on n'a pas traduit en justice certaines actions des Alliés après 1945, non plus celles de la France fournisseuse d'armes à l'armée rwandaise au début des années 1990. Malgré le fait qu'on ne puisse mesurer le succès de ce que l'on prévient comme le disait Payam Akhavan, la communauté internationale et nos structures nationales doivent procéder à un examen de conscience. Dans l'éventualité d'une catastrophe similaire, l'importance des

États-Unis devra être relativisée ; les pays engagés devront indépendamment des résultats être responsables de leurs actions, notamment la France et la Belgique dans le cas rwandais ; l'action unilatérale ne devra pas être punie et la communauté internationale devra s'intéresser à l'Afrique, et non seulement y intervenir. Le déroulement de la MINUAR et de son mandat inchangé a illustré le manque d'intérêt et de volonté morale de l'ONU. Enfin, le statu quo du Conseil de sécurité onusien est problématique. Les cinq membres permanents sont de l'époque bipolaire qui n'est plus une réalité. Dire que les victorieux ont le droit légitime d'appliquer la justice, c'est admettre que les crimes nazis auraient pu rester impunis.

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"NEW WARS" WITH "OLD" FEATURES: ISIS WAR – BETWEEN PRIMITIVISM AND POSTMODERNISM

by

SEBAHATE J. SHALA

ABSTRACT

In the last two decades, the international peace and security studies have been dominated by a debate over the changes in the contemporary war—encouraged by the "New War." The "New War" theory holds that "new wars" are different from earlier wars with respect to actors, goals, methods of fighting and means of financing. "New wars" are increasingly fought between state and non-state actors, on identity politics and economic predation, and primarily target civilians rather than military objectives. The historical and empirical accounts, including this article, however do not support the "New War" propositions. This article approaches the Islamic State war from the "New War" perspective; by utilizing academic and field research, as well as governmental and non-governmental and media reports, it argues that the Islamic State war cannot be classified as a "new" war as it displays features of both "new" and "old" wars.

Key words: new wars; ISIS, globalization; war economy; identity politics

Introduction

The Islamic State of Iraq and Syria (al-Sham), ISIS (otherwise known as the Islamic State of Iraq and the Levant (ISIL), or by its Arabic acronym *Da'esh*) stunned the world when in June 2014 entered into Iraq and proclaimed the establishment of the Islamic State (IS). Underestimated from its earliest appearance, and occasionally ridiculed by former President Obama as being "amateurish"[1] and an Al-Qaeda "weaker partner,"[2] the self-professed "Islamic State" became one of the most formidable terrorist organizations in the world. Today, ISIS (and Al-Qaeda) represents the "greatest threat to the security and values of American and European citizens." (Kagan et al., 2016) Its nihilistic campaigning and scale of destructiveness have been frightening. As McCants put it, "We were used to thinking of Al-Qaeda's former leader Osama bin Laden as the baddest of the bad, but the Islamic State is worse." (2015) ISIS, however, neither "fell from the sky nor was resurrected from the dead," as Gerges ironically notes in his book, *ISIS: A History* (2016). Its spectacular resurgence is, according to him, a consequence of the broken politics in the Middle East: the dismantling of Iraqi state institutions and the deepening sectarianism following the United States' (US) invasion, the political uprising in Syria, the derailment of the Arab Spring, and the proxy wars in the region. Specifically, ISIL, as Obama admitted to *VICE's* founder Shane Smith, is a "direct outgrowth of Al-Qaeda in Iraq (AQI) that grew out of our invasion"—an example of unintended consequences (March 16, 2015). The US failure to establish a sound democracy, protect and promote

[1] Gerges, Fawaz A. 2016. *ISIS: A History.* Princeton: Princeton University, 2.
[2] Graeme Wood, "What ISIS really Wants?" *Atlantic*, March 2015.

human rights in Iraq, and engage with tribes that had suffered enormously from the de-Baathification process were some of the factors that contributed to ISIS's rebellion success (Weiss and Hassan 2015).

This article examines ISIS war in the light of the "new war" theory introduced by British academic, Kaldor, in the late 1990s. The theory holds that "new wars" are distinct from earlier wars with respect to actors, goals, methods of fighting, and means of financing. "New wars" are portrayed as being increasingly waged between state and non-state actors, mostly within rather than between states, primarily on *identity politics* and economic predation rather than for ideological and geopolitical interests, and mainly targeting civilians rather than pursuing military objectives. The discourse surrounding "new wars" centers on three main issues: whether the "new wars" are "new"; whether "new wars" are "war" or "crime"; and whether the evidence supports assumptions on the increased civilian vs. military deadliness, and the proliferation of internal vs. external violence. While there is a common acknowledgment that contemporary war has changed in both—qualitative and quantitative terms—predominantly since 1990s, historical and empirical accounts indicate that most of the "new war" features had been present in earlier wars, too (Newman 2004). The existing data, meanwhile, confirms at least one of the "new wars" claims: the changing pattern of violence and the increased human impact since 1945 (Rigternik 2013). The Syria war in general, and ISIS in particular, concur to this assessment: enforced displacement and ethnic cleansing have been central methods of this war, and the number of civilian casualties has dramatically increased in comparison to the military ones.

Yet the Islamic State, while offers a valuable contribution to the "new wars" scholarship and international peace and security studies, it challenges the "new war" thesis in its main arguments. First, the underlying rationale of *Da'esh's* war is ideological: the restoration of an Islamic empire beyond the nation-states' borders. Second, ISIS has professed state-building and territorial ambitions achievable through a strategy that underpins both political governance and military capabilities. The organization has set institution-style structures and based on the research on the ground, it has proven more successful than the current governments in Syria and Iraq—particularly in providing public resources and services to the citizens under its control. Further, ISIS has (until December 2017) exercised effective control and governmental authority over its territory and population, and retained political independence (Shany, Cohen, and Mimran 2014). Therefore, the group has been considered as being a "state actor," falling short in the international relations component. To secure its continued rise and legitimacy and be accepted as a state, as well as justifying the war as a means to a political end, ISIS should have quested international legitimacy and in tandem avoiding violence as the main tool of governance and administration. However, the group has so far disregarded this opportunity!

This article is organized as follows: The first section engages in the discussion over the "new wars" and is supported by empirical and statistical evidence. The second section explores ISIS's war in the context of "new war" thesis by discussing its main arguments, including a treatment of ISIS's governance and state-building venture. This is a further development of an article I wrote as a graduate student in 2014, when the *caliphate* had just been

announced. At that time, the academic publications on this subject were non-existent. Since then, a considerable literature has been created that captures ISIS war from different angles; this article tends to bring a novelty for it approaches ISIS war from the "new war" perspective.

1. "New War" Debate: Anything "New" or More of the Same?

The Clausewitz's axiom that war is a "continuation of policy by other means" has long been used as a reference point by scholars and policymakers in the study of war in the international "theater." In the military historian's words, war is an "act of violence to compel our opponent to submit to our will"; (2007, 31) and a "political instrument" to achieve a "political end." (Id., 28-29) Historically, war has been waged and financed by a state acting as sole authority over the means of physical coercion, primarily for geopolitical and ideological ends. Contemporary warfare however departs from the traditional purpose of war and no longer fits the landscape of earlier warfare. Even Clausewitz's understanding of war, as some scholars argue, has lost relevance. Keegan, for example, questioned the entire notion of war, arguing that the purpose of war was not to serve politics but the war itself (1993, 3-21). Duffield, on the other hand, claims that "war is no longer a Clausewitzian affair of state, it is a problem of underdevelopment and political breakdown." (2001, 45) According to Mueller, meanwhile, war is becoming "obsolescent" with the possibility of disappearing altogether, including the institution of war and certain varieties of earlier warfare (2004, 1). Warfare, in its most traditional sense, as Snow suggests, has virtually

disappeared from the scene. The post-Cold War system has witnessed a shifting in the pattern of violence; a "new internal war," as he calls it, in many ways darker, has emerged as a major form of violence, mainly within rather than between states (1996, 1-3). As a matter of fact, as early as 1991, van Creveld had anticipated the end of so-called "institutionalized war" as a new "low-intensity conflict" would arise—whose function "will be, namely, to define who is allowed to kill whom, for what ends, under what circumstances, and by what means." (1991, 225) This kind of war, he warned, might cause a breakdown in the conventional system of warfare, and even may end up destroying the state itself, which eventually would lose its monopoly over the means of violence (Id., 192).

Scholars and academics have proposed a variety of names to portray contemporary warfare, such as *war of the third kind* (Rice 1988); *people's wars* (Holsti 1996); *low-intensity war* (van Creveld 1991); *new internal war* (Snow 1996); *postmodern war* (Grey 1998); and/or *hedgehopped war* (Henderson and Singer 2002). It was however Kaldor who grasped these alternations in the nature of war in developing her own thesis on the "new wars" (1999; 2006). The central theme of her proposition is that "new wars" are different from "old" wars with respect to actors, goals, methods of warfare, and means of financing (1999, 6). "New wars," just as contemporary politics and economy, are influenced by globalization and mostly take place in authoritarian and so-called *failed states*. They arise more within rather than between states and involve both state and non-state agents (Id., 2006, 97). Further, the contemporary wars are increasingly fought on the *identity politics* rather than for ideological or geopolitical ends (Id., 1999, 6). They are primarily driven and/or sustained by

economic agendas—directly or causally linked to the transformations in the global economic environment since late 1980s (Berdal 2003, 478). Moreover, twenty-first century conflict tends to be asymmetric in character: civilians, whose casualties were once a side-effect of violence, are now the deliberate targeting of the warring parties (Munkler 2003, 18). Henceforth, "new wars" are regarded as deadlier in terms of victimization in comparison to earlier wars (Mello 2010, 2).

Despite its compelling arguments and great service to international peace and war studies, "new war" thesis has met a huge resistance. Opponents refute its proposition intended to demarcating a line between "new" and "old" wars, suggesting to abandon the "newness" catchphrase entirely. First, the phrase is vague and unclear, and second, it is analytically hazardous, opening the door to various meanings and interpretations (Hoffman and Weiss 2006, 58). Moreover, the distinction, as Chojnacki argues, is based on a simplification approach that tends to overemphasize the supposedly changes of war's nature while disregarding the theoretical and empirical knowledge of earlier warfare (2006, 26). Furthermore, the information on ongoing wars, according to Kalyvas, is incomplete and biased for it does not take into consideration the historical research and narratives of earlier wars. The transformations of the nature of war, as he points out, may be ascribed "more to the demise of readily available conceptual categories than to the existence of profound differences" in the dynamics of war (2001, 99). The first "newness" thing, as Hoffman and Weiss suggest, is that those features—once thought extinct or non-existent—are now combined in such "unfamiliar" ways as to make war look really new. The second is the

evolution of conflict which now comprises different types of violence—from conflict over political issues to local-level struggles or predation (2006, 57-58). Hence, contemporary war is deemed more as a "mixture" of several types of warfare: interstate, intrastate and extra-state whose distinctiveness derives from the diverse morphologies of constituent war rather than as a novel, "new and distinct" form of war (Henderson and Singer 2002, 165).

