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# REBELOCRACY: A THEORY OF SOCIAL ORDER IN CIVIL WAR

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# REBELOCRACY: A THEORY OF SOCIAL ORDER IN CIVIL WAR

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## ABSTRACT

War zones are usually portrayed as chaotic and anarchic. In irregular civil wars, however, they are often ordered. Furthermore, different forms of order often coexist in areas controlled by the same non-state armed group, where the behavior of both civilians and combatants vary substantially. What explains this variation? In this paper I present a theory of the creation of order in war zones that analyzes the behavior of non-state armed groups, the responses of local populations, and the effect of their interaction on wartime institutions. My central argument is that disorder emerges when armed groups have short time horizons, which usually happens when they fight for control with other warring sides or are undisciplined; under these conditions, they are unlikely to establish a social contract with the local population. When armed groups have a long time horizon, a social contract is established, giving place to a new order. In this new order, armed groups may intervene minimally or broadly in civilian affairs; their choice, I argue, depends on the likelihood of organized civilian resistance, which is, in turn, a function of the quality of pre-existing local institutions, especially those dealing with adjudication of disputes. I also present extensions of the theory that account for variation in the strategic value of territory, variation in local capacity for collective action, and armed groups' information about local institutions.

## RESUMEN

Las zonas de guerra suelen ser descritas como lugares caóticos y anárquicos. Sin embargo, en las guerras irregulares es común que un nuevo orden surja en estas zonas. Es más, diferentes tipos de orden suelen coexistir en áreas controladas por el mismo actor armado no estatal, donde el comportamiento de civiles y combatientes puede variar mucho. ¿Qué explica esta variación? En este artículo presento una teoría sobre la creación de orden en zonas de guerra, analizando el comportamiento de los grupos armados no estatales, las respuestas de las poblaciones locales y el efecto de la interacción entre ambos actores sobre las instituciones que operan durante la guerra. Mi argumento central es que el desorden surge cuando los actores armados tienen horizontes de tiempo corto, lo cual ocurre cuando compiten por controlar el territorio con otros actores armados o tienen problemas internos de indisciplina; en estas condiciones, es improbable que los grupos armados establezcan un contrato social con la población local. Cuando los grupos armados tienen horizontes de tiempo largo, suelen establecer un contrato social con la población civil dando lugar a un nuevo orden. En este nuevo orden el grupo armado puede intervenir mínima o ampliamente en los asuntos de los civiles; su decisión depende de qué tan probable es que la población resista de manera colectiva, lo cual es, a su vez, una función de la calidad de las instituciones pre-existentes en la localidad, especialmente las instituciones de justica o adjudicación de disputas. El artículo también presenta extensiones de la teoría para dar cuenta de la variación del valor estratégico del territorio, la capacidad local de acción colectiva y la información que tienen los grupos armados sobre las instituciones locales.

*"The FARC were everything in this village. They had the last word on every single dispute among neighbors.… They were the ones who ruled here, not the state."*

Local leader, village of Librea, municipality of Viotá[1]

*"[The FARC] wanted to take power over these people and this land. But they couldn't. We had to obey them in certain ways, of course, because they have the weapons. But we [the peasant leaders] are the authority here. People recognize us as such. They could not take that away from us. They didn't rule us."*

Local leader, village of Zama, municipality of Viotá[2]

These are the testimonies of residents of two neighboring villages, about a mile apart, in the Colombian Andes. The FARC (Revolutionary Armed Forces of Colombia) controlled the area for about twelve years but did so in drastically different ways in the two places. In Librea the rebel group ruled over the political, economic, and social life of the population, while in Zama civilian leaders remained the ultimate authority—the FARC controlled the territory militarily, but locals remained in charge of arbitrating disputes, deciding the rules that guided social interaction, and holding meetings to discuss community problems and decide important issues.

The situations of these villages illustrate a puzzling aspect of civil war: far from being chaotic and anarchic, war zones are often orderly. In many places there is a sense of normality— even if different from that of peacetime—and people have expectations about what might happen. There is a new order in place, which civilians recognize, that marks many aspects of daily life. Furthermore, different forms of order frequently coexist in areas controlled by the same non-state armed group: in some cases, rebels establish institutions to regulate a myriad of conducts, while in others their intervention is minimal. What explains the emergence of order in war zones? Why, when order emerges, does it take different forms?

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[1] Personal interview, village of Librea Cundinamarca (Colombia), 2007. Given that the Colombian conflict is ongoing, following standard practice I do not use the real names of my interviewees or their communities, only their municipalities.
[2] Personal interview, village of Zama, Viotá, Cundinamarca (Colombia), 2007.

The literature on irregular civil war has often claimed that the quality of civilian-combatant relations is a key determinant of war outcomes, as both rebel and counterinsurgent victory require civilian support (Galula 1964; Mao 1978; Guevara 1997; Taber 1965; Trinquier 1964). However, variation in civilian-combatant relations has seldom been described systematically, let alone theorized. Instead, three simplistic assumptions have dominated the literature. The first relies on the "hearts and minds" metaphor, portraying rebels as freedom fighters who try to gain popular support on the basis of good behavior and ideological propaganda. The second portrays combatants as harsh terrorists or greedy criminals who coerce local populations. The third dominating assumption is that in conflict areas institutions are absent, as illustrated by conceptualizations of civil war as situations of "collapsed governance," "failed states," or "ungoverned spaces" (Justino 2013). Likewise, most studies of rebel and civilian choices assume that there are no institutions in war zones or, at least, that they are irrelevant to our study of wartime behavior (Arjona 2014).

Yet, the available evidence from war zones confounds these simplifications. Rebels are rarely *either* benevolent freedom fighters *or* abusive criminals—rather, they often adopt different strategies across time and space. The institutional landscape in wartime is also far from the stereotype: although clear rules are sometimes absent, more common is the emergence of new rules of conduct that are widely observed, giving place to new forms of order. While the prewar order might be gone, it is usually replaced with a new form of order—not with chaos.

Even though the variation in civilian-combatant relations and wartime institutions is staggering in its range, our understanding of its causes and effects is very limited. This omission has important implications. Theoretically, by ignoring the different ways in which war can unfold at the local level, we fail to understand how armed groups seek obedience and support, how they are able to grow and survive, and how their behaviors affect local populations. At the same time, studying the phenomena that result from civilians' choices—such as collaboration, displacement, or recruitment—without unpacking the interaction between civilians and combatants and the ensuing wartime institutions implies ignoring the context in which such choices are made (Arjona 2014).

Neglecting wartime institutions also has important consequences for our understanding of post-conflict outcomes (Arjona 2014; Justino 2013). Civil war transforms economic activities, infrastructure, demographic patterns, the social fabric, and political identities, among other

things (Wood 2008). Yet, if the way armed groups occupy territories varies over time and space, we cannot assume such processes to be homogeneous within a country or its regions (Arjona 2009).

Concerning policy, understanding civilian-combatant relations and working institutions in war zones is essential for identifying the challenges and opportunities of different interventions. Efforts to limit civilian casualties, prevent displacement, or promote development in war-affected areas have to be grounded in a realistic assessment of the context in which such interventions might operate. Civilian-combatant relations are also at the core of counterinsurgency strategies. For example, the idea that gaining popular support is essential to win has been invoked to plan, or criticize, counterinsurgency operations across the globe. Such assessments should be based on more realistic assumptions about what drives civilian and rebel behavior under different institutional arrangements.

Finally, if institutions are an essential building block of economic, social, and political phenomena, we need to understand how war transforms them and how it does so differently across time and space. The challenges and opportunities for post-conflict reintegration, reconciliation, poverty alleviation, and institutional building may well vary depending on the type of social order that emerged during the war. Yet, as Blattman and Miguel (2010) note, the institutional legacies of armed conflict have been largely neglected.

This paper proposes a theory of social order in war zones. I rely on a typology of wartime social order introduced elsewhere (Arjona 2014) and develop a theory to explain the behavior of armed actors towards civilians, the latters' response, and the ensuing forms of local order. I argue, first, that rebels with short time horizons will bring about disorder in the territory. This is most likely when armed groups are undisciplined and in situations in which they face competition with state or non-state armed forces. Second, rebels with long time horizons will prefer a rebelocracy, where they intervene beyond the realms of public order and taxation. However, in areas where preexisting local institutions—especially those for adjudicating disputes—are efficient and legitimate, civilians are likely to resist collectively because they value their form of governance and have a high capacity for collective action. In such cases, civilians have bargaining power and rebels are likely to settle for aliocracy, rather than rebelocracy, as a form of rule.