There is a common acceptance within political circles and academia however that contemporary warfare has shifted in both qualitative and quantitative aspects since 1945, and predominantly after the Cold War (Chojnacki 2006, 43). The international system is facing a new constellation of threats and the twenty-first century conflict, as the World Bank argues, does not neatly fit into either "war" or "peace" or "criminal" or "political violence." (2011, 2) Still in reality, all of the features underlined by the "new war," including actors, objectives, spatial context, human impact, as well as political economy and social structure of conflict, according to Newman, "have been present, to varying degrees, throughout the last 100 years." (2004, 179) But what has changed, he follows, is the scientific and political research which now focuses more on those factors, particularly on social and economic ones, than ever before (Id.).

2. Globalization: "Sharing of Power" Between State and Non-State Actors

"New wars," as the theory claims, are influenced by globalization and are peculiarities of authoritarian and so called *failed states* whose state autonomy is greatly undermined or diminished as a consequence of their exposure to the rest of the world (Kaldor 2013, 2). A number

of studies suggest a causal and direct relationship between "new wars" and globalization and between "new wars" and *state failure* (Berdal 2003; Berdal and Malone 2000; Duffield 2001; Fund for Peace 2009; Jung 2003; Munkler 2003; Newman 2004). Globalization may have two implications for state in relation to the use of the legitimate violence: first, it causes the erosion of state authority and public goods, and increases social vulnerability. Second, this process produces increased opportunities for economic incentives in civil war as a result of legal and illegal trans-border trade activities (Newman 2004, 177). Globalization in fact tends to destroy the categories of *national state* and the definition of *political* and *non-political* action (Beck 2000, 1). In such context, the distinctions between state and non-state, public and private, internal and external, and economic and political domains are breaking down, and this breakdown, according to Kaldor, can be both a cause and a consequence of violence (2013, 2).

Globalization has also increased the potential for both state and non-state actors to project power "beyond the conventional competence of territorially defined governments." (Duffield 2001, 13) "New wars" therefore mark a departure from the classical model of Westphalia system, according to which, "war" is a duel between two or more states in their international relations. In terms of protagonists and unit of analysis of war, "new wars" involve a broad network of state and non-state actors, from national to international terrorists to traditional rebel movements and various organized criminal groupings (International Commission on Intervention and State Sovereignty (ICISS) 2001, 4). This *non-territorial network of war* is synonymous with what Duffield has called the "emergence

of new forms of protection, legitimacy and rights to wealth." (2001, 14) Keen, however, sharply disagrees, suggesting that "new wars" constitute more a *breakdown* or collapse rather than a creation of an alternative system of profit, power, and protection (Berdal and Malone 2000, 19). For example, contemporary war has—in the last decades—witnessed a resurgence of mercenaries and the establishment of private military companies (PMC), which have supposedly undermined the primacy of state in the global arena. As Kathy Gilsinan writes at the *Atlantic,* "The Return of the Mercenary," many extractive industries and non-governmental organizations (NGO) so as states such as Nigeria and Russia have hired mercenaries, whilst the US has relied on the services of large PMCs in Iraq and Afghanistan (March 25, 2015). Likewise, the United Kingdom (UK) and France, as well as Canada, Finland and Spain, have now established PMCs while the "warlord politics" in some states in Africa have already replaced the public political authority in their territories (Leander 2006, 13). Based on common estimates, by the end of 2006, about 20,000 "private contractors" operated in Iraq—about three times of the number of regular British soldiers (Fabre 2010, 539).

Further, in contrast to earlier wars, defined as armed contests between states, "new wars" are increasingly fought within states, between government and non-state armed groups (Kaldor 2006, 97). Although there are disagreements on this assertion, the proliferation of internal violence, as Chojnacki (2006, 30) argues, "has gone statistically hand in hand with the decrease of inter-state wars," specifically between great powers, predominantly during and after the Cold War (See also: ICISS 2001; Kaldor 2006; Newman 2004; Snow 1996). The evidence on the

participation of non-state actors in armed conflict, although mixed, favors this argument (Rigternik 2013, 2). A variety of organizations, including the Correlates of War Project (COW), the Stockholm International Peace Research Institute (SPIRI), the Uppsala University and the International Peace Research Institute (IPRI) indicate a significant increase of internal violence, peculiarly after the Cold War, and increasingly in the past several years. The datasets offered by some authors, trend in this direction. Chojnacki (2006, 39), for instance, recognizes 166 wars over the period 1946-2003: 109 intrastate and 24 interstate wars, whereas, Holsti (1996, 21-22) identifies 164 wars fought throughout 1945-1995; 126 intrastate and 38 interstate wars.

Figure 1.1. Number of Interstate and Intrastate Wars, 1945-2014.

Organization	Total	Inter-state	Intra-state
The Correlates of War Project, *Armed Conflict, 1816-2007*	429	95	334
The Uppsala University and the International Peace Research Institute, *Armed Conflict, 1946-2001*	225	42	163
Stockholm International Peace Research Institute, *Armed Conflict, 2000-2009*	33	3	30

Source: Gleditch et al. 2002; Sarkees and Wayman 2010; SIPRI 2010.

3. No Objective Other Than War Itself: Civilians Replaced "Foot Soldiers"

"New wars" are described as being increasingly fought over peoples' identities rather than for ideologies or geopolitical goals, primarily for a particular group rather than to advance particular policies or programs for the broader public interest (Kaldor 2013, 2-3). Both the UNHCR (2000, 275) and ICISS (2001, 4) follow this line of argument, suggesting the spread of identity-based conflicts, many driven or sustained by economic interests and mostly within rather than between states. These *uncivil wars*, as Snow refers to, have in fact no apparent ennobling purpose or outcome other than rampages of groups against one another. "They are less principled in political terms, less focused on the attainment of political ideals, and more vicious and uncontrolled in their conduct." (1996, 1). In this type of warfare, the question of objective or interest, even the notions of policy and interest—once closely associated with the state—are irrelevant, for, as van Creveld argues, there will be no objective or interest other than war itself (1991, 226). Contrary to the nation-building ideas propagated by European nationalisms or post-colonialism nationalisms in the nineteenth century, *identity politics* is inherently an exclusive, fragmentative and backward-looking enterprise, aimed at dismantling rather than building the state (Kaldor 1999, 7). Malesevic, however, confronts this argument, claiming that ideologies rather than proto-ideologies linked to religion and mythology have dominated twenty-first century warfare (2010, 9). Similarly, Rice (1988, 109) and Holsti (1996, 21) maintain that modern war is being conducted for both political and military ends, in the name of nationalist causes, statehood, and the nature of communities within states.

Contemporary wars, as unanimously argued, are furthermore mostly engaged in attacks against civilian populations rather than their military counterparts (Kaldor 1999, 8; Newman 2004, 178). They are, according to Munkler, predominantly asymmetric in nature in contrast to the European wars fought from the seventeenth century onward with regard to—among other factors—the strategy of fighting, the systems of values or international legal rules, and the limitations on the use of force. Consequently, civilians have replaced military objectives, and even the means of conducting such attacks "are less and less of a genuinely military nature." (2003, 18-19) That is to say the underlying strategic goal of "new wars," as Kaldor claims, is population displacement and systematic murder so as to do away with those differently labeled as in Bosnia or Rwanda (2006, 105). "New wars" are therefore considered as deadlier in terms of civilian victimization in comparison to earlier wars: the ratio of non-combatant to combatant casualties oscillates between 8:1 (Kaldor 1999, 8) and 9:1 (UNHCR 2000, 277). The datasets on intra-state violence explored by Rigternik "supports the idea that the character of war has changed since 1946, in at least one aspect." (2013, 1) There had been, according to this author, a significant increase in the number of civilian casualties (compared to military ones) throughout the period 1946-2010, just as violence against civilians has increased from 1989-2010 (Id.). The Carnegie Commission on Preventing Deadly Conflict, CCPDC, (Newman 2004, 178), ICISS (2001, 4) and UNHCR (2000, 277) concur with this assessment. The dynamics of forced displacement, as UNHCR implies, is a direct consequence of the changing nature of conflict and methods of warfare in contemporary war whose primary objective is targeting of civilians rather than military

objectives (Id.). Based on World Bank estimates, approximately 20 million people were killed, and at least 67 million were displaced during the 1960-1999 (2005, 303). Over 80.0 percent of all war deaths in the 1990s were civilians (Mello 2010, 2). Almost two million people were killed from the 1989-2014, the majority in state-armed conflicts (Melander 2015, 2).

Lastly but most importantly, "new wars" are regarded as predominantly driven or sustained for economic gains, involving individuals and/or certain armed groups associated with government or opposition forces. In other words, both political and economic motives, as Kaldor emphasizes, are "the underlying vested interests in the continuation of war." (2006, 96) Although heavily criticized on this point, the growth of "new wars," as Berdal argues, is directly and causally linked to economic incentives as a result of changes in the global economic environment since the late 1980s (2003, 478). In fact, the economically driven interests in continued fighting have, based on Berdal and Malone's work, replaced the traditional military objective—defeating the enemy in battle (2000, 2). The predominance of economic agendas has in reverse led to the emergence of *war economies*, in which both leaders and followers, as Keen argues, aim to prolong war for the furtherance of their vested economic goals. When a state loses control over the use of violence, or when its security apparatus is greatly fragmented, war, as Keen famously framed, may become a "continuation of economics by other means," and violence a means to an economic end (Id., 2000, 27). Similarly, Collier maintains that greed and control over commodity export have been the primary underlying causes of conflict since 1945, specifically in resource-rich countries (Id., 2000, 91). Most of the African and Middle Eastern countries,

possessing high value or scarce natural resources, according to the UN Environment Program (UNEP), have been prone to ongoing violence and protracted civil wars (2009, 5). Liberia, Sierra Leone, Angola, and the Democratic Republic of Congo (DRC) are classic examples of the continuation of war for economic exploitation (Berdal 2003, 485). Based on some estimates, around five million people were killed in the resource-driven conflicts of the 1990s (Renner 2005, 11).

While the so-called *resource curse* factor is well documented, *greed-related* motives per se, according to another group of scholars, cannot be isolated from other drivers that cause men and women to resort to violence. Sierra Leone, Angola, and the DRC, as Francis argues, imply the importance of grievances versus predation struggles (2006, 83). The UNDP takes the same stance, claiming that primary commodity export dependence per se is not so significant a risk in conflict occurrence (2008, 20). Likewise, Collier and Sambanis found out that natural resources were unimportant as both motives and sources of rebellion in civil wars over the 1960-1999, although in many cases, war was prolonged to sustain rebellions even when resource predation was not the original motive (2005, 305). As Berdal put it, "the role of economic motivation, as important as it may be, cannot be isolated from other factors that drive many people to resort to violence." (2003, 496) Moreover, the concept of looting, according to Kalyvas, is analytically problematic, for "it is unclear whether it refers to the cause of war or the motivations of the combatants (or both)." (2001, 103)

4. ISIS War – Between Primitivism and Postmodernism

> Here, the flag of the Islamic State, the flag of *tawhid* (monotheism) rises and flutters. Its shade covers land from Aleppo to Diyala [...]. So fear Allah, O slaves of Allah. Listen to your *khalifah* and obey him [...]. So rush O Muslims and gather around your *khalifah*, so that you may return as you once were for ages, kings of the earth and knights of war [...]. (The Islamic State, *This is the Promise of Allah*, June 2014).