I proceed as follows: In the first section I briefly discuss current conceptualizations of war zones and civilian-combatant relations, and in the second I define the dependent variable. In the third section I present the theory in its basic form. In the fourth section I extend the model by relaxing assumptions and discussing additional implications; in the fifth I address some caveats; and finally I offer a brief concluding section.[3]

## WAR ZONES AND CIVILIAN-COMBATANT RELATIONS

While several scholars have studied the determinants of rebel violence, few authors have focused on the nonviolent strategies that rebel groups adopt when interacting with civilians. Recently, the emerging field on rebel governance has investigated some of these relationships. The literature on the economics of organized crime, although developed to explain the behavior of purely criminal organizations, also provides important insights. Although these two literatures have evolved separately, both have aimed to explain the conditions under which non-state armed actors (rebels or criminals) provide public goods (Arias 2009; Berman 2009; Berman and Laitin 2008; Gambetta 1993; Keister 2009; Metelits 2010; Skarbek 2011; Skarpedas and Syropoulos 1995; Volkov 2000; Weinstein 2007; Wolff 2015); become a recognized authority (Wickham-Crowley 1987); allow for civilian participation (Kasfir 2004; Weinstein 2007); set up a system of civil administration (Mampilly 2011); provide security and taxation (Sanchez de la Sierra 2015); or develop specific economic relations with local populations (Zahar 2001).

In some of these accounts, whether or not armed groups rule civilians is determined by national-level factors such as state penetration both before the onset of war (Mampilly 2011; Skarpedas and Syropoulos 1995) and during wartime (Berman and Laitin 2008; Berman 2009); the existence of a legitimate authority (Wickham-Crowley 1987); war duration (Wickham-Crowley 1987; Mampilly 2011); and truces and ceasefires (Mampilly 2011). Yet, national conditions cannot explain why two armed groups would exhibit different behaviors within the same civil war.

In other approaches, it is the attributes of rebel groups that determine whether they govern civilians or not, to wit, their internal organization (Skarpedas and Syropoulos 1995;

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[3] I present empirical evidence to test the central implications of this theory as well as its microfoundations and mechanisms elsewhere (Arjona 2016b).

Mampilly 2011); their endowments—both domestic (Weinstein 2007) and foreign (Keister 2009); whether they devoted efforts to mobilizing support before launching their armed struggle (Kasfir 2004); their ideology, their ties with civil society actors, and their access to external funding (Mampilly 2011). While these arguments can explain variation across armed groups within civil wars, they cannot account for variation *within* organizations. Yet, most armed groups rule civilians in some places but not in others, and only in certain time periods (Arjona 2016b).

A few scholars have argued that armed competition over territory or over valuable resources precludes the provision of public goods (Kasfir 2005; Metelits 2010; Skarpedas and Syropoulos 1995; Sánchez de la Sierra 2015). Focusing on criminal groups, others have contended that local political structures (Arias 2009; Blake 2013) and state presence and abuse (Wolff 2015) explain whether these organizations provide security and public goods to local populations in urban contexts. These are the only hypotheses that can potentially explain why a single armed group rules only at certain times and places. However, these accounts do not explain variation in the way in which rebels rule when they do so.

If there are something like local regimes in conflict areas, we need to conceptualize them and theorize why they emerge, how they function, and how they shape rebel and civilian behavior. The theory proposed in this paper helps to move our discussion in that direction.

In developing that perspective, this paper also offers a theory of collective civilian resistance against rebel groups. Although resistance to non-state armed groups tends to be overlooked, several studies have shown that it is not a rare phenomenon (e.g., Hancock & Mitchell 2007; Hernández 2004; Kaplan 2013a; 2013b; Vlassenroot and Raeymaekers 2004; Uribe de Hincapié 2006; CNRR 2011; Mampilly 2011; Förster 2015). The empirical literature highlights the importance of civilian resistance and, just like the studies on rebel governance, calls for an explanation: why does it take place at certain times and places, but not others?

Theories of resistance to oppressive states and occupation forces (e.g., Petersen 2001; Darden forthcoming), and recent accounts of resistance to insurgents (Kaplan 2013b; Schubiger 2016), have argued that social networks, identities, and victimization lead civilians to organize and defend themselves. What needs to be incorporated is how the nonviolent strategies of armed actors, and the interaction between civilians and combatants, shape the emergence of resistance.

# THE DEPENDENT VARIABLE: WARTIME SOCIAL ORDER[4]

War zones—the places where armed actors have a continuous presence—are usually ordered. Even if violence occurs, there is often a sense of normality. Both civilians and combatants have expectations about what might happen and make decisions based on those expectations. I refer to the existence of this predictability as order.

Every form of order is built on a set of institutions—that is, formal or informal rules, norms, and practices that structure interaction (North 1990:3)—allowing such predictability to exist. In war zones, such institutions vary greatly as they prescribe different conducts for civilians, combatants, or both. I define *wartime social order* as the particular set of institutions that underlie order in a war zone, giving rise to distinct patterns of being and relating. I aim to explain both the emergence of order in war zones and the particular form that it takes.

While wartime social order can vary across multiple dimensions, I focus on two (Figure 1): first, whether a social contract has been established between the armed group and local residents; and second, in situations where such a contract obtains, the scope of the armed group's intervention in civilian affairs.

By social contract I mean that both sides follow certain rules of conduct; while this contract is seldom spelled out, every social order relies on an implicit notion of the duties or commitments of both the ruler and the ruled. I refer to the existence of such a social contract as a situation of *order*. This dimension can be operationalized as the existence and enforcement of rules of conduct for both civilians and combatants, which allow for predictability.

When combatants, the local population, or both fail to abide by a set of defined rules, there is no social contract between the two and unpredictability is high. I refer to this situation as *disorder*. Note that disorder does not necessarily entail chaos: if an armed group is in full control of civilian behavior but combatants fail to follow clear rules, civilians live under high unpredictability. Disorder may also emerge when locals often disobey the rules: there would be no social contract, and unpredictability would be high.

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[4] The typology presented in this section is introduced and further discussed in Arjona (2014).

**FIGURE 1**

**A TYPOLOGY OF WARTIME SOCIAL ORDERS**
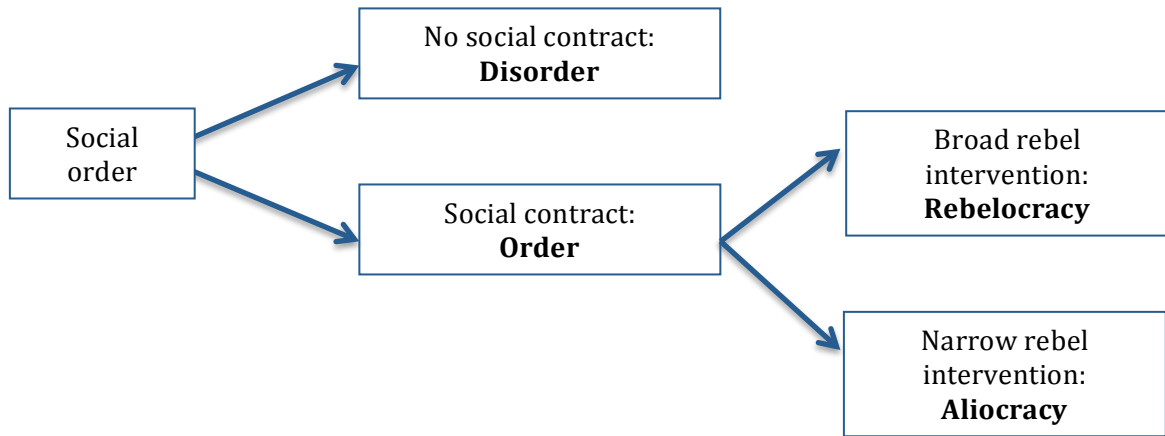


To be sure, order varies along a continuum. As Lockwood and Wrong (1994:9) note, "social order is a matter of degree. Order is never so fully present in concrete social reality as to exclude all deviations, unpredictabilities, mistaken perceptions and accidents. Nor is it ever so utterly absent that complete random behavior, unremitting total conflict, or social interaction confined to the minimum required by biological necessity prevails." Although the reality of a particular conflict zone falls somewhere between these two extremes of nil and total uncertainty, the concepts of order and disorder do capture two distinct realities: under the first one, people can form expectations regarding most domains of their life, most of the time; under the second one, people cannot.

When a social contract between the local population and the armed group does exist, the form of order varies depending on the scope of the group's intervention in local affairs. I call a social order in which the armed actor intervenes broadly *rebelocracy*, or the rule of rebels; I call the social order in which the armed actor intervenes minimally *aliocracy*, or the rule of others, because most civilian affairs are in the hands of others—be it state officials, traditional leaders, religious figures, or other authorities.[5]

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[5] The neologisms rebelocracy and aliocracy come, respectively, from the Latin words *rebello*, which means "rebel," and *alius*, which means "other." The Greek root *cracy* forms nouns meaning "rule by" or "government by."

As with order and disorder, the scope of rebel intervention is likely to vary along a continuum from narrow to broad. I define aliocracy as a social order in which armed groups do not intervene beyond the two most basic attributes of rule: security, which is the minimal condition for order and governance (Hobbes 2010; Weber 1968); and taxation, which is often necessary for the ruler to be able to rule (Levi 1989), although not all armed groups need to tax civilians because some have other sources of funding.

Rebelocracy is defined as a social order in which armed groups intervene beyond security and taxation. The specific domains in which armed groups rule under rebelocracy vary. Most of the time, they include the provision of mechanisms to adjudicate disputes. Often, armed groups regulate various economic activities beyond taxation and establish rules on conduct that belongs to the private sphere. Many armed actors also intervene to provide or regulate the provision of basic services such as education and health. A few groups also establish political institutions to structure some form of representation. The ways in which combatants rule under rebelocracy also vary. In some cases, combatants who are permanently deployed in the locality rule directly; in others, the group relies on militiamen, who are part-time members of the organization and live within the community (and are often members of it) and report directly to a commander. In other rebelocracies, the group rules through a preexisting political party that becomes allied with the armed group, or through organizations that freely support it or that have been widely infiltrated, co-opted, or even created by the armed actor, such as boards, cooperatives, or even the formal local government. Hence, while this typology focuses on the influence of non-state armed groups, it does not rule out the presence and sway of other actors. War zones can exhibit a complicated structure of authority where state officials, religious figures, ethnic leaders, and other actors play important roles even when combatants have great influence over civilian matters.

Elsewhere I discuss the theoretical contributions of this typology both as a dependent and independent variable. I also rely on empirical evidence to show that, although simple, the distinction between rebelocracy and aliocracy allows us to capture clearly distinct realities in war zones on the basis of both cluster analysis of systematic data on Colombia and qualitative descriptions of war zones across the globe (Arjona 2014).

Before turning to the determinants of disorder, rebelocracy and aliocracy, a few conceptual clarifications are needed. By community I mean the people who inhabit a given local territory

and "interact directly, frequently, and in multi-faceted ways" (Bowles and Gintis 2002), for instance, the population of a village or neighborhood. I use the term armed group to refer to all non-state armed organizations that are fighting the war. These include rebels who challenge the government and paramilitaries defending the status quo. I use the terms civilians, noncombatants, and locals interchangeably to refer to local residents who are not full-time members of a warring side. Finally, I use the term civilian cooperation, rather than collaboration or support, to denote any act by a civilian that helps an armed actor. These acts include both voluntary assistance to the group and obedience to its commands. The opposite of cooperation is resistance, which includes disobedience (failing to follow rebel commands) and opposition (engaging in behaviors that may negatively affect the group, such as aiding the enemy).[6]

## A THEORY OF WARTIME SOCIAL ORDER

What explains whether disorder, rebelocracy, or aliocracy emerges? Social order is the result of a complex process. In this paper, I propose a theory to explain the outcome—that is, I specify the conditions under which each form of social order emerges in a given time and location, abstracting the process that leads to it. Elsewhere, I theorize the process by which social orders are created and discuss the micro-foundations of the theory (Arjona 2016b).

I start by assuming that armed groups are equally interested in establishing their dominance over all the territories where they have an ongoing presence—an assumption that I relax later in the paper. There are two factors that determine what kind of social order will emerge in the areas where armed groups operate: their time horizon and the quality of preexisting local institutions, particularly those for adjudicating disputes. First, rebels with short-term goals will bring about disorder in the territory. Second, rebels with long-term ambitions will seek a rebelocracy; however, in areas where local institutions are efficient and legitimate, collective resistance by the civilian population can be expected. In such cases, rebels are likely to settle for aliocracy as a form of rule.

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[6] I discuss elsewhere in detail the choices available to civilians (Arjona 2017), where I propose a typology of civilian cooperation and noncooperation.

**TABLE 1**

**A THEORY OF SOCIAL ORDER IN CIVIL WAR**

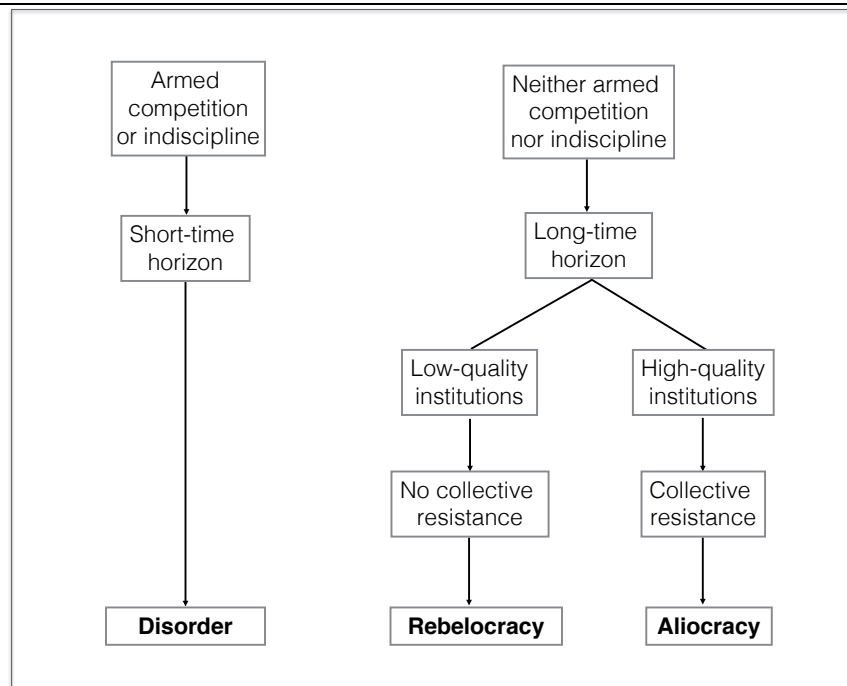| | | Quality of preexisting dispute institutions | |
| --- | --- | --- | --- |
| | | High | Low |
| Armed group's time horizon | Long | Aliocracy | Rebelocracy |
| | Short | Disorder | |

**FIGURE 2**

**CAUSAL PATHS TO DISORDER, REBELOCRACY AND ALIOCRACY**



Table 1 summarizes the argument, and Figure 2 shows the causal paths. To explain the argument, I proceed as follows. First, I identify the assumptions on which the theory is built. Second, I theorize the behavior of armed groups by identifying the conditions under which they bring order or disorder about; I then turn to their choice between rebelocracy and aliocracy when they do opt for order. Third, I propose a theory of collective civilian resistance. In the next two sections of the paper, I extend the model by relaxing some of its assumptions and introduce some caveats.

**Assumptions**

*Armed Groups' Preferences*

In conventional civil wars, regular armies confront each other in the battlefield. The army that defeats its rival wins the war. But most civil wars are fought by asymmetric sides that engage in what is known as irregular warfare (Kalyvas and Balcells 2010). This theory aims to explain social order in irregular civil wars. In such wars frontlines are absent because the weak actor avoids confronting the strong side directly. Think of the Vietcong or the Taliban fighting against the US Army: they are better off avoiding battles against powerful American troops. Instead, they disperse their combatants and try to engage in hit-and-run operations, which force the powerful army to keep reacting wherever it is attacked. Over time, guerrillas are able to control small territories, which the state cannot recover unless it concentrates its forces in a few locations and thereby leaves many others unprotected. The more territories rebels control, the more they can expand and grow their operations, while making it increasingly difficult for the government to regain territories.

Under this logic, rebels try to disperse as much as possible, so that the state cannot respond to the multipronged challenge it faces (Galula 1964; Guevara 1997; Kalyvas 2006; McColl 1969). This expansion leads to the fragmentation of space, whereby some areas are under rebel control, some are under state control, and others are contested (Kalyvas 2006:88). In some cases, rebels manage to create an "insurgent state" or "liberated zone"—an entire region fully under their control; however, it is very common to find small territories controlled by the rebels surrounded by areas controlled by the government and vice versa. This is why maps depicting the distribution of control in irregular wars "show up as messy patchworks" (ibid.).

Several scholars and military theorists have stressed the centrality of territorial control as a determinant of rebel behavior.[7] Kalyvas (2006) explains armed groups' use of violence against civilians as a strategy in their quest to control territory. US Army general Petraeus largely based his counterinsurgency manual on his understanding of the ways in which rebels attempt to gain and defend local territories (Petraeus et al. 2008). Even Che Guevara's (1997) and Mao Zedong's (1978) influential guides on guerrilla warfare consist, to a great extent, of instructions for gaining

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[7] Control can be defined as sovereignty—that is, the exclusion of enemy presence in the territory. Kalyvas (2006:88), for example, defines insurgent control as a situation in which rebels can prevent operations by government forces day and night, as well as perform the government's basic functions such as collecting taxes.

and defending territory. Based on this insight, the theory of social order that I propose assumes that, when deciding whether to bring order about and which form to pursue, rebels are principally driven by their goal of securing territorial control. An important scope condition of this theory is, therefore, that the non-state armed group does want to control territory.[8]

While the quest for territorial control is widely recognized as a key factor shaping armed groups' behavior, a second, related, goal tends to be overlooked: maximizing the byproducts of that control. This omission obscures the fact that, while preserving territorial control will remain rebels' core goal, they will try to use that control to maximize a wide range of benefits. Indeed, control can translate into acquiring economic resources, accessing key networks, recruiting new members, and gaining popular support. In order to understand rebel behavior and civilian-combatant interactions, we need to take these potential benefits into account. I assume, therefore, that (1) armed groups seek, above all, to gain and preserve territorial control; and that (2) once control is secured, they will try to maximize the benefits it can render.

To be sure, armed groups are not monolithic entities. In some cases combatants' preferences differ from those of the leadership, or the leaders themselves may not be interested in winning the war but rather in obtaining economic rewards (Keen 1998; Reno 1998). I refer to these situations later in the paper.