On the first day of Ramadan, in June 2014, ISIS declared the restoration of the Islamic State or *caliphate*, once ruled from the Middle East to North Africa, including the north Black Sea coast, and southeastern Europe to the gates of Vienna. Accordingly, the militancy transformed itself by changing its name to the "Islamic State." "The Caliphate is established!" the news flooded the social media the jihadists use as the main platform for their propaganda. The renegades claimed that the authority of *caliph* bestowed to Abu Bakr al-Baghdadi, formerly a prisoner of US forces in Iraq, extends from the territory of Diyala province in Iraq to Aleppo in Syria. "The legality of all emirates, groups, states, and organizations becomes null by the expansion of the caliph's authority and the arrival of his troops into their areas," the IS pamphlet read (2014, 5). The word *caliph* (Arabic: *khalifah)* means *successor* (to Muhammad); hence the rightful caliph, as Graeme Wood writes in, "What ISIS's Leader Really Wants?" may demand the allegiance of all Muslims to join his political enterprise (New Republic, September 1, 2014

This passage leads me to the second part of this article which examines the Islamic State's war in the context of "new war" theory. First, however, I provide a snapshot of

conflict dynamics in Syria and Iraq (mainly in Syria), respectively the driving forces behind the growth of jihadi militancy in the Middle East, most notably ISIL. ISIS arguably emerged, as Obama said, "out of chaos in Iraq and Syria." (UNGA 2015) Structurally speaking, ISIS is a by-product of political authoritarianism and the constant state of war and political breakdown in the Middle East over the last decades (Hashemi 2016, 2). Its spectacular resurgence, as Gerges suggests, is caused or facilitated by four main factors: the 2003-US invasion of Iraq and its consequences, including the dismantling of Iraqi state institutions and the reinforcement of ethnic and religious cleavage; the fragmentation of post-Saddam political establishment and the deepening of Shia and Sunni divisions; the breakdown of state institutions in Syria, and the derailment of Arab Spring and proxy wars in the region (2016, 8). Weiss and Hassan attribute the ISIS rebellion's success to the US failure to establish a sound democracy in Iraq, promote and protect human rights, and engage with tribes who have suffered enormously from the *de-Baathification* process (2015, 36-67). In all, the conflict implying Syria and Iraq is complex and multifaceted, clustering together a range of factors from political to economic to social ones:

- Iraq: The rivalry between Shia and Sunnis over the sharing of state power, resources, and status (Al-Qarawee 2014), including the institutionalization of sectarianism along with the *de-Baathification* process (Laub 2016);
- Syria: Government's repressive methods combined with weak state capacity or a lack of legitimacy so as structural and economic factors (Pawlak 2016, 2).

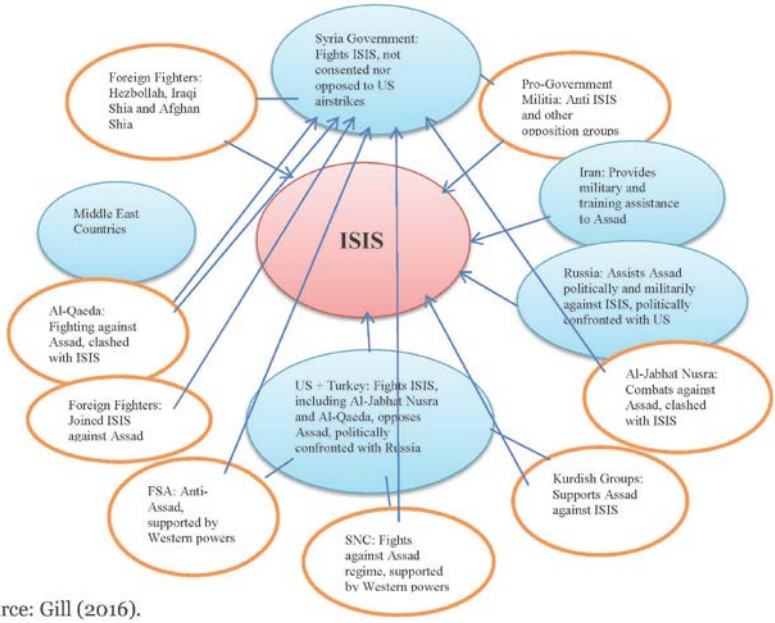
5. Messier, Shifting of Alliances, Different Agendas

The theater of war in Syria is messier than a conventional one, encompassing many state and non-state actors, which based on some accounts, are organized into more than 1,500 groups (Gill 2016, 354), commanding—according to *BBC*—an estimated 100,000 fighters (December 13, 2013). The Syria conflict includes on one side the Assad government forces, supported by indigenous militia groups, foreign fighters and external powers, and the opposition armed groups, on the other side. The opposition consists of the mainstream Islamist Front, composed of two major coalitions: the secular coalition, comprising the Free Syrian Army (FSA) and the Syrian National Coalition (SNC); and the jihadists' coalition associated with Al-Qaeda—Al-Jabhat Nusra, Khorasan Group, and ISIS (Gill 2016, 357-358). In addition, there is a separate front of Kurdish groups, the Kurdish Administration (that controls the YPG, the People's Protection Units militia), and a contingent of foreign fighters aligned either with government (Hezbollah, and Iraqi and Afghan Shiites) or with ISIS (Gill 2016, 360). Lastly, there are foreign governments fighting alongside Assad-government, Iran and Russia, or against it by supporting the opposition, such as the US-led coalition and Turkey. The involvement of Western allies is somewhat confusing. On the one hand, the Western governments, according to Gill, support the SNC (and the FSA) in attempt to topple the Assad regime; on the other hand, they are not directly involved in the fighting against Syria government. At the same time, the Westerns—especially the Americans—have provided direct military assistance to Kurds, and have occasionally coordinated airstrikes against ISIS. Meanwhile, Turkey, a member of the alliance, has continually clashed

with the YPG (the Kurdish group supported by US), considering it to be a terrorist organization (Gill 2016, 357-360). The conflict dynamics has however dramatically changed recently: in April, 2018 (and 2017), the US, UK and France launched airstrike campaigns targeting Syrian government in response to chemical weapons attacks committed against civilians in the Damascus enclave of Douma (and northern Syria last year) (Zachary Cohen and Kevin Liptak, CNN, April 14, 2018).

Figure 2.2: Parties Involved in Syria Conflict.

Figure 2.2: Parties Involved in Syria Conflict.



Source: Gill (2016).

Since the Islamic State is the present subject of analysis, the clarification of its political status, respectively understanding where it stands on the spectrum of political classification, is an important part of this article. In terms of political status and statehood, ISIS has stood somewhere between a "state actor" (Al-Tamimi 2015; Arango 2015; Glenn 2015; Hassan 2016; Thompson and Shubert 2015); or a "pseudo-state" actor (Bunzel 2015; Cronin 2015). Arguably, as will be discussed in the state-building section, ISIS has fulfilled (until late 2017) most of the criteria of being a "state" prescribed in the Montevideo Convention (1933), but lacked its international relations with other states (Glenn 2015; Shany, Cohen, and Mimran 2014). Nevertheless, the international community has unanimously refused to recognize it as a legitimate actor on the international stage, primarily as Audrey K. Cronin argues at the *Foreign Affairs,* "ISIS is Not a Terrorist Group," because of its radicalized use of violence and brutality to acquire land and resources (March/April 2015). The standards of international community for judging ISIS, are, based on Joe Boyle's examination, ambiguous as there is no universally accepted definition of statehood whilst the Montevideo Convention itself has no moral dimension that would deny IS's statehood (BBC, January 6, 2015). From a military standpoint, ISIS has been seen as a regular military organization, evolving from Al-Qaeda in Iraq (AQI) in 2004 to Islamic State of Iraq (ISI) in 2006, to Islamic State in Iraq and Syria (ISIS) in 2013 and the Islamic State in 2014 (Adams 2016). Since its first appearance in 2003, ISIS, as Lister observes, has dramatically improved operational and organizational learning, transforming itself from a "small" and "loosely structured body" to a "vast organization" focused on governing as an Islamic state across the nation-state borders. In her views, "IS has become an impressively

versatile organization, operating simultaneously as a terrorist, insurgent, and light infantry force," superseding Al-Qaeda with its territorial expansion (2014, 1-2). Its external operations and intelligence network, according to Gambhir, has remained "vast, organized, and directed by its core leadership." (2016, 9) Having been called by Obama a "terrorist organization, pure and simple," and a "successor to Al-Qaeda," ISIS, on the contrary, is not a terrorist organization and certainly not Al-Qaeda. It, in fact, represents a "post-Al Qaeda jihadist threat"; (Cronin, Foreign Affairs, March/April 2015) respectively "a new wave, in jihadism." (Gerges 2016, 4)

Weighing the arguments of both sides, I establish that the IS (until late 2017) had met the standards for being a "state," falling short in its international relations component. The existence of a state, however, does not necessarily depend on international recognition and membership to the UN (i.e., Taiwan and Kosovo); first, because the recognition process is long, and second, the attitude of states is subject to change varying to international political circumstances.

6. Internal, with "Internationalized" Features: Why is Syria Still a NIAC?

The conflict in Syria is also complicated by considerations of locus, rendering it difficult to define whether it is a non-international armed conflict (NIAC) or internationalized armed conflict (IAC). Legally, the conflict is determined as non-international, following the decision of the independent international commission of inquiry on the Syrian Arab Republic (IICIS) in August 2012 (UNGA 2012). This

classification has raised concerns regarding foreign involvement in the conflict, namely the US-led coalition since late 2014, and Russia and Iran since 2015. In spite of this, the Russian and Iranian fighting alongside Assad forces, according to Gill, does not change the nature of conflict since there is no evidence to suggest that these states exercise overall or effective control over the Syrian government. Nor does the American-led coalition internationalize the conflict, as none of members of the coalition exercise control over the opposition's groups; moreover, none of them are in conflict with one another (Gill 2016, 375-366). The situation, as Gill notes, is confusing in occasions where a state conducts military attacks on another state's territory against Other Armed Groups (OAGs) without the consent of the territorial state, when an OAG is carrying attacks against the intervening state from the territorial state (Gill 2016, 362). The opinions regarding this issue are divided between those for and those against. However, in addressing similar issues in the Balkan conflicts, the *Tadic* Appeals Chamber established that the involvement of another state in a conflict between the government and OAGs, when such groups are directed by another state, amounts to IAC (Arimatsu and Choudhury 2014, 5). The conflict landscape may change following the US and its European allies' military strike against the Syrian government in response to chemical attacks against civilians conducted in April 2017 and April 2018 in northern Syria and Damscus enclave of Douma.

Still, the Syrian conflict is classified as "internal" despite the armed confrontation involves a coalition of states lined up against ISIS, a transnational armed group, which, according to Samuel Osborne, has "fully operational branches" in eighteen countries, including most recently the

East Asia region (Independent, August 3, 2016). That said, the militancy is not directed and/or controlled by any state or a coalition of states. Similar conflicts in the past, such as the US intervention against the Taliban in Afghanistan in 2001, and the Israeli intervention against Hezbollah in Lebanon in 2006, were however both recognized as "international" conflicts. In the case of US vs. Taliban, the classification, as Sassoli explains, was justified on the basis that Al-Qaeda was directed and controlled *de facto* by the government of Afghanistan. The case of Israel vs. Hezbollah is more complicated, since the intervention was carried out without the consent of the territorial state (2006, 4-5). Generally, the determination of armed conflict is problematic as there is no codified definition of IAC and NIAC while the international humanitarian law (IHL) itself offers a narrow definition of armed conflict (Arimatsu and Choudhury 2014, 3-4). Even a recent International Committee of the Red Cross (ICRC) study failed to define international and non-international armed conflicts, specifically with considerations to "transnational non-state actors," including the lower threshold at which violence amounts to an IAC or NIAC (Sassoli 2006, 3). The conflict in Syria is therefore qualified as internal regardless recent clashes between the US and Syria forces: first, because none of the foreign powers exercise overall control over the Syrian government or opposition groups, and second, because ISIS or other armed groups have not committed aggression against any of the intervening states. Regarding actors and unit of analysis of war, the Syria conflict comports with the "new war" guidelines, because it involves both state and non-state actors, and takes place within national state borders.