### The Fundamental Role of Civilians

One of the central contentions of the literature on irregular warfare is that an armed group's success in controlling territories largely depends on civilians. It is civilians who provide information about the enemy and its supporters, allow combatants to take refuge among the population, and help combatants to wage attacks (e.g., Guevara 1997:56, 99; Kalyvas 2006:ch.5; Wood 2003:122–59). Mao (1978:93) captured the crucial role that civilian cooperation plays in his famous dictum that the population is like a sea in which the guerrilla swims like a fish. When the sea dries up, the rebels are often defeated.

Building on this insight, several studies have argued that rebels choose their strategies largely based on their need to garner civilian cooperation (e.g., Kalyvas 2006; Steele 2016;

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[8] I am agnostic about the leading divisions that drive the warring sides. The theory should apply equally to secessionist, center-seeking, class-based, and ethnic-based groups insofar as they fight an irregular civil war and have incentives to control territory.

Wood 2003). The theory and practice of counterinsurgency have been deeply shaped by this assumption as well: the most influential theorists of counterinsurgency have argued that winning the "hearts and minds" of the civilian population is a necessary condition for success (e.g., Galula 1964; Petraeus et al. 2008; Trinquier 1964).

I assume, therefore, that armed groups need help from civilians in order to achieve their primary goal, to wit, control territory. However, I refine this assumption by differentiating obedience—complying with combatants' rules and commands—from spontaneous support— voluntarily offering them help. I argue that armed groups need *massive* obedience and *some* spontaneous support and, what is more, that both are necessary conditions for preserving territorial control.

Let us start with obedience. Unless civilians follow certain rules, the security of the armed group can be easily compromised. For example, one peasant providing information on the whereabouts of a rebel camp can be enough for the army to attack and destroy it. Because civilians can hinder rebel control of territory, ensuring universal obedience is of paramount importance.

Yet, obedience is rarely sufficient for a rebel group to prevail. To start with, the group needs at least some civilians to voluntarily offer information. No armed group can fully protect itself without help from civilians, because combatants cannot monitor every inch of the territory they control—they need locals to tell them what they hear and see. Likewise, if a local is secretly helping the troops of the enemy, the ones most likely to find out are his or her neighbors, not combatants. The armed group needs informants who are willing to offer such cooperation.

While it is true that rebels can mandate that people speak up when they see any signs of defection or the arrival of enemy troops, obtaining high-quality intelligence through coercion is quite hard, as Wood (2003:156) argues. Studies of civil wars in contexts as diverse as Lithuania, Greece, El Salvador, Colombia, and Sudan have found that pure coercion is not sufficient for armed groups to bring about the type of civilian cooperation they need to preserve territorial control (Förster 2015; Gutiérrez Sanín 2003; Gutiérrez Sanín and Barón 2006; Kalyvas 2006; Keister 2009; Mampilly 2011; Petersen 2001; Uribe de Hincapié 2006; Weinstein 2007; Wickham-Crowley 1987; Wood 2003).

Furthermore, various literatures suggest that political rule in general requires at least some spontaneous support. Several political theorists, for example, have argued that political

order cannot rely on coercion alone; rather, positive beliefs about the ruler and even emotions such as love, loyalty, or honor are needed for political rule to be long-lasting (Hobbes 2010; Machiavelli and Bondanella 1984; Olson 2000). The empirical literature on dictatorship has also found that to stay in power, authoritarian rulers need at least some support—be it from allies or from a sector of the population that endorses the regime (Slater 2010; Wintrobe 1990). In sum, like any ruler, rebels too need at least some voluntary cooperation to prevail.

The theory that I propose assumes, therefore, that armed groups need civilian cooperation to control territories and that such cooperation must include both massive obedience to certain rules and at least some spontaneous, voluntary support.

I also make two simple assumptions about civilians' preferences: first, they want to be safe—that is, they want to avoid death and any form of physical harm. And second, they care about how they are governed, but there is variation across and within communities regarding civilians' preferences for governance. The first assumption is based on the basic understanding of humans' instinct for survival. The second simply states that people care about both the institutions they have to follow, and the decisions that those in power make that affect the population—a basic contention that often underlies the study of politics.

## Long-Term Horizons and the Emergence of Order

Given armed groups' preferences—controlling territory and maximizing its byproducts—why do they opt to bring order in a war zone? I argue that rebels have incentives to establish a social contract with a local population and bring order when they have long time horizons: that is, when they care about future outcomes more than they do about present ones. By contrast, when they have short time horizons—that is, when they focus on more immediate goals—a social contract is not appealing.

When an armed group is operating under a long time horizon, it is concerned about its capacity to preserve control over the locality in the long run, while maximizing the benefits it can obtain. A social contract with the local population entails both sides committing to abide by a set of rules. I argue that the armed actor has incentives to establish such a contract because it leads to greater civilian cooperation—both in the form of obedience and spontaneous support— as well as to larger benefits.

To begin, combatants have incentives to establish rules about civilian conduct because, in order to maintain their control, they need civilians to behave in certain ways, for example, not providing information to the enemy. By making those rules explicit, rebels can communicate to civilians what is expected of them, increase predictability, and more easily monitor compliance and punish disobedience.

Rebels also have incentives to establish clear rules about their own behavior. If they do not, the incentives for civilians to obey would diminish. Consider a person living in a locality where rebels are present. Under a social contract where the rebels have clearly established rules about both civilian and combatant behavior, civilians know that providing information to the army carries a punishment while obeying the rules ensures their safety. They can alter their behavior to increase their own security. In a situation where combatants have not established a social contract to constrain themselves, civilians know they may be killed whether or not they talk to the army. Under these unpredictable circumstances, aiding the army may even be a way out. All else equal, the likelihood that civilians decide to cooperate with the rebels is higher when a social contract is in place.

It follows that both combatants and civilians are better off under a social contract—for the former because they obtain greater civilian obedience, and for the latter because they can adapt their behavior to avoid being harmed. This logic is similar to that of social contract theories where the social contract is a solution to a prisoner's dilemma. In these theories, the parties to the contract are better off if everyone cooperates, but they have incentives not to cooperate because they expect that others will not do so. Adopting an enforced social contract solves this dilemma by making disobedience costly to both parties, in this case civilians and combatants.

In addition to creating incentives for civilians to obey due to fear of punishment, a social contract can also promote voluntary obedience, that is, civilians complying with rules willingly. Having at least some civilians obey because they want to, rather than because they have to, is quite important. As Levi (1989:49) argues, "Enforcement is nearly always imperfect. Even with considerable coercive power and effective techniques of measurement and monitoring, a ruler cannot achieve total compliance unless there is a policeman on every corner." Like any other ruler, an armed actor is more able to control the behavior of its subjects if at least some of them

willingly comply.[9] This allows rebels to allocate precious resources to pursuing their goals instead of spending them on monitoring civilians.

In order to foster civilians' willingness to obey, the group can set up rules that locals approve of, even if those rules do not directly increase combatants' ability to control the territory. Consider a village where rape is widespread. By forbidding rape (and punishing offenders), the armed group can gain recognition and at least partial support for its rule, which can lead some civilians to voluntarily comply with rebel regulations more generally. Several studies show that rebels often intervene to address key problems related to public order and that civilians welcome it. For example, civilians sometimes applauded the efforts of the Shining Path in Peru (Starn 1995:551) and ELAS in Greece (Kalyvas 2015:127) to curb robberies. There is ample evidence of people's positive response to so-called social cleansing campaigns by guerrillas and paramilitaries in some Colombian conflict zones, which sought to eliminate rape, robbery, and drug use (e.g., Aguilera Peña 2013; Cubides 2005; Taussig 2003).

A social contract is better for the armed group not only because it encourages more civilian obedience but also because it makes spontaneous support more likely. All else equal, civilians are more likely to endorse rebel rule under order than under disorder. People dislike living with high uncertainty; they value order over disorder, even when it is imposed on them (Förster 2015; A. Silver 1965). Hence, civilians are unlikely to offer spontaneous support to an armed group that engenders disorder. Mao (1978) was well aware of how important it is for guerrillas to follow strict rules in their treatment of civilians. After listing the specific guidelines that troops should follow—which include not stealing from the people and avoiding searching the pocketbooks of those arrested without authority to do so—he proclaimed: "It is only undisciplined troops who make the people their enemies and who, like the fish out of its native element, cannot live." (ibid.:93).

Finally, a rebel group that aims to maximize the byproducts of territorial control is better off establishing order because such byproducts often depend on civilian behavior. As both civilian obedience and spontaneous support tend to be higher under order, so are the benefits that

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[9] Several theorists have stressed the importance of voluntary obedience for any system of law to function. To Kauffman (1999), for example, a system of law that is based on mere fear of punishment not only faces important normative challenges but also promises to be more insecure and unstable. Levi (1989:52–4) specifies the benefits that rulers obtain from fostering what she calls quasi-voluntary compliance.

armed groups obtain from them. Armed actors are therefore more likely to obtain material contributions, political support, and recruits under order than under disorder.

In sum, bringing about a situation of disorder is a poor strategy for armed groups with long time horizons because it creates fewer incentives for civilians to cooperate, therefore making it more difficult to preserve territorial control. Establishing a social contract, on the other hand, facilitates monitoring and makes both obedience and spontaneous support more probable, which in turn facilitates territorial control as well as its byproducts.

**Short-Term Horizons and the Emergence of Disorder**

Combatants do not always care more about future outcomes than they do about present ones; sometimes they only value short-term benefits or heavily discount future ones. When operating under short time horizons, incentives for self-restraint decrease; social contracts are not established (or honored) and, in the absence of clear rules that most people follow, disorder emerges. Olson's (1993) famous metaphor of roving and stationary bandits helps explain the reasons why social contracts are not appealing for rebels with short time horizons: while stationary bandits limit their abuse in order to increase long-term benefits, roving bandits prefer to do as they please to maximize immediate gains.

To be sure, time horizons cannot be directly observed; they are an actor's relative preference for events happening in the near or distant future. I identify three conditions under which an armed group, or one of its units, focuses on present rather than future outcomes: group indiscipline, armed competition, and certain changes in the macro-politics of the war. Under these conditions, present outcomes are more valued than future ones, affecting armed groups' incentives to establish a social contract that imposes limits on their own conduct.

*Group Indiscipline*

When an armed group has problems of internal discipline—that is, of enforcing its rules and orders within its organization—the rank and file can act upon their own short-term interests rather than those of their organization. Under this situation, disorder emerges not because the commander has ordered combatants to operate outside of the social contract, but because combatants disobey their commander.

As Weinstein (2007) argues, this is the case when combatants are motivated by immediate spoils because they are not willing to make long-term sacrifices. However, I argue that group discipline is a requisite for the establishment of social contracts even if combatants are motivated by ideology and do care about their organization's capacity to control territories in the long term, gain civilian cooperation and, ultimately, win the war.

Consider an armed group whose combatants are ideologically committed to their group. In their daily life, however, they may be hungry and crave food. They have incentives to steal food from peasants, in spite of also desiring to advance the goals of their organization. Even if they have been well trained and know that stealing from peasants will harm the group's ability to obtain civilian cooperation in the future, they are tempted to break the rule, knowing that a single incident is unlikely to ruin the cause. We can think of the situation as a free-riding problem: all the ideologically motivated combatants prefer that everyone else in the group treats civilians well at all times; but each of them has incentives to indulge once in a while to satisfy short-term preferences. By breaking rules about the treatment of civilians, these acts jeopardize the social contract.

This logic also applies to profit-driven combatants whose ability to achieve economic goals depends on a long-term relationship with the local population. As Weinstein (2007) argues, some profit-seeking rebels pursue activities that require territorial control and civilian labor, for example, the cultivation of coca crops. Civilians may also be needed for a market to function. Vlassenroot and Raeymaekers (2008:44) found such dependence of profit-seeking rebels on civilians in their study of the Rally for Congolese Democracy (RCD) in the Democratic Republic of Congo; according to them, "[t]o secure their dominance over the exploitation and trading of local resources…the rebels depended on the willingness of individuals and groups to align with them, in return for protection of their economic interests." In these cases, a social contract is necessary to organize labor and maintain control over the territory. Yet, even if all the combatants understand that a social contract is important to obtain long-term profits, they also have incentives to break the rules in order to obtain short-term benefits. Discipline ensures that the long-term goals of the organization drive combatant behavior, taking precedence over their short-term interests.

To be sure, various factors may affect combatants' preferences in regard to abusing civilians (Wood 2016), such as their political training (Hoover 2011), their endowments

(Weinstein 2007), and their patterns of recruitment (Cohen 2013; Weinstein 2007). I am agnostic about the causes of armed group discipline as well as of combatants' preferences for civilian abuse. My claim is that, all else equal, in the absence of group discipline combatants are less likely to observe a social contract that imposes restraints on what they can and cannot do in their interaction with civilians.

### Armed Competition

The second condition under which armed groups operate on a short time horizon is when they face competition with other warring sides. Under competition, the main goal is to expel the rival and preserve territorial control, while other goals become secondary (Kasfir 2004). As with any other expanding armed actor, the first step is to win; only then does the question of how to occupy and rule the territory become salient. Hence, when competing with other warring sides, armed groups tend to highly discount the value of future outcomes. Metelits (2010) and Sanchez de la Sierra (2015) also argue that competition creates uncertainty about long-term economic benefits, which shifts the group's time horizon. This preeminent focus on preserving control in the present impacts the group's incentives to establish or honor a social contract for several reasons.

To start with, when territory is disputed, observing a social contract can hinder a group's capacity to maintain control. As Kalyvas (2006) argues, under competition civilians are unlikely to inform the armed actor about those who cooperate with the rival side because they do not believe that the group can protect them.[10] Deprived of good information and seeking to minimize the possibility that enemy forces obtain good intelligence, the group has incentives to use violence on the basis of simple suspicions. Furthermore, as Balcells (2017) and Steele (2016) argue, combatants may rely on collective identities such as prewar partisanship or ethnicity to infer locals' likelihood of cooperating with the enemy and use violence against them. A social contract would prevent such acts of violence because they are based on individuals' attributes, rather than on their actual disobedience of a rule. In this way, even though a social contract would increase civilian cooperation—and, thus, territorial control—in the long term, in the short

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[10] In his model, this happens to both armed groups in zone 3; to the incumbent in zone 4; and to the rebels in zone 2 (Kalyvas 2006).

run it could prevent the group from stopping civilian cooperation with its rival, leading it to lose control over the territory.

In addition, under competition armed groups expect civilians to break the social contract as well. Suppose that a rebel group sticks to the social contract while its enemy, a paramilitary group, uses violence to induce civilian compliance. Some civilians may prefer to cooperate with the paramilitary group (the more violent of the two) as a survival strategy, therefore breaking the social contract with the rebels. Anticipating this outcome, the rebels have incentives to do what it takes in order to eliminate potential allies of the paramilitaries—that is, unconstrained by a social contract—to avoid losing control.[11] Put differently, a social contract between the rebel group and civilians does not necessarily create the conditions for civilian cooperation with the rebels, because the paramilitaries are also affecting civilians' payoffs. As Kalyvas (2006:114) argues, rebels "would rather be disliked and feared than liked but not feared when their rival is feared."[12]

Armed actors also have incentives to break a social contract because the opportunity costs of using resources and manpower to maintain order are much higher under competition. Enforcing rules that are not immediately related to the group's capacity to control the territory is not worthwhile when the required resources could be used to fight the enemy instead. Furthermore, the armed group may simply be incapable of maintaining order because, under competition, no group possesses the monopoly over the use of violence. Civilians face disorder because none of the armed groups is able to fully enforce its rules, and uncertainty is high.

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[11] This is not to say, however, that all combatants have the same leeway when facing armed competition. As mentioned before, armed groups' internal institutions and control mechanisms may limit the behavior of their members (Hoover 2011), even in situations of disorder. Furthermore, the absence of a social contract does not preclude the strategic use of violence.

[12] A social contract would make sense only if all competing armed actors were to commit to observe certain rules in their treatment of civilians—otherwise, they would be honoring a social contract while leaving their enemy the opportunity to gain more cooperation and win through coercion. Achieving such agreement between two or more armed groups is extremely difficult and therefore does not happen frequently. However, some communities—often called "peace communities"—have managed to do that. See O. Kaplan (2013b) for a detailed study of a case in which such an agreement was reached and sustained. In this case, a peasant community in Colombia managed to convince two armed actors to allow a civilian commission to investigate suspected cases of cooperation with either of the groups before the other group killed the suspects. The study finds that the groups honored this agreement and violence was substantially reduced.

### *Macro-political Change*

In addition to indiscipline and armed competition, an armed group's time horizon may shift to the short term in the advent of certain macro-level changes. The proximity of negotiations, for example, can make the group focus more on immediate territorial expansion, which can increase its bargaining power at the negotiating table. In this situation, combatants may not care much about their ability to secure civilian cooperation in the long term but, rather, about their capacity to signal military power in more parts of the national territory. Creating social contracts in those new territories would not make sense, given that the benefits of social contracts only materialize in the long run. Likewise, if an end to the conflict seems imminent, combatants may no longer have incentives to make present sacrifices in territories under their control for benefits that would only be appropriable in the future. Finally, insofar as rebels' capacity to use violence increases their bargaining capacity, they have incentives to use coercion against civilians even if it violates the terms of a social contract. As Hultman (2007:206) suggests, killing civilians can be "a militarily cheap and easy strategy to raise the government's costs for standing firm and continuing fighting."

To be sure, depending on the terms of the agreement, the group may have incentives not to maximize its expansion but, rather, to gain more support among the population. If, for example, the agreement involves the transition of the rebel group into a political party, the group may adopt strategies that maximize electoral support in anticipated elections. At the same time, the group may have an incentive to restrain its behavior because it anticipates having to reintegrate with the civilian population and face charges for crimes committed. Macro-level changes can therefore both favor and decrease the likelihood of a social contract.

In sum, when armed groups operate with short time horizons due to internal indiscipline, armed competition, or macro-changes in the war, they lack the incentives or the capacity to establish social contracts. A situation of disorder is thus likely to emerge, where armed groups fail to abide by established rules and civilians are subjected to high levels of uncertainty.