7. Ideology vs. Identity: From Salafism to Wahhabism to Baathism

The Islamic State has differentiated itself from other terrorist groups in that it has displayed an ideological platform, and has manifested state-building goals. As a political entity, ISIL is deemed "inconceivable" apart from its ideology (Bunzel 2015, 7). War (*jihad*), therefore, has been used as a political instrument to achieve a political end: the restoration of Islamic State. The declaration of *caliphate*, according to Nacos, granted ISIS leaders a claim to a "religious, political, and military authority over all Muslims around the world." (Williams 2017, 1) *Da'esh* does not in fact acknowledge a separation between political and religious affairs; it, according to Cronin, sought to create a "pure" Sunni Islamist state beyond the internationally recognized political borders, and, ultimately establishing itself as "the sole political, religious, and military authority over all of the world's Muslims." (Foreign Affairs, March/April 2015)

The Islamic State embraces the philosophy of *Jihadi-Salafism* and *Wahhabi* theologies, both ingrained in the *politics of identity*. *Jihadi-Salafism*, a hardline orientation within *Salafism*, is influenced by two streams of Islamic thought: the Muslim Brotherhood and *Salafism*. Emerged in the twentieth century, *Jihadi-Salafism* preaches "an extremist and minoritarian reading of Islamic scripture [...] textually rigorous, deeply rooted in a pre-modern theological tradition, and extensively elaborated by a recognized cadre of religious authorities." (Bunzel 2015, 7) Its proclaimed goal, according to Wood, is the return to the authentic beliefs and practices of the four "rightly guided caliphs' who led Muslims from Muhammad's death in 632

until 661." (New Republic, September 1, 2014) The *Jihadi-Salafists* in fact, as Maher argues in his book *Salafi-Jihadism*, reviewed by Partick French, hope to restore "antique perfection" through military means. In other words, the violent rejectionists, as he calls them, believe "in progress through regression." (Guardian, March 24, 2016) *Wahhabism*, on the other hand, is a subset of *Salafism* appeared in the eighteenth century, and is very present in Saudi Arabia today. In essence, this doctrine tends to be "ultra–radical" and "exclusionist Puritanism." The *Salafis*, according to Alastair Crooke, view themselves as the only true Muslims; those who do not adhere to their rules meanwhile, are subject to elimination and destruction. Its core feature is *takfir* which requires absolute conformity and submission of all Muslims to a single Muslim leader—the *caliph* (World Post and Huffington Post, December, 2015). Moreover, *takfir* propagates strict religious tutelage and calls on the persecution of all Muslims who commit *shirk* (idolatry), tolerate *bid'ah* (blasphemous innovation), and propound polytheism. In so doing, Islam, according to Abdul Hamid, "becomes essentialized as Islamism—a supremacist and ethnocentric dogma that instrumentalizes coercion and violence as its most potent weapon." (2016, 8) Thus, by absorbing the *Wahhabi* ideology, ISIS, as John Graham claims, confesses three absolute rejections: the modern Islamic tradition of tolerance toward Christians and Jews; secular ideologies that favor democracy as the governing system; and Islam teaching as a religion of peace. In addition, the group places a strong emphasis on the apocalypse or the imminent end of the world (Huffington Post, November 30, 2015). Hence, ISIS, according to Crooke, stands between two streams: one is "deeply Wahhabist" and the other is "ultra-radical" in a

different way, which can essentially be seen as a "corrective movement to contemporary Wahhabism." (Id.) In brief, the IS's main objective, Lincoln Clapper argues, is "nothing more than creating a Wahhabi state" by spreading monotheism, demolishing all manifestations of polytheism, and resorting to the law of God (Geopolitical Monitor, January 31, 2016).

The *Da'esh* system of ideas and beliefs, however, collides at some points with *identity politics,* for its promulgated state-building strategy is being realized through a campaign of wholesale destruction and annihilation of ethnic and religious minorities other than Sunnis, as well as by fragmentation and disintegration of the Syrian and Iraqi states. The renegades claim access to state power and resources for a *particularist* group by emplacing, as they say, truthful believers as "superiors" to the God. As ISIS pamphlet says:

> It is the State - the state for the Muslims [...]. Indeed, Allah [...] honored the *ummah* (nation) of Muhammad and blessed them. He made them the best *ummah* of all peoples. (2014, 7-1)

Herewith, the right of citizenship is granted to Sunni Arabs only whereas other state entities are not only disenfranchised, but also made the deliberate target of killing, execution, and ethnic cleansing. As Kaldor stated, "exclusive nationalists or religious fundamentalists often favor democracy or social welfare but only for an exclusive group: such ideologies are state-fragmenting, not state-building ideologies." (Duyvesteyn and Angstrom 2005, 212) Beyond everything, ISIS, according to McMahon, exposes a *new supra-nationalism* that does not stand either for Syrian or Iraqi national identity. Rather, it is grounded on

the radical Sunni interpretation of Islam, and aspires to recruit anyone as long as their ideology is accepted (2015, 2).

The ISIS's politics of identities and its exhibited approach towards other ethnic and religious populations are different from those predicated by Al-Qaeda and Muslim Brotherhood. While both Al-Qaeda and Muslim Brotherhood hold tolerant approaches toward other Muslim and non-Muslim populations (Bunzel 2015, 7), ISIS, as Wood argues in "What ISIS Really Wants?" is extremely hostile, peculiarly against Shias who are viewed as a "Koranic invention"; therefore, they are marked for death (Atlantic, March, 2015). Its ideology is heartily connected in the Sunni-Shia division—sometimes referred to as *geosectarianism*—based on Iraqi-dominated Sunnis and Iran-dominated Shias (Gerges 2016, 223). In fact, the main focus of Abu Mus'ab Al-Zarqawi's (former leader of AQI), as Weiss and Hassan note, was "killing and tormenting [the] Shia-majority population," and subsequently creating a "state of civil war" so as to reclaim the Sunnis' lost power and prestige in Iraq (2015, 21). ISIS and Al-Qaeda have had also distinct strategies for how to create an Islamic state. In principle, both groups subscribe to *Jihadi-Salafism*, which is obsessed with the idea of establishing a *Koranic-based state* by replacing state sovereignty and human-made laws with the God's rule (Gerges 2017, 223). But while Bin Laden wanted—first to build popular support among the Muslim populace within and without Iraq, ousting Americans off the Middle East, and then establishing an Islamic emirate, Al-Zarqawi, by comparison, aimed first to establish the *caliphate*, popular support mattered far less to him (McCants 2015, 11-13). Indeed Al-Qaeda, as Revkin shows,

condemned ISIL's decision to declare itself a *caliphate*—without consulting other jihadist groups—considering it "premature and disrespectful." (2016, 12)

7.1. ISIS: An Extension of *Baathist* and *Saddamist* Regime

The ISIS's ideology of murderous sectarianism indicates a semblance of the one designated and executed by the *Baathist* and *Saddamist* regime in Iraq. As mentioned above, sectarianism was deeply implanted into Iraq's state and party structures. Hussein and his inner circle had systematically tormented and killed Shia and Kurd populations, subjecting them to a vast number of crimes carried out since the late 1970s, namely genocide, war crimes, and crimes against humanity (Human Rights Watch 2002). Harvey does not actually see any difference between the brutality and terror exposed by ISIS and that of the *Saddamist* regime but one: the degree of hatred against the Shia. "Saddam did not make it a matter of state policy to seek the wholesale destruction of [the] Shia, nor could he. Al-Baghdadi, however, has so far demonstrated nothing short of annihilationist intention. I see a Baathist style to all of this." (Weiss and Hassan 2015, 84) For Harvey, ISIL represents an extension or usurpation of [the] *Baathist* or *Saddamist* regime whereas Al-Baghdadi—a rightful heir to Hussein. Regretfully the "secular Baathism," as Weiss and Hassan hint, has returned to Iraq only now "disguised under the Islamic fundamentalism." (2015, 10) Baram and Malovany go even further, implying that *Da'esh* is merely a "successor to Saddam and his legacy." (Israel Defense, December 31, 2014) Many ISIS leaders, including Al-Baghdadi himself, as these experts unfold, had previously served with *Fida'i Saddam*, a ruthless military-like

organization controlled by Saddam, acquiring its methods of operations and mentality specifically those relating to murders, destruction, and devastation techniques (Id.). In fact, ISIS seeds, as *Politico's* Mark Perry quotes Baram in the "Fighting Saddam All Over Again," were planted by Saddam since 1986. The dictator made an alliance with the Iraq's Sunni moderate religious leaders aimed at strengthening his regime in Iraqi Sunni heartland and building support for Iraq's war with Shia in Iran. Although strongly critical in this argument, Baram maintains that Al-Baghdadi is a "Saddam's creation," and ISIL itself —a "Baath power structure with an Islamist ideology." (April 28, 2015) Gerges, on the other side, strongly disagrees arguing that—in spite of their common objective of building a tyrannical regime—ISIS's *Jihadi-Salafism* ideology and *Baathism*, a relatively secular nationalist ideology, are different. ISIS's unrestrained violence, he explains, lie—among other things—in its AQI's origins and its founder, Al-Zarqawi, who was focused on identity and communal politics; and in its *Iraqization* through the instrumentalization of *Baathist* tools of repression (2016, 9-10).

As for the status and the rights of minorities within a state, other authors see analogies and proximity between ISIS beliefs and the *ideological politics*, which have characterized revolutionary movements throughout history. *Ideological politics* as opposed to *constitutional politics* take aim at establishing a "pure state" with the nation as a proper unit of political organization, therefore it tends to be an exclusionist, discriminatory, and backward-looking venture (Kedourie 1993). Atran sees an incredible resemblance between ISIS and revolutionary-romantic

movements which sought their fulfillment through bloodshed and brutality. "It is very much like [the] French Revolution. When Robespierre and revolutionaries introduced the terror as a tool of democracy, they were quite ostentatious about it." (Weiss and Hassan 2015, 88) Walt follows the same line of argument. In an article at *Foreign Policy*, "What Should We Do If the Islamic State Wins," Walt argues that many revolutionary movements and state-builders in the past, including those involved in the French Revolution, the Bolsheviks, the Maoists, the Zionists, and even the British ancestors, fashioned their own states through brutality and terror. Almost all, according to him, had abhorrent behaviors and acted much like ISIL today: at the very beginning they were viewed as threats to international order and then were accepted and legitimized as rightful actors in the international system (June 10, 2015). In our present times, the Lebanese militant organization Hezbollah, as McLaughlin said in an interview for the *New York Times*' Tim Arango, was treated in much the same way in the West, but now is accepted as an international legitimate political player (July 21, 2015).

> "I think there is no question that the way to look at it (add. ISIS) is as a revolutionary state-building organization," Walt (Id.).