## Rebelocracy and Civilian Cooperation

When an armed group has incentives to establish a social contract with a local population and create order, it prefers rebelocracy to aliocracy because the former helps it to advance the twin goals of securing territorial control and maximizing its byproducts. The quest for long-term

territorial control is to a great extent a quest for civilian obedience and spontaneous support. Rebelocracy's great advantage is that it can trigger both forms of cooperation.

Several attributes of rebelocracy spur civilian cooperation. One of the most important is the administration of justice. By creating formal or informal courts or some other mechanism to adjudicate disputes, armed groups centralize power and build an aura of legitimacy.[13] To start with, establishing a court or its equivalent helps the armed actor to create order, which benefits both civilians and combatants. The centrality of courts as means for order was obvious to the legal and administration division chief of the Sri Lankan Tamil Tigers, who stated: "we have to maintain law and order in the areas controlled by us. For this purpose we need the court system" (Kamalendran 2004). By settling disputes among locals, the armed actor also obtains valuable information about the members of the community—their networks, divisions, and alliances—all of which helps combatants to exert social control. In addition, creating a mechanism to adjudicate disputes often entails providing a much needed public service that civilians quickly appreciate.

Furthermore, as Bilz's (2007) insightful discussion of why people delegate revenge to the state suggests, monopolizing punishment plays a key role in conferring power on the avenger while legitimizing its rule. Once an armed group becomes a recognized authority, beliefs about combatants change in ways that either directly or indirectly favor cooperation: some civilians obey and even offer spontaneous support to the group because they come to see it as the right thing to do; others do so to be on good terms with those who hold power; and others cooperate to follow social norms, either to avoid social sanctions or because they have internalized such norms. Elsewhere I discuss other mechanisms by which recognizing an armed actor as an authority leads to voluntary obedience and spontaneous acts of support (Arjona 2017).

It is quite common to find rebels and militias playing the role of alternative courts—and people welcoming them. In Sri Lanka, the Tamil Tigers created a judicial system with both district courts and high courts. Many civilians often decided "to take their claims to the Tamil Eelam courts rather than the Sri Lankan courts" (Stokke 2006:1027–8). The Sudan People's Liberation Army (SPLA) in Sudan also played this role in its strongholds, appointing judiciary

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[13] Although justice institutions can be conceived of as a public good, I treat them separately given the central role that they play in my argument. Hence, when I talk about "public goods," I am referring to the provision of services such as health and education and the construction of roads.

officers who oversaw local chiefs' courts and even creating a system of appeals overseen by higher-ranking members of the organization (Johnson 1998: 67–9). The Maoists in Nepal established courts to settle disputes related to various types of conflict, including damage by animals, stealing, and rape. They also banned polygamy. In 2004, a report estimated that these courts operated in twenty-five of Nepal's seventy-five districts (Dubey 2004). In Ethiopia, the Eritrean People's Liberation Front set up judiciary committees that treated legal problems by "criticism and self-criticism and through judiciary examination" (Pool 2001:122). In the town of Decamhare, the committees dealt with more than 1,400 cases within six months of their creation (ibid.).

Accounts of daily life in Taliban-dominated areas in Afghanistan illustrate how effective this practice is for gaining locals' cooperation. According to Giustozzi (2008:111), the Taliban's strategy in Afghanistan to develop a base of popular support included "setting up their own 'no-frills' administration," which was "centered on the judiciary, whose services were in high demand in the countryside because of the total failure of the central government to establish a reasonably reliable judicial system." In those areas where courts had not been established, field commanders were often in charge of "mediating local disputes and administering justice." Recent news reports and research point to the Taliban's offer of fast and accessible justice as a key means of gaining civilian cooperation and territorial control throughout the country.[14]

Perhaps the best indication of how beneficial it is for rebels to create their own courts is the great effort that they often put into becoming locals' preferred actor to solve disputes. In the Palestine rebellion in the 1930s, rebels invited civilians to resolve their problems at rebel courts, as opposed to British courts. As a British schoolteacher declared, they conducted "a continuous and largely successful propaganda to show that their courts [were] more just, and above all more speedy, than the King's courts" (Ghandour 2010:102). Several armed groups operating in Southern Syria, including al-Nusra and Ahrar al-Sham, came together to create a unified court as "part of a pragmatic effort by the Southern Front to win civilian hearts and minds" (Sosnowski 2015). García Villegas (2008) offers detailed accounts of judges who were forced by members of guerrillas and paramilitaries in Colombia to abstain from adjudicating disputes because that was the armed organization's prerogative. The importance of courts for consolidating power and

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[14] See for example Ahmed (2015); Baczko (2013); and M. Kaplan (2015).

obtaining civilian cooperation is clearly illustrated by the fact that the Maoists in Nepal "regard[ed] their court system as the heart of their 'People's Government'" (Haviland 2006).

Rebelocracy also triggers cooperation by positively transforming beliefs about the rebels, the social contract, or both. By creating efficient institutions, improving the provision of public goods and services, or influencing the formal political discourse, combatants can build a positive reputation among locals, which in turn favors cooperation via reciprocity, emotional responses, or expectations about future benefits. A good reputation can create support elsewhere as well: as McColl (1969:622) argues, areas where guerrillas rule are "a strong propaganda weapon in the struggle for the support of the population."

Another important way in which rebelocracy facilitates civilian cooperation is by simply making non-cooperation costly. When a rebel group becomes an influential local actor, the costs of civilian apathy and resistance increase: in a context in which access to jobs, goods, and services is mediated by an armed group, opposing it entails material penalties. Even social status and power might well depend on a person's standing with the de facto ruler. For example, in Raqqa, Syria, after the Islamic State of Iraq and the Levant (ISIS) took control over the city in 2015, "it quickly became clear that every spot in the social order, and any chance for a family to survive, was utterly dependent on the group" (*NYT* 2015). Civilians may therefore cooperate in order to be on good terms with the rebels and avoid jeopardizing their own well-being, particularly if they are unable to exit the war zone.

Finally, rebelocracy can generate new social, political, and economic dynamics that affect civilians' beliefs about the war and the warring sides; awaken powerful emotions; and give place to new social norms. Many of these changes can push civilians to offer cooperation. I explore these dynamics and their impact on civilians' choices elsewhere (Arjona 2016c).

**Rebelocracy and the Byproducts of Control**

Rebelocracy also allows armed groups to maximize the byproducts of control—their second most important goal. In order to keep expanding, these groups need to build their organizational capacity and weaken that of the enemy. Rebelocracy offers the possibility of strengthening their economic, military, and political standing.

Economically, governing civilian affairs beyond public order and taxation is instrumental for rebels because their physical survival often relies on civilians, who provide food, shelter, and

clothing. In addition, rebels can engage in profitable activities by organizing labor: for example, to extract diamonds, as several rebel groups in the Democratic Republic of Congo have done, or to grow coca, as the FARC in Colombia and the Shining Path in Peru have done. Structuring these economic activities under a social contract prevents excessive expropriation of civilians, which would risk the group's food security and funding sources in the long run (Olson 1993).

Militarily, rebelocracy gives armed groups access to networks and intelligence. Providing information to the armed actor in control is one of the ways in which civilians cooperate. By becoming a central actor in local life, the armed group can more easily penetrate networks and obtain information, which in turn helps it consolidate control. Rebelocracy also provides a more secure refuge for the rebels than aliocracy, given the higher level of civilian cooperation. Non-coerced recruitment—a key form of voluntary cooperation—is also likely to be substantially higher under rebelocracy, as I show elsewhere (Arjona 2016b).

Politically, rebels gain from interfering in local politics and shaping political behavior. They can alter the results of elections when they are held, organize massive protests, have access to regional or national networks, and even intervene in the allocation of governmental funds. Deals between armed groups and politicians have been documented in many conflicts, including cases as dissimilar as Liberia (Reno 2015), Côte d'Ivoire (Förster 2015), Aceh, Indonesia (Barter 2015), and Colombia (López 2010). In addition, some rebel organizations value putting in practice some of their political goals (Mampilly 2011), such as land redistribution. For example, while land reform is recognized as a key instrumental move by the People's Liberation Army (PLA) in the Chinese civil war, some authors also suggest that the organization insisted on popular education and class consciousness as goals, rather than simply means, of the revolution (Hinton 1966).

Rebelocracy might even bolster rebels' image abroad. Mampilly (2011) provides several examples of armed groups demonstrating their high-quality government to international observers for this purpose. In Sudan, for example, the author finds that "ultimately, the Sudan People's Liberation Movement/Army (SPLM/A) was more concerned with constructing the façade of democratic institutions to impress international donors than actually gathering feedback on the provision of services to local communities" (2011:132). Similarly, Heywood (1989:62) describes how the National Union for the Total Independence of Angola (UNITA) invited international observers and journalists to attend their meetings and tour their villages.

This helped the organization to "support its claim of being a counter-government, especially since it has had the ability to implement a number of 'show-case' social-economic programmes." These groups' ability to persuade international organizations or observers that they were providing institutions and services to civilians resulted in economic benefits and increased international legitimacy.