As a matter of fact, the state-building process, as Walt refers Tilly's *Coercion, Capital, and European States* had been a brutal enterprise for centuries; those movements featured violence and barbarism as techniques that preceded the creation of their revolutionary states (Foreign Policy, June 10, 2015). Early in the state-making process, Tilly continues elsewhere, "many parties [add. the European nation states] shared the right to use violence, the practice of using it routinely to achieve their ends, or both at once,"

until the distinction between "legitimate" and "illegitimate" violence was instituted (Evans, Rueschemeyer, and Skocpol 1985, 173-175).

To summarize this part, I restate that the ISIS case defies Kaldor's argument on the goals of the "new wars," because the *jihad* has been employed as a means to achieve an ideological objective: the creation of an Islamic empire based on an "outfit" that ruled long centuries ago. Its ideology however conflicts with its *identity politics* as ISIS's state-building strategy has been accomplished through persecution of Islamic and non-Islamic sects who do not abide by its *sharia* law.

7.2. Governance and State-building: ISIS – a "Real" or a "Pseudo State"?

> You must know, then, that are two methods of fighting, one with laws, the other one with force: the first one is proper to man, the second one to beasts; but because the first one often does not suffice, one has to have recourse to the second. Therefore, it is necessary for a prince to know well how to use the beast and the man. (Machiavelli 2003).

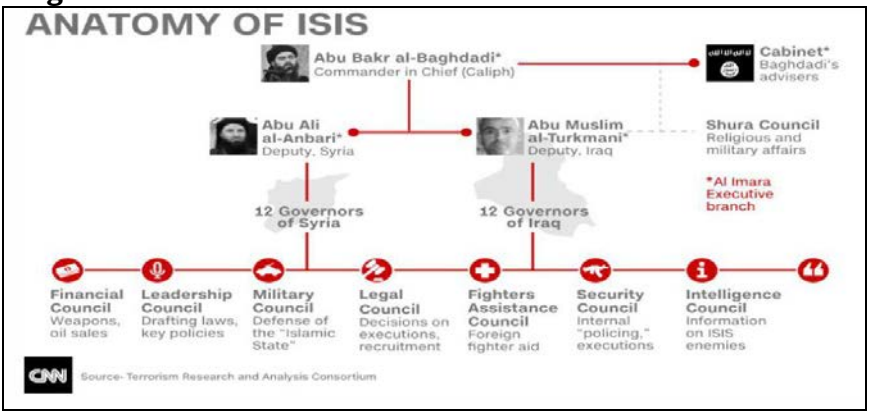
A state, as defined by Weber, is a "human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory." (1946, 4) The state, according to Tilly, is singled out from non-state entities through four characteristics: (a) war-making; (b) state-making; (c) protection; and (d) extraction (Evans, Rueschemeyer, and Skocpol 1986, 181). For a state to be accepted as an international subject, it must possess four qualifications prescribed in the Montevideo Convention: (a) permanent population; (b) defined territory; (c) effective

government; and (d) capacity to enter into relations with other states (1933, 3). Beyond that, there are two additional requirements for a state entity seeking international recognition: independence and legitimacy (Shany, Cohen, and Mimran 2014). ISIS has fulfilled almost all of these criteria but international relations. Although, it has not had a definable territory and population, the group, as Shany, Cohen, and Mimran argue, has exercised effective and governmental authority over both—territory and population under its control, as well as retained political independence. Nevertheless, ISIS lacked international legitimacy which, as these authors consider, poses the main barrier in its future endeavors as the international community is unwilling to recognize it as a state and entering into political, economic, and cultural relations (2014). Thus, the IS's war refutes Kaldor's assumption that "new wars" have neither state-building goals nor political and programmatic vision. Well, ISIS has both. Against all odds and the objections of Al-Qaeda and Al-Jabhat Nusra, ISIS, according to McCants, has managed to successfully create a state: first, through brutality, zealotry, and the arrogant belief that it is a state; and second, because it has had enough manpower, muscle, and managerial experience to do so (2015, 125-126).

In order to secure its continued rise and legitimacy, ISIS has put in place political and economic structures—from local administration to central government—designed to sustain its military operations. Arguably, the group has transformed itself from a "purely military force" to a "state organization" capable of providing public resources and services to the population under its control. Its bureaucratic organization, according to Thompson and Shubert, is not distinct from that of political structure of a state actor or some Western countries, whose values and principles the

jihadists vehemently oppose. The *Da'esh* system of governance, as these authors illustrate in the figure 3.3., is split into Syria and Iraqi branches: the executive branch, cabinet of ministers and two key deputies in charge of overseeing Syria and the Iraqi sub-states. Additionally, the *Shura* Council, a religious monitoring mechanism, has been responsible for ensuring that all levels of government function under the ISIL version of Islamic *sharia* law (CNN, January 14, 2015). Further, IS has set up economic arrangements to finance its military and governing operations: a financial committee and a minister of finance tasked with overseeing financial affairs, local finance councils, and the taxation system (Brisard and Martinez 2014, 3-4). Its governance is grounded on a centralized administration system, consisting of various so-called *Diwans*—institutions associated with departments or ministries from central to local levels—including a *da'wah* office aimed at social outreach and local recruitment (Al-Tamimi 2015). In Syria, the militancy has formed administrative, police, and other public institutions based on a governance project known as *imamah* or leadership, and it, as Caris and Reynolds observe, has truly demonstrated the capacity to govern in both rural and urban areas. For example, in Raqqa and Aleppo countryside, ISIL installed a robust governance structure by integrating military and political campaigns based on a holistic system, administrative and service-oriented. As these authors assess, "Raqqa [...] offers the most fully developed example of ISIS's *caliphate* vision. However, Raqqa is not the only striking example of ISIS governance. Towns in Aleppo province, in particular in Al-Bab and Manbij, are also host to a number of governance programs." (2014, 9-4)

Figure 3.3. ISIS Government Structure and Organization.



Source: Thompson and Shubert (CNN, January 14, 2015).

Additionally, in order to reinforce its control over the territory and population, the IS has constituted institutions of justice as well as a legal framework, challenging the predominantly American thinking that terrorist organizations are "lawless," showing no respect for the rule of law. The observation on the field suggests that jihadist groups in the Middle East are in fact very much preoccupied with "the creation of law, justice and order as a platform for state-building." (Revkin 2016, 5-6) Once they put its "boots on the ground," the IS's first priority, Revkin notes at the *Syria Comment*, was to constructing courts and other legal institutions, although its version of the rule of law is deeply incompatible with liberal democratic principles of justice and equality (2014). As with many countries in the Muslim world, *Da'esh* governance rests in *sharia* law, with respect to the "*siyāsa shar'iyya*" doctrine (translated as *religiously legitimate governance*), which as Revkin explains, implies a dualistic model of law and governance. First, it requires controversial issues be resolved by *Koran* or other accepted

sources. Second, the doctrine allows the legitimate authorities to issue law-like decisions addressing a question but only when such decisions are released with the welfare (*maslaha*) of the Muslim community in mind and consistent with *sharia* (2016, 12-13). ISIS's legal system in fact is based on the austere interpretations of Islamic law originating in the seventh and eighth centuries' system in which torture, as Weiss and Hassan emphasize, is an inseparable part of governing and administration. Sentences issued and punishments meted out vary from dismemberments to beheadings to crucifixions to the lopping off of hands (2015, 148). Here is how ISIS did operate: when the group took control over a territory, its first priority, according to Revkin and McCants, was restoring security and providing public resources and services, as well as combating ordinary crime and corruption. Gradually, the militancy shifted toward a more aggressive modus operandi by regulating public morality and religious practices, and only later to introduce corporal Islamic punishments "demanding tax payments in exchange for protection and services." (2015) ISIS's jurisprudential opinions, according to French, are judged to be esoteric and eccentric as they attempt to bring a more obscure and nihilistic theology into the foreground of *Salafi* thinking (Guardian, March 24, 2016). Thus, its system of law not only constitutes a deviation from the Islamic faith but also encroaches the values and principles promoted and preserved by the Ottoman Empire through its 1,300 years of existence. The Ottoman *caliphate*, as the *Economist* argued in, "The Ottoman *caliphate*. Straddling two worlds," was "worldly, pluralist, hedonistic—and Muslim, too." The *caliphs* ruled polyglot courts and were far from being doctrinaire. For example, alongside *sharia* law, Abdulmecid

I (1839) introduced secular law as well, granting all non-Muslims equal rights with Muslims. Moreover, he abolished the right of the sultan to execute members of his court without trial and banned the slave trade among other things (December 16, 2015).

7.3. Not a "Modern State," Yet More Successful than Current Governments

As early as 2007, the Islamic State had, through a media document entitled, *Informing People About the Birth of the Islamic State in Iraq,* explained that its proto-state—similar to the one established by the prophet Muhammad in the seventh century—would be different from a modern state. As Johnston et al. point out, although the group might not provide the same services as a modern state, it would improve both the religious and worldly conditions of its citizens, including judicial processes, dispute resolutions, freeing prisoners, as well as collecting charity (2016, 1-2). Despite its "heavy-handed rule," ISIS's legal system has however been praised by both opponents and proponents as being more efficient and effective than the current system functioning in Syria and Iraq (Revkin 2016, 11). At the very beginning, people in Mosul accepted ISIS rule for they saw it as more efficient than the then—Maliki government, especially in providing public resources and services, and combating widespread crime and corruption (Revkin and McCants, 2015). In fact, the enforcement of harsh rules, as Hassan argues, helped ISIL establish a "semblance of order" in its controlled territory which appealed to local communities: crime disappeared overnight and people could travel unarmed from Aleppo to Mosul (Hassan and McCants 2016). For Hassan, ISIS's model of governance has been more successful than one in southern and northern

Syria ruled by the Assad government for a simple reason. "Because ISIS seeks to function as a state, local communities obtain essential benefits in return: safety and security, effective courts, and unified rule." (Id.) The most striking element, according to Arango, is that ISIS, contrary to previous governments, was perceived as being resistant to bribery and corruption (New York Times, July 21, 2015). ISIL confirmed this in its official magazine, stating that corruption in Iraq and Syria "has been cut to virtually nil while crime rates have considerably tumbled." (Revkin 2016, 11) As Lister put it, "IS's combination of tough laws and repression with the provision of key services and assistance has at times led to a measure of tacit acceptance on a local level." (2014, 2) The changing public opinion is not that the quality of services has deteriorated but because life under IS's rule, as Revkin and McCants underline, has become unbearable, dangerous and costly over time—due to the imposition of heavy taxes and fees in exchange for protection and services (2015).

Speaking of governance and military capabilities, it is commonly argued that ISIS has made a remarkable transformation, resembling in many ways the political structure of a "state actor." The Islamic State is considered a unique creature for it integrates both political governance and military capabilities. Consequently, the group, as the Terrorism Research and Analysis Consortium (TRAC) asserts, has transformed itself into a government, in which "political decision-making cannot be separated from its military capabilities." As Opperman with this center told *CNN*, "ISIL represents two sides of the same coin. We have seen the military side, with the war cabinet that directs brigades. But now, on the other side, we are seeing how it

wants to govern. The two processes inform one another." (January 14, 2015) As the militancy holds its territory and builds the capacity to govern, it, according to Arango, "is transforming into a functioning state that uses extreme violence—terror—as a tool of governance." (New York Times, July 21, 2015) The same insights have provided both Glenn (2015) and Al-Tamimi (2015); IS's present structure, including its bureaucratic qualities and military endeavors, looks very similar to the political structure and organization of other nation-states. In other words, it (IS structure), based on Mecham's research, represents the best approximation of institutionalized governance for millions of people in Syria and Iraq under its rule. "Although international actors unanimously refuse to acknowledge it as a legitimate state, ISIS provides many of the functions of a state." (Mecham and McCants 2016)

While ISIS has endured a radical evolution—from a mere group (*jamaat*) to an entity claiming to be the *caliphate* (Al-Tamimi 2015), it has nonetheless failed in two major aspects: avoiding violence as a tool of governance and seeking international recognition. Both experts and journalists express their skepticism that the group will someday change its behavior or moderate its brutality, transforming into an increasingly "normal" state (Adams 2015; Arango 2015; Shany, Cohen, and Mimran 2014). In order to be recognized as a "state," the Islamic State, as Walt suggests, must stop or at least reduce the use of brutality as its main technique of governance (Foreign Policy, June 10, 2015).