In sum, by intervening in the social, economic, and political realms, rebels can obtain high levels of civilian cooperation, which in turn makes territorial control more likely to prevail; they also obtain economic, political, and military benefits, while having the opportunity to put into practice at least part of their ideology. Thus, armed groups must determine whether these potential benefits outweigh the costs of running a rebelocracy.

**The Costs of Running a Rebelocracy**

Establishing a rebelocracy is not as costly as one might expect. The armed group is already employing the resources needed to control the territory, including establishing ties with civilians who inform the group about potentially dangerous activity. The added cost of rebelocracy is having those informants report also on the disobedience of other rules, as well as on problems affecting the community that need attention. Sometimes the group delegates its power to resolve certain matters to a local actor that follows the orders of the group. This could be a civilian who works with the armed actor, a committee created by it, or a preexisting organization that has allied with the group or is co-opted or coerced by it. In other words, rebels take advantage of the economies of smallness: creating rules and enforcing them is much easier in a small community than in a large society. I provide examples of the different ways in which armed groups can rule in both direct and indirect ways elsewhere (Arjona 2016b).

For rebelocracy to work, combatants also need to create expectations of strict enforcement. This entails imposing punishment for disobedience early on, which sends a clear signal to civilians and decreases the likelihood of misconduct in the future. Often, combatants rely on locals—especially on those who become part-time members of the group—or governance boards (Sinno 2008:ch.1) to impose some of these punishments. Sometimes combatants are in charge of imposing the punishment themselves. Over time, however, disobedience becomes rare as civilians develop expectations about punishment.

Running formal or informal courts requires human resources. In some cases, this is done by delegating to a person or local committee the role of judge, as the Free Aceh Movement did with Ulamas (religious leaders) in Indonesia (Barter 2015). Similarly, the coalition of rebel groups in Southern Syria appointed sixteen judges to serve in the House of Justice in Gharz (Maayeh and Sands 2014). Often, minor disputes are resolved by locally appointed committees or representatives, while serious cases are reported to the rebels directly. This was the case, for example, during the Palestinian rebellion of the 1930s (Ghandour 2010:100), and in some territories under FARC control in Colombia (Penhaul 2001).

While some armed groups do pay their appointed judges a salary, as the Taliban does in Afghanistan (Giustozzi, Franco, and Baczko 2013:19), in many cases elders and local committees do not receive payments. Furthermore, the costs involved in the actual process of adjudicating disputes tend to be substantially lower for armed groups than for state bureaucracies. To start with, armed groups usually fail to incorporate most elements of a due process, such as the defendant's right to cross-examine witnesses or be represented by a lawyer, which makes the process shorter and simpler. In addition, in most cases the armed actor listens to the parties involved once and makes a decision immediately, as evidence on rebel courts from Nepal suggests (Haviland 2006).[15] In most cases, no records are kept, which also decreases the costs involved.[16] Despite these limitations, these courts solve a central problem for communities and people often welcome them.

Even in cases where running a parallel judiciary requires substantial resources, the benefits seem to outweigh the costs. As discussed earlier, by setting up a system to settle disputes armed actors gain power, access to information, legitimacy, and civilian cooperation, all of which facilitate territorial control. As a Syrian rebel in Qobtan Jebel, near Aleppo, said: "We spend a lot of time dealing with petty issues while fighting a war at the same time.… But if you don't listen to everyone, we'll lose the people and then the revolution" (Levinson 2012).

Finally, rebelocracy often goes beyond the creation of formal or informal institutions. Armed actors often decide to provide, or intervene in the provision of, services such as

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[15] While in many cases such decisions are not subject to appeal, some armed groups do offer this possibility, for instance, the Sri Lankan Tamil Tigers (Kamalendran 2004), and the Taliban in Afghanistan (Giustozzi, Franco, and Baczko 2013:14). However, given civilians' fear of retribution, appealing tends to be uncommon (ibid.:23).

[16] I have only been able to find evidence of one armed group keeping records of the disputes that it settles: the rebels during the rebellion in the late 1930s in Palestine (Ghandour 2010:102).

education, health, and the maintenance of infrastructure. Providing these services directly requires resources, while organizing locals to do so or pressuring state agencies is a matter of enforcing additional rules. Which types of services a given group provides, and to what extent, is likely to depend on its ideology and endowments. While obtaining fifty million dollars per month from selling oil (Hendawi and Abdul-Zahra 2015), ISIS could offer a wide range of services that would have been simply impossible for most rebels in the world, such as implementing infrastructure projects, providing food, and maintaining electricity lines and water mains (Caris and Reynolds 2014). However, even poor rebel groups have often found ways to provide, or intervene in the provision of, basic services. For example, Wickham-Crowley (1987) offers a detailed account of rebel provision of such services by poor, left-wing insurgencies in many Latin American countries.

In sum, creating institutions to regulate many realms of local life does not require investing substantial resources. Armed groups can rule without spending much beyond what is required to simply keep control, as all that a group needs are a few locals who are willing to monitor compliance of a longer list of rules. While armed actors may devote a substantial amount of resources to create a formal judiciary or to provide public goods, rebelocracy does not require such investments.[17] Overall, most armed groups create rebelocracies with few resources and obtain in return large benefits—mostly in the form of social control, economic gains, and substantial civilian cooperation, all of which facilitate territorial control.

**Aliocracy and Civilian Resistance**

Given the extent to which the benefits outweigh the costs, armed groups with long time horizons—whose goals are to control territories and maximize their byproducts—prefer rebelocracy to aliocracy. Yet, rebels sometimes do establish a social order of aliocracy. Why do they choose what is essentially their second-best option?

Social orders are not created in a vacuum. Despite the harsh conditions of war, civilians have agency (Barter 2012; Kalyvas 2006; Lubkemann 2008; Mampilly 2011; Parkinson 2013; Petersen 2001; Wood 2003), and their reactions can alter rebels' payoffs. While the centrality of

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[17] How much a particular armed group spends is likely to vary depending on its revenue and the opportunity costs of the resources at its disposal, as well as on its ideology.

civilian support for rebel survival and success is widely recognized, the bargaining power that this gives civilians has been widely ignored (Arjona 2016a). I argue that civilians have bargaining power vis-à-vis combatants when the latter attempt to establish rebelocracy, although not when they have established aliocracy or given rise to disorder. Such bargaining power comes from civilians' credible threat of resisting rebelocracy collectively. By collective resistance, I mean instances of concerted opposition to the armed actor by disobeying its mandates, making demands on it, or both.[18] If most or all members of a community withhold obedience and spontaneous support, rebelocracy becomes too costly and unlikely to endure, therefore threatening both territorial control and its byproducts.[19] Anticipating the possibility of compromising its two goals, rebels have incentives to establish aliocracy instead.

Let us consider how the costs and benefits of establishing rebelocracy vary depending on civilian resistance. In communities where resistance is not organized, armed groups can easily control a number of activities by establishing new rules, relying on their reputation as rule enforcers, and using reliable sources of information about misconduct. In this way, the process of identifying disobedience and punishing it only requires that a few civilians agree to provide information on the behavior of community members, making it unnecessary for combatants to monitor locals directly. Hence, rebelocracy requires only a few strong supporters and massive obedience, while the benefits, as explained before, can be quite large.

If collective resistance is organized, the consequences for the rebels depend on its success. In one scenario, the community fails to expel the group from the area directly, but it denies information, relies on its own institutions rather than those established by the group, and rejects the intervention of combatants by disobeying their mandates. The costs of establishing rebelocracy become quite high, as punishing disobedience without some local support requires intense monitoring. In addition, the advantages of rebelocracy—civilian cooperation; political,

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[18] By civilian resistance I mean local resistance, not the creation of a new armed group. Creating a new armed organization that enters the war usually requires the involvement of external actors, such as the state, tribal leaders, regional elites, or even foreign governments. I do not investigate this form of opposition to rebel rule.

[19] It might seem odd to merge disobedience and opposition into one category. These are, indeed, two different options, and they may have different implications for civilians on the ground. For this reason, withholding cooperation is often labeled neutrality rather than resistance. However, withholding obedience is in many cases an act of resistance. It does not mean offering support to the other side or engaging in acts against the armed group, but it does entail abstaining from doing things the group has asked for. For the purpose of this theory, the more parsimonious definition that differentiates spontaneous support, obedience, and resistance suffices. Others have argued that neutrality is indeed closer to resistance than to "absolute" neutrality. See for example Galeano Lozano (2006:86).

economic, and military benefits—do not materialize as they all pass through the hands of civilians. What is more, rule that relies on coercion alone tends to be short-lived, as discussed before, and combatants may end up losing control over the territory. In sum, by imposing rebelocracy when civilians resist collectively, rebels face high costs and risk losing both territorial control and its byproducts in the long run.

In another scenario, resistance is so successful that the community expels the armed group from the territory. In this case, the group loses both control and its byproducts immediately; it may also suffer negative externalities elsewhere due to reputational losses.

Since attempting to establish rebelocracy when civilians resist is likely to bring high costs and low benefits in the long run, rebels have incentives to limit their ruling aspirations and thus opt for a less intrusive social contract that does not trigger resistance. It might seem unrealistic that a group of powerful, armed combatants would bend to the preferences of civilians. But micro-level evidence from war zones shows just that. In his criticism of common approaches to "warlordism," for example, Marchal (2007:1996) argues that in Somalia "[the] warlord had to accept a number of social patterns that were beyond his own will: often he was as dependent on his people as they were on him." Examples from other cases abound (Arjona 2015; Arjona, Kasfir, and Mampilly 2015; Barter 2015; Förster 2015; Hancock and Mitchell 2007).