> In effect, ISIS had become the new normal [...]. While civilians criticize ISIS's heavy-handed rule, many admit that ISIS is governing more effectively than the Iraqi government did. (Revkin and McCants, 2015).

The major critique levied by Rosiny is that ISIL has failed to justify its use of violence for political ends, and concurrently, to gain (or even attempt to gain) international recognition. Rather than initiating a sustainable state-building process, the group, according to this author, has built a "bandit state" that legitimizes brute force as a religious obligation (2016, 18). Most importantly, *Da'esh* has failed to garner popular support from the Muslim populace—within and without Syria and Iraq—as the main prerequisite for the declaration of the caliphate. As Al-Zawahiri reminded Al-Zarqawi in 2005, "in the absence of popular support," the Islamic *mujahid* organization would not be acceptable to the Muslim populace and "it would be crushed in the shadows." (McCants 2015, 12) A study conducted by Pew Research Center (PEW) found that most people in several countries with significant Muslim populations indicated an overwhelmingly "negative view" of ISIS, including virtually all respondents in Lebanon and 94.0 percent of respondents in Jordan (Poushter 2015).

8. Methods of Fighting: Territorial Expansion, Large Scale Operations

The Islamic State has distinguished itself from other terrorist organizations, particularly Al-Qaeda, in that it has demonstrated clear ambitions to conquer territory through military advances. In this respect, ISIS opposes the "new war" argument that "new wars" aim to sustain the possession of territory through control of population rather than through military gains. In fact, the proclaimed idea of creating a state within a controlled territory, according to Caris and Reynolds, is not an empty rhetoric but a core part of ISIS's political vision. Its military strategy has

transformed from military advances to political control, first by establishing control of territory through military invasion, and then by reinforcing that control through governance and administration (2014, 4-9). As the 2007 document *Informing People About the Birth of the Islamic State in Iraq* stipulated, the IS territory would not be defined but would extend "anywhere it could hold by force of arms, and people within the territory would swear allegiance to the emir, the leader." (Johnston et al. 2016, 2) In summer 2014, the militancy, based on BBC reporting, controlled a territory similar in size to Great Britain, ruling over nine million people in Syrian and Iraqi territories (December 22, 2016). By fall 2017 however, ISIS lost 98.0 percent of the territory, including Raqqa and Mosul (Id., March 28, 2018). Globally, ISIL has harnessed a sophisticated strategy involving simultaneous efforts in Iraq and Syria and Middle East and North Africa, and will likely expand further into Europe (Gambhir 2015, 7). More recently, *Da'esh* has explored the opportunity to extend its operations further into Southeast Asia, targeting primarily large-scale Muslim-inhabited countries of Indonesia and Malaysia, including the southern Philippines and Singapore (Adams 2016).

From a military standpoint, ISIL, as a former senior officer with the US Government (name not disclosed) asserted, accounts for a regular militant organization but its name. "Given the rapidness in which it is able to maneuver, given its ability to direct indirect fire attacks followed by direct assaults with heavy weapons, ISIS is a militarily proficient organization." (2014) The scope of operations and territorial diffusion, as well as tactics and strategies posit the primary differences between ISIS and Al-Qaeda. While Al-Qaeda, based on Wood analysis, was flexible, operating as a

"geographically diffuse network of autonomous cells," ISIS, by contrast, "requires territory to remain legitimate, and a top-down structure to rule it." (Atlantic, March, 2015) Al-Qaeda mainly targeted the "far enemy," primarily US and its European allies, ISIS on the other hand, is focused on the "near enemy": the Iraqi and Syrian regimes, their Persian allies, and the Shia (Gerges 2016, 6-342). Further, unlike Al-Qaeda, ISIS leadership has had direct command and control over both fighters and citizens in its realm of operations (Glenn 2015). Thus, the defense of current territorial holdings in Syria and Iraq (and expanding if and where possible) is, according to Bokhari, the most critical imperative for ISIS (Bokhari and McCants 2016). On this point, ISIS has failed, so far.

While the Islamic State has experienced a remarkable transformation in both organizational and operational levels, it has failed to modify and eventually avoid violence as a means of governance and administration. ISIS gruesome violence, as Abdul Hamid put it, "is deliberately employed and sensationalized as a worldwide 'trauma weaponizing' exercise" to instill fear, anger, and hopelessness among the population so as to "sow impressions of ISIS' invincibility among the larger viewing public." (2016, 2) While for Al-Qaeda, violence, as Haykel said to the *Times*' David D. Kirkpatrick, "is a means to an end, for ISIL, violence is an end itself." (September 24, 2014) ISIS, as the reports of human rights organizations indicate, carried out systematic and widespread human rights violations against populations in Syria, including but not limited to intentionally targeting civilians, kidnappings, executions, beheadings, sexual and domestic slavery, etc. (Human Rights Watch 2016, 547-550). In Iraq, crusaders

killed and executed thousands of people, often using extremely cruel and painful methods, including burning, drowning, electrocution, and stoning. Moreover, they institutionalized rape and sexual slavery, and forced marriage upon women (Id. 2016, 319-321). As Paul Salem put it:

> "The terror group has unleashed a nihilistic genie of barbaric violence aiming to destroy any civility or order that existed before, and sowing the seeds of its new order." (2014)

8.1. Evil, Savage, Un-Islamic...

The above-mentioned crimes perpetrated by ISIS not only infringe international law and humanitarian international law (The 1949 Geneva Convention, Art. 3 and Art. 4) and *Koran* (5:32; 2:56) but also contradict the core values and principles promoted and preserved for centuries by the Ottoman caliphate. As the *Economist* writes, *caliphs* were of several religions and races, and the Ottoman Empire's attitude toward religiosity could be disarmingly liberal, too. Moreover, *caliphs* saw themselves as the defenders of multiple faiths that sought their protection not just Islam (December 16, 2015). Many mainstream organizations, according to Wood, have thus denounced ISIS as being *un-Islamic,* for it has demonstrably neglected what Islam has historically and legally required, "distorting the texts of Islam as preposterous, sustainable only through willful ignorance." (Atlantic, March, 2015) This same description, as CNN reports, has been used by Obama, too (September 11, 2014). In a speech entitled, *Islam is Peace* at the Islamic Center of Washington in September 2001, meanwhile, former President Bush denounced Al-Qaeda and other terrorist groups as fundamentally against the Islamic faith.

"The face of terror is not the true faith of Islam [...]. Islam is peace. These terrorists don't represent peace. They represent evil and war." (Huffington Post, January 31, 2017) Legally, Islam opposes *jihad* (war) as a means of settling political disputes. If required, the military *jihad*, as Kabbani and Hendricks explain in an article, "Jihad: A Misunderstood Concept from Islam—What Jihad is, and is not," can be achieved by using any means from legal to diplomatic to politico-economic methods. If there is no alternative, Islam condones the use of force but with restrictions. Thus, the military action, as these authors underline, is "only one means of *jihad*, and is very rare." (Islamic Supreme Council of America)

The ISIS's exposed evil and barbarism, in fact, goes back to wars conducted prior to the 1648-Westphalia system, even during the primitivism era when war was conducted out of international norms by individuals or/and tribes ruled by irrational thinking. In this respect, ISIS war satisfies several assumptions of "new war" theory. First, violence is deliberately applied against civilians; they are not merely a "side-effect" but a consequence of "one-sided violence." Second, the instilling of fear with the intention of enforcing ethnic cleansing and forcible expulsion supports the argument on the changing pattern of violence and the mode of warfare. Further, the use of violence against population constitutes a breach of the "wondrous trinity of war;" although, this principle has been breached by all parties to the conflict, including the US forces. In 2016, the Commission for International Justice and Accountability (CIJA) disclosed "the systematic torture and murder of tens of thousands of Syrians" approved by Assad in coordination with his security-intelligence agencies and implemented by

the regime operatives. As Ben Taub wrote at the *New Yorker*, "The Assad Files," "this revelation offers a record of state-sponsored torture that is almost unimaginable in its scope and cruelty." (April 18, 2016) The Syrian government used chlorine bombs in residential areas, resulting in hundreds of civilian casualties and enforced disappearances, including indiscriminate attacks against women and children (UNHRC 2017, 1). The testimony on the ground, on the other hand, indicates that the number of civilian casualties caused by US-led airstrikes in April 2017, according to Arango, has allegedly surpassed those conducted by ISIS, Syrian forces and Russia in Syria (New York Times, March 27, 2017). As Rachel Roberts reported, civilian deaths from American airstrikes across Syria and Iraq soared in March 2017 to an "all-time high," resulting in at least 1,472 casualties (Independent, April 3, 2017). The Violations Documentation Center in Syria (VDC) confirmed that international coalition forces have breached the principle of *Proportionality in Attack* in Aleppo and Raqqa countryside, violating international humanitarian law by causing many civilian deaths. The number of civilian casualties since the international airstrikes in 2014 up to April 2017, reached 966. Yet the majority of these attacks, according to VDC, have been committed by Syrian government, Russia, and ISIS (2017).

There is a plenty of evidence to suggest that all parties in the conflict have violated international humanitarian law relating to civilians and other protected groups. The data provided by reliable organizations illustrate a dramatic surge in civilian casualties vs. military ones. Based on the UNHCR estimates, about five million Syrians sought refuge as of February 2017 and six and a half million others were internally displaced thus constituting for the largest

internally displaced population in the world (2017). The number of civilian deaths, meanwhile, varies: the VDC (2017) reported 175,545 persons killed from March 2011 to March 2017, whereas the Syrian Observatory for Human Rights (SOHR) documented 465,000 deaths, including combatants and non-combatants (excluding abducted civilians and killed or missing prisoners) (April, 2017). The number of Syria armed forces and local militia killed since 2011, according to SOHR reached 120,000 (Id.), whereas the number of ISIS fighters varies between 25,000 (CNN, December 16, 2016) and 50,000 (CNN, December 14, 2016).

9. ISIS's Economy: Conventional, Yet Illicit and Predatory

The Syrian conflict in general, and ISIS war in particular, cannot be attached to "economically driven interests" or "local-predation struggles." This however does not presuppose that "greed-related" motives did not apply throughout the conflict. Indeed, "war economy" surfaced—especially—when powerful patrons entered the theater by, as formerly UN Secretary General, Ki-moon said, "feeding the war machine" through supply of weapons and money flowing into the country (UNGA 2016). With regard to ISIS, although the group has successfully used "war economy" to covering governance and military expeditions, the economic factor is dismissed as the original motive of war. The "political war economy" so as war-making and state-making processes is by no means new phenomena. As Tilly reminds us, the European experience had been "the largest example of organized crime in history," in which the fine line between "internal" and "external" and "legitimate and "illegitimate" force remained unclear so as the distinctions

between "war making" and "state making" and "extraction." (Evans, Rueschemeyer, and Skocpol 1985, 173-184)

This part of this article reflects ISIS's economic activities by providing a detailed narrative in an attempt to place a nexus between its war and economic gains. The ISIS's illegal economic activity is well documented and has been used to sustain its war efforts, as well as financing its governance and administration (Brisard and Martinez 2014; Financial Action Task Force (FATF), 2015). As Weiss and Hassan suggest, *Da'esh* has in fact "married" its authoritarian governance with a remarkably successful "war economy" by using revenue from oil to run schools, as well as providing public goods and services in Syria and Iraq (2015, 150). Described by former US Undersecretary for Terrorism and Financial Intelligence, Cohen, as "the best-funded terrorist organization on earth"; (US Department of the Treasury 2014) ISIL functions under common rules of conventional economics, utilizing diversified sources of funding to fulfill its proclaimed strategic goals (Brisard and Martinez 2014, 3). Unlike Al-Qaeda and other terrorist groups financed mainly by donors, ISIS's funding, according to the FATF, is mostly raised locally through extortion and theft from residents (2015, 11). In 2014, ISIS represented the wealthiest terrorist organization in the world, earning close to two million dollars per day (Lister 2014, 2), controlling assets in excess of two trillion dollars while generating an annual income of about three billion dollars (Brisard and Martinez, 2014, 3).

The FATF identifies five primary sources of revenue stemmed illegally from ISIS occupied territory: (1) illicit proceeds from occupation of territory [...], including illicit taxation of goods and cash [...]; (2) kidnapping for ransom;

(3) donations by or through non-profit organizations; (4) material support such as through foreign terrorist fighters (FTF); and (5) fundraising through modern communication networks (2015, 12). *Illicit taxation*: One of the most important lessons ISIS has learned, according to Johnston et al., is that "insurgencies do not need external backers if they can tax the economy." (2016, 255) The IS tax system constitutes one of its largest sources of income, accounting for eight million dollars each month (Brisard and Martinez 2014, 4). By taxing the economy to cover its military and governance expeditions, ISIS defies Kaldor's argument that "new wars" as opposed to earlier ones financed primarily through taxation, are supported by illicit economic activity. Yet in the absence of legal foundations, the IS taxation is indistinguishable from extortion and is accompanied by a degree of corruption (McCants and Revkin 2015). By mid-2015, ISIS reportedly generated more than one million dollars per day in extortion and taxation (Johnston et al. 2016, 255), totaling in an estimated amount of $360 million annually (Brisard and Martinez 2014, 5). In order to justify the imposition of taxes, the militancy, as Revkin notes, has been developing "an Islamic economic jurisprudence based on a selective, arguably creative reading of texts of medieval scholars." These scholars discuss four main sources of revenue collection, explicitly described in *Koran* as required in exchange for security and services: *zakat*, *ghanima*, *fay*, and *jizya*. *Zakat* presents two and a half percent of total income and is extracted from annual income and savings, capital assets, and annual taxes on non-Muslims (McCants and Revkin 2015). ISIL's sources of revenue in Iraq included a tax on Iraqi government salaries dedicated to employees in Mosul (under its territory); trade agriculture (Brisard and Martinez 2014, 9); goods; telecommunications; cash

withdrawals; and a road and "custom" tax per truck entering Iraq at the Jordanian and Syrian borders, producing according to Nina Bajekal, nearly eight million dollars in income each month (NYT, October 20, 2014)

The ISIS fills its pockets from the "dark economy" too, including oil revenue, grey market, extractive industries, extortion system of business and farm tributes, and looting and smuggling. Oil revenue from Syria and Iraqi fields, as Brisard and Martinez illustrate, yields a net worth between $730 million and $1.4 billion per year, whereas natural gas up to $979 million per year (2014, 6-8). *Ransom Payments* for kidnapped victims brings revenue between $20-$45 million (FATF 2015, 18); while *external donations*—an average of $50 million annually (Brisard and Martinez 2014, 4). *Material support* is mostly generated from FTF in the form of money; while *fundraising* represents a "relatively small" source of ISIS funding (FATF 2015, 20-24). Through "shadow economy," ISIS has apparently managed to run its state and military affairs, as well as paying for foreign fighters. In this regard, ISIS offers a plausible argument for "new war" as "war economy" has been successfully applied as a means of sustaining war efforts, as well as governing and administration.

Conclusion

The Islamic State case offers a valid contribution for both—the "new war" literature and the international peace and security studies. The lessons I have drawn here may also have implications for policymakers and theorists in the study of war as a phenomenon in the international relations. Yet ISIS war cannot be classified as a "new war" in that it displays features of both "new" and "old" wars. First, ISIS

war is waged primarily on ideological grounds despite that its proclaimed ideologies—*Jihadi-Salafism* and *Wahhabi*—are deeply rooted into the *politics of identity*. Secondly, ISIS has demonstrated both state-building and territorial objectives, and the group itself has been deemed as a "real state" for that time it controlled large swaths of territories in Syria and Iraq. Further, ISIS original motive of war is nothing but economic, although "war economy" has been applied throughout conflict to cover military and government operations

The ISIS case, on the other hand, reinforces the argument on the changing pattern of violence and the mode of warfare so as the increased victimization of civilians in the "new wars." The group's military campaigning is characterized by a deliberate targeting of civilians, resulting in an increasing number of civilian casualties as opposed to the military ones. The "trinity of war" however has been breached by all parties to the conflict, including Syria government and its allies, and unintentionally by the US. Still, ISIS refutes the core proposition of "new war" on the division between "new" and "old" wars by inventing a "new" category of war. This proposal has been widely criticized for it tends to disregard the historical and theoretical analysis, as well as empirical research of earlier warfare. Furthermore, the "new war" tendency to relate "new wars" with "predation" struggles, is being considered a reductionist, oversimplified approach. As Kalyvas put it, "To say, in short, that the civil war in Sierra Leone is mainly about diamonds, appears to be a gross oversimplification." (2001)

The quantitative aspect of war is also questioned and disputed as the data is often inaccurate, misleading, and

contradictory. For instance, the Human Security Commission (HSR) opposed claims of increasing civilian targeting, suggesting that the incidence of one-sided violence between 1989 and 2009 has significantly declined (2012). The data on the increased incidence of intrastate violence, on the other hand, though mixed, supports the "new war" assumption (Rigternik 2013). There are some issues regarding the definition of war that should be taken into consideration. First, the classification of war is based on the old definition of war, which on the one hand distinguishes between interstate and intrastate wars, and sub-state and non-state categories of war, and on the other hand recognizes as a "war" a conflict between a state on one side, and involving a certain threshold of battle-related deaths within a year (Kaldor 2013). For a violent conflict to meet this threshold, Chojnacki proposes changing the definition of war by including civilian deaths as deliberate aims of war, with a criterion of 1,000 civilian deaths within a year, as well as including non-state actors (2006). Second, there is no accepted definition of civil war, thus many scholars use the notion of "civil war" as equivalent to "new wars," which is not interchangeable (Kaldor 2013).

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SECOND WORLD WAR FRENCH-CANADIAN NOVELS
ANALYSIS OF *NEUF JOURS DE HAINE* AND OF *LES CANADIENS ERRANTS*

by

DR. LOUIS-PHILIPPE ROUILLARD

It is a well known fact for Canadian and *Québécois* historians that the Second World War represents a new starting point in the way French-Canadians view the world and their place as a people in it. The articulation and interpretation of this global conflict, as a source of self-respect for Quebekers, has been especially popular since the *Révolution Tranquille* of the 1960's.

The problem with this perception of recent history is that although it certainly takes into account the opinions of the majority left in the country, it seems to forget the roots of this movement: the soldiers who fought in the war.

Upon reading some of the French-Canadian novels of the Second World War, it appears that the soldiers who did fight, especially in Europe, did not see the war as a source of self-respect at all. Quite the contrary. Not only do they seem to find the experience extremely demeaning, it looks like it rot them from the insides and forced them to disconnect themselves from the society from which they originated in Canada. Not so much because of what they have seen "over

there", but because of the army life and the way it robbed them of their youth.

Altogether, the French-Canadian novels of the second global conflict are indicative of soul-searching, of a loss of direction, of emptiness and resentment. At the very least, this is what can be extracted from two specific novels, Jean-Jules Richard's *Neuf jours de haine*[1] and Jean Vaillancourt's *Les Canadiens errants*.[2]

Although both books are entirely different in literary styles, they are incredibly identical in the form they take. In fact, those similarities are so blatant that a comparison with a certain number of other French-Canadian novels would be necessary to determine for sure that there are no established patterns to French-Canadian Second World War literature.

To start with, they both begin exactly at the same moment of the war in full action on June 6, 1994. D-day. Their respective stories are built around the members of an infantry platoon. They both follow the same path from Normandy to the Escault canal to the Rhine and they omit in the same way the experiences of Belgium. They both make it look like artillery was the main and most feared enemy and describe casualties in a caring attitude at the beginning of the novel to develop in an uncaring one at the end. This really emphasizes the sharing of the experiences of French-Canadians in the Northwest Europe campaign. To have two novels so alike can not be a coincidence of any kind. Yet, the conclusions they seem to get out of those

[1]Richard, Jean-Jules, Neuf jours de haine, (Montréal, CFL Poche Canadien, 1968), 361 pages.
[2]Vaillancourt, Jean, Les Canadiens errants, (Saint-Laurent (Qc), Éditions Pierre Tisseyre, 1994), 250 pages.

common experiences are not exactly identical, even if they converge on the same idea of a loss of roots and of meaning. Obviously, the authors' coming to terms with the cruelty of the war is not the same. While Vaillancourt still manage to come back through his characters, Richard sees a jail waiting for him. Those perspectives are certainly linked to something that the novels themselves can reveal to the reader, and this is what I will now analyze.

To do so, I will begin with Richard's *Neuf jour de Haine* because it is the most complicated of the two. It is so because its style varies in the course of the novel from a personal to an impersonal style that provokes a drastic split in the symbiosis between the reader and the characters, just when the former starts to identify with the latter. The shock happens to coincide with the baptism of fire of the platoon, nonetheless it does not seem that it is that traumatism that prompts the author to switch from his personal '*je*' and '*on*' (I and we) to use impersonal '*ils*' (they). It appears more like a sudden change of heart on the part of author, as if he was backing from actually sharing his experiences of the war and distancing himself from getting involved in the story.

From there on, the 'nine days of hatred' spread on as many separated occasions and are lived by most of the platoon, but mostly by Noiraud. The isolated manner in which Richard bring about each separated battle demonstrate something of the isolation that seems to be felt by French-Canadians. At the same time, his short and monosyllabic sentences let the reader feel the fast and furious pace of battle while keeping the author very much distanced from getting personal in his novel. Therefore, the reader is soon asking himself what is the actual intention of the author. In

fact, by the end of it, the reader asks not what it was about, but what it was not about. The novel is not a condemnation of war or a trial of the Canadian society, but it is still an analysis of sort of the schisms that the war brings to light in the different perspectives of French-Canadians and of their perception of the war. Mainly, it brings about two topics intrinsically build in a dichotomy: the place of Canadians in the world and the place of French-Canadians in this Canadian society. On the first subject, the question is quickly discarded after a short monologue from Kouska where he expresses his fear of '*le mal d'Europe*' (Europe's disease) in Richard's *Neuf jours de haine*. He defines it as imperialistic ambitions, as an ideology of fanaticism that has divided Europe for so long because of the enormous amount of 'races' on such a small territory. He believes that the only way to stop those wars of hatred is a centralized government. Before he can put that in a working order, he believes that Canadians must put a stop to differences between the East and the West. Then they can pull away from Great Britain's influence and admit Europe to their humanized world. This is summed up by the company's clerk when he says during a night's drinking:

> "Au Canada, mon pays. Il fait bon d'habiter tes larges espaces. Nous espérons faire un jour partie du monde. Aujourd'hui, nous ne sommes plus canadiens, ni sujets britanniques, mais humains, tout simplement humains, si comme cela doivent s'appeller les habitants du monde. Aujourd'hui nous avons comme symbole la feuille d'érable (...) nous

> espérons demain avoir comme symbole la mappemonde."[3]

This idea signifies that Canadians believe that there is purity in America that has been corrupted in Europe. In this, he demonstrates that unity in Canada can be achieve through the mix of races (as understood in the Canadian context for French and English Canadians as being two 'races') as it is the case for his unit. This is peculiar and very interesting because it points to the fact that the author, although discussing the position of French-Canadians, is not from Québec, but maybe from the Maritimes or the West. This appears so because of the uncommon uses of French, like some adjectives that are not normally applicable to what he wants to describe and to his propensity all along the novel to speak of the West. Even his idea of a centralized government is a very Western thing in Canada, although it is also in the Maritimes now a day, but not at all a Québec one.

All this leads me to conclude that the author as a very unique French-Canadian perspective, since he would belong to even more of a minority if he is from the West. Nevertheless, whether this is the case or not does not take away the fact that important issues are dealt with in this novel, even if the author is somewhat unsuccessful to get his message through without a very complex analysis.

First and foremost, as his title states, he deals with the concept of hatred. Sadly enough, my own literature background is French and very limited, which explains why

[3] Richard, *op. cit.*, p. 222-223.

I do not associate this with the 18th and 19th century concept of hatred that would be described as the "hardening of the heart". In spite of that, it is assumed in French that hatred is not only the absence of love, the hardening of the heart where emptiness takes over in the soul and take away any feeling of human caring. It is very much defined as a violent feeling that pushes an individual to harbor ill will to his fellow man and to actually rejoice when they are hurt. It really means that the individual that hates will try to hurt emotionally or physically. Hatred can certainly be a profound aversion to something in French, but more often it is the violent and physical expression of anger toward something.

In that sense, Richard explores the building of Noiraud's hatred from is first trauma of the war when he sees 30 prisoners of war shot before his very eyes to the last day of hatred when he confronts Frisé in his prison cell. Along the path toward the final hatred he feels Noiraud is more and more taken to killing and to enjoy killing. Yet, the real hatred is developed, although not seen, in Frisé who mutilates the three Germans by cutting each an ear and raping Hilda. Noiraud's hatred is comparable but very different. It is aimed at his former friend, at the army and his countryman. The author therefore jumps from the general issue of hatred toward an identified enemy as developed by months of arduous fighting and transposes it towards the army because of the way it robs men of their individuality. Richard blames in this manner the institution and the organization and, through extension of the principle, the Canadian society for what it has asked these men to do. When he is through and Noiraud says his two last words at the end of the novel (*Haine, Haine.*) the circle is complete. He presents an individual well appreciated by

his comrades and good at what his country asked him from the beginning of the novel and transforms him in an outcast discarded by a system that does not require his high performance killing services anymore at the end of the war. In that manner, he disconnects his main character from the society from which he his born and raises and presents him as a man without a future. This analogy could be extended to Quebecers who were asked to join despite their view that it was not theirs but Great Britain's war. They did serve Canada in a war that mainly concerned Europeans. They did perform well, but were done away with and quickly forgotten once they went overseas and were not recognized when they came back. In that sense, the message Richard seems to try to convey is that all the experienced accumulated over there was not worth their efforts once they reintegrated society. They were left out as individual and as a race.

This idea of a disconnection between the veterans and the society in general is certainly predominant when the soldiers returned from overseas, but it is very much so in French-Canada where the cult of the land was still observed, even under Godbout's liberal government. The soldiers who came back had seen the world. They wanted a taste of it for the rest of their lives and wanted to communicate their experience to their communities. But, these communities were not listening positively. They had done away with them since they represented, when they left, the lower and poorer portion of the French-Canadian society. Richard appears to be trying, and failing, at finding a place for French-Canadians inside their own post-war society and, in a very similar fashion, a place for this French-Canadian society inside the Canadian one. In conclusion, he proposes a model

for it, but does not seem to believe it will be enough to keep the harmony and prevent Europe's disease from reaching the continental mainland of North America.

Those ideas are followed in another manner by Vaillancourt with different conclusions. In fact, the general theme is more or less the same. The disconnection and the sense of being left out in the cold on the individual basis are definitely there again. So is this quest for a personal place in French-Canadian society integrated with the idea of a place for French-Canadian inside the Canadian society as a whole. These main themes are again associated with the idea of the problems of Europe and the purity of North America. Still, Vaillancourt is clearer than Richard both in his style and in his arguments.

While Richard uses the concept of hatred to try and breach the complexes of the French-Canadians, Vaillancourt uses the medium of poverty. The title of his book, *Les Canadiens errants* (more or less "The Canadian Hobos or Bums") depicts this in a very simple and direct way. It shows right from the start that the French-Canadians who fought did not do it for abstract reasons. Most of them needed a job in 1939, so they enlisted. All of his main characters are volunteers of that year. As for the others, they are conscripts who quickly die. It shows that the French-Canadians were looking for a way to improve their living conditions inside a difficult society.

To illustrate that, Vaillancourt adopted the same style as Norman Mailer in is novel *The Naked and the Dead*. He goes from one battle to another in a non-linear fashion, interjecting the background of each character in between. This permits the reader to analyze the real motives of

enlistment of these characters. And, to a man, they all come from that lower class that can not get decent work at the end of the 1930's. When they enlist, they think of money, a quick war they will survive and adventure. For them, this is what the war is all about. It is a great adventure to see the world, acquire living experience, come back and improve things back home.

But they are slowly disillusioned by the long wait in England. Their enthusiasm, their will seems to wane with their dreams. They are sacrificing the best years of their lives to the army and this is eating them alive. When the characters finally get in the war, they are not shocked by the killings. But they are very tired emotionally. They do not have a goal anymore and they fight because they are told to do so by people they respect and admire. They realise fully that they would not be there if they were part of the middle or higher class of the Canadian society. They resent the good people of Canada that send them away and seem to have forgotten about them. How to find that place in society when they come back is what they are looking for.

For Gagnon, there is only one way to achieve this. To experience the war, to live on the old continent and to bring back this experience and share it with his town folks. But, as Vaillancourt shows with the homecoming of Lanoue, this is not to happen. The society has already forgotten them and does not feel as if they owned them anything. Even before he talks to anybody else, Lanoue knows that he is like a meteorite lost in space, unable to change his direction and not knowing where he is going. Again, the idea of finding a personal place inside society is on the forefront. And again, this idea is linked with the idea of French-Canadians finding a place inside the Canadian society with the difference

between the officers and the members of the ranks in the novel. For example, even though their company commander is very well liked by his troops and very competent, he is still a rich and educated Anglophone from Montréal. His reasons to enlist are greatly different from those of his men. He did it for his country, when nothing but his conscience forced him to join. This seems to represent the difference in the attitude of Canadians in general as opposed to French-Canadians in particular. While Canadians fight for the idea of democracy, of a great and independent Canada, the French-Canadians are trying to prove their worth and to acquire a relative independence in Canada. In all of that, the message is constant with Richard's one. The end result appears to be that the Canadian society has abandoned its soldiers once the war was over. But where do they go from there is another matter. Indeed, Richard sees no hope. He sees a jail and pure hatred. Vaillancourt is also disillusioned, but he is not as pessimistic. He seems to see the whole affair as a process of growth for the French-Canadians. He presents his argument by clashing the European and North American psyche. This is particularly evident when he confronts a Canadian captain with a German major, after the surrender of the latter. While the major understand that the soldiers fight for the adventure and the pay, he can not comprehend that an educated man like this young captain could fight what he sees as a noble cause. When the captain answers that he did it because of his health at the time, a poor appetite, the major calls him a mercenary. The young captain explodes and answers right back:

> *"Des mercenaires ! (…) Ce doit être pour ça que j'ai quitté, il y a trois ans, mon pays où j'étais heureux, ma famille et mes études (…) si j'avais perdu l'appétit avant de m'enrôler*

> *dans cette armée de "mercenaires", comme vous dites, c'était de voir une demi-douzaine de pays de l'Europe sous la botte de gens comme vous ! Que faisiez-vous en France, en Belgique et en Hollande, où nous vous avons combattus (sic) pendant huit mois avant de vous refouler jusqu'ici ? (…) Vous ne parvenez pas à comprendre, dites-vous, qu'on puisse se battre sans y avoir des intérêts personnels ? C'est peut-être que les idéalistes ne sont pas du côté que vous croyez ! "*[4]

This episode shows without a doubt the intention of Vaillancourt and where his heart is. He demonstrates through this argument the corrupted ways of Europe and their dirty principles to accommodate their own gain. At the same time, he tries to show the danger of these views crossing over to America. And this he illustrates in numerous places in the novel through the idea of fanaticism. He demonstrates first the German fanaticism and shows a link later on with examples illustrating that Canadian are also capable of barbarism.

For example, he puts his characters in two separated occasions where Germans are fighting to the death. In one of those occasions, a German soldier uses his last strength to shout '*Heil Hitler*' while rendering a Nazi salute. Later on, he puts the platoon's sergeant and acting commander, Lanthier, in front of an SS officer who spits in his face. Lanthier, an ex-boxer, uses then his incredible strength to crack open the German's skull and then empties his whole

[4] Vaillancourt, *op. cit.*, p. 149-150.

submachine-gun magazine in his belly to ensure the bastard (*enfant-de-chienne !*) is dead.

This is indicative of the fact that the European psyche has already gone through a process of growth that broke the illusion of hope and brought a loss of faith in human kind. The Canadians, at that point, have not lost that faith, but the European disease is catching on to them. They are getting more unforgiving as they advance through Germany and the number of casualties goes up because of an increasing resistance from the People's army. They have not lost faith yet, but they are starting to carry over the roots of the European disease and are at risk of spreading it when they come back. To quarantine the disease, a place must be made to the French-Canadians as they are coming back, otherwise the roots might grow and balkanize North America as it did with Europe.

Although this message is well conveyed, questions arise when we get to the specifics of how to make this happen. Vaillancourt, though his character Lanoue that comes back wounded, shows the struggle of veterans to be reintegrated in society. He can not adapt to the new Montréal, where he is refused the opportunity to study he so desire, so he gets lost in the arms of a prostitute and tries to forget about everything; including himself.

This represents the inward withdrawal of the French-Canadians. Even if they have fought, bleed and died like their English counterparts their participation is not acknowledge and no recognition is given. In the end, French-Canadians see that their place within Canada does not seem to be insured so the move toward the nationalist rhetoric of the *Union Nationale* under Maurice Duplessi

and ask Ottawa: "*Rends-nous notre butin !*" (Give us our due back !).

When all is said and done, these two novel really represent a French-Canadian perception of the war, both on and off the fields of battle. This is constant with history and truly reflects the dilemma of an emerging society and the awakening of the French-Canadians as a people.

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