Although the armed actor has incentives to compromise when civilians resist rebelocracy, it does not when civilians resist aliocracy due to the lack of an acceptable alternative. Consider a locality where civilians resist aliocracy, the most minimal form of intervention that the armed group could offer that still allows it to control the territory. Opposition to aliocracy amounts to hindering the armed group's control over the territory altogether. Control being its principal goal, the group lacks incentives to give in to such opposition. For this reason, civilians have bargaining power when they resist rebelocracy but not when they resist aliocracy.[20]

Civilians do not have much influence over armed groups' decision to abandon disorder either. When disorder is caused by group indiscipline, there is not much civilians can do to push combatants to care about a social contract. If they have not established a social contract, it is

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[20] To be sure, civilians can oppose specific rules under both aliocracy and rebelocracy without opposing that form of social order altogether. For example, civilians can ask the armed actor to lower taxation, impose lighter penalties on drug users, or lift bans on certain social events. I argue elsewhere that these forms of *partial* resistance are ubiquitous in rebelocracies and aliocracies, just as they are in any form of political order (Arjona 2015). However, these forms of resistance do not affect the type of social order that emerges at a given time and location.

because they do not need civilian cooperation to obtain their short-term goals. Civilians lack bargaining power because denying cooperation will not alter combatants' expected benefits.

When disorder is caused by armed competition, the warring sides do care about civilian cooperation. In fact, as I have explained, the main reason why a social contract is not established is because combatants prefer to be able to use violence as they see fit in order to obtain as much civilian cooperation as possible, by any means. Civilians' promises not to cooperate with the rival in exchange for a social contract are not credible because none of the armed actors possesses a monopoly over the use of violence. If the rival uses coercion in order to obtain cooperation, civilians are likely to adapt their behavior in order to survive. Under these circumstances, civilians' commitment to honor a social contract is not credible, and the armed actor will not give in. This dynamic could be avoided if all armed groups can be convinced of civilians' commitment to noncooperation with all warring sides—a difficult task that, although not common, has been documented (O. Kaplan 2013a).

In sum, I argue that armed groups will bring about order when they have a long time horizon and disorder when they do not, regardless of civilians' choices. When they do bring order about, their choice of aliocracy or rebelocracy is based on their expectations about whether or not they will face collective resistance from locals: they will establish rebelocracy whenever they do not anticipate collective resistance to it, and they will settle for aliocracy when they do expect concerted civilian opposition. The question that follows, then, is what explains expectations regarding collective resistance to rebelocracy?

**A Theory of Collective Civilian Resistance to Rebelocracy**

Whether a community resists rebelocracy collectively or not might seem to be a matter of political preference: if locals support rebels' goals, they should welcome rebelocracy; if they oppose those goals, they should resist it. Yet, to the community the issue is not whether it supports the political goals of the armed actor. Rather, it is about how to respond to an actor aspiring to rule over it. Locals may endorse the political goals of the group but still desire to resist rebelocracy; in other words, they may want to cooperate with insurgents—but not be ruled by them. Thus, while rebels' political programs and ideologies matter, they are not the determining factor shaping civilian resistance to rebelocracy.

Several scholars have noticed this tension between the grand goals of an insurgency and the interests and expectations of common citizens. In the 1970s, some students of peasant rebellions advanced what we could call a localist view of civil war, according to which local realities often matter more than the grand narratives and macro-cleavages that are at stake in the war. Scott (1979:111), for example, noted that for peasants the most relevant unit is their village—or perhaps their municipality or the nearby marketing town and its surroundings. He argued that this localism has enormous consequences for rebellion: "[I]t is clear that peasants will normally experience their interests as local interests, not as national or even provincial interests, and that a revolution will have to contend with this disparity of social horizons and solidarity." In other words, civilians' responses to a rebel group are largely driven by their local reality. More recently, scholars have identified specific ways in which local interests, norms, conflicts, and networks drive civilians' decision to denounce their neighbors to armed groups (Kalyvas 2006), join local opposition to foreign invasion (Petersen 2001), and support insurgents (La Serna 2012; Parkinson 2013; Wood 2003).

Similarly, while for insurgents bringing order and establishing rebelocracy in the territories they occupy are means to advance their cause, for civilians the difference between aliocracy and rebelocracy has dramatic consequences on the kind of lives that they can live during the war. They may strongly support the goals of the insurgency, but they might be better off without rebelocracy, and the converse could also be true. To understand resistance, we need therefore to inquire about civilians' preferences for new rule.

However, desiring to resist is insufficient: civilians must also be able to do so. And resisting an armed organization is not an easy task. Imagine living in a village where the rebel commander gets to decide who gets a job, how a dispute over property rights is resolved, or whose children get a seat at the local school. Most people would have strong incentives to be on good terms with the rebels. Even if the majority of the community does not want to live in a particular social order established by the group, they still have incentives not to resist. Opposing the group is risky, and individuals who do not do so would still enjoy a "free ride" from the benefits of successful resistance.

While cooperating with an insurgency is often portrayed as an instance of collective action (Olson 1965; Popkin 1979; M. Silver 1974; Wood 2003), I argue that in many cases it is resisting against an armed group, rather than aiding it, that entails a risky enterprise, the benefits

of which cannot be delivered to participants alone. When an armed group has high levels of control over a territory, cooperation is, in fact, the dominant strategy as it leads to pleasing the armed actor and potentially obtaining numerous benefits.[21] Resistance, on the other hand, is a quintessential collective action problem.

To explain collective resistance, we should, therefore, not only identify the conditions under which the members of a community would want to resist but also the conditions under which they would be able to launch and sustain such risky mobilization. I contend that the quality of local institutions in place prior to the arrival of the armed group shapes civilians' preferences for their current form of governance—and therefore their willingness to resist rebelocracy; they also impact the community's capacity for collective action, which, in turn, determines its ability to launch and sustain collective resistance.

I define the quality of institutions on the basis of their legitimacy and efficacy. Legitimacy refers to whether most members of the community believe that those institutions are fair and should regulate their interactions. The members of a community may agree or disagree with the validity of institutions for a myriad of reasons, including their origin, their effects, the procedure by which they were designed, or the principles that they embody. Insofar as most community members see their institutions as just, they are legitimate under my definition.

Efficacy–as commonly used in legal theory (Kelsen 2009:29–44)–means that most people obey the rules, that is, the rules are effective. Institutions are ineffective when many in the community disobey them, regardless of the reason. As with legitimacy, there are many causes of efficacy, such as the level of internalization of the rules, how much they reflect people's preferences, the likelihood and severity of sanctions for disobedience, and whether the rules are established by a recognized authority (Becker 1968; Kauffman 1999; Milgram 1963; Weldon 1953). Under this definition, institutions are effective whenever they are widely observed, regardless of the cause.

The quality of institutions is high when institutions are both legitimate and effective and low when they are either illegitimate or ineffective. I recognize that this classification fuses together communities that can have deeply different structures and power dynamics. However, I

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[21] The same may happen in territories under dispute, although for a different reason. As Kalyvas and Kocher (2007) argue, when two or more groups compete for territorial control, the insecurity for civilians can be so high that joining one of the warring sides may be safer than not doing so.

argue that this minimalist distinction is sufficient to capture how institutions impact the likelihood of collective civilian resistance. Communities with legitimate and effective institutions are likely to be both willing and able to resist rebelocracy; communities with either illegitimate or ineffective institutions are, on the contrary, unlikely to do so.

Although many institutions structure interaction in a community, I argue that dispute institutions play a predominant role in shaping collective resistance to rebelocracy and limiting armed groups' ability to consolidate their power. Dispute institutions are the formal and informal rules in charge of adjudicating disputes, defending property rights, and enforcing contracts within a community (Abel 1974). I am agnostic about the source of such institutions—they may come from the state, from traditions, or from local processes of self-governance; my focus is on their quality. In what follows I explain why dispute institutions play a predominant role in driving civilians' preferences for or against a new form of rule, and why they also impact their capacity for collective action. I then explain why high-quality dispute institutions deprive rebels of one of their most effective means to consolidate their power.

### Civilians' Willingness to Resist

Civilians' preferences for rebelocracy are driven by the quality of their current structure of governance. In a community with high-quality institutions, people value their form of governance and have a strong preference for preserving it. Under low-quality institutions, on the other hand, it is less likely that the majority has a strong a preference for preserving the status quo. What is more, some community members may even desire change because they perceive the existing institutions to be highly illegitimate or ineffective. Overall, only in communities with high-quality institutions do preferences in favor of the status quo tend to be strong and shared across individuals so that they are willing to resist collectively.

The quality of dispute institutions plays a predominant role in shaping civilians' preferences for their governing structure for two reasons. First, dispute institutions are essential for society to function—much more so than many other components of governance—and therefore impact civilians' daily lives tremendously. And second, the quality of dispute institutions embodies the quality of local governance more generally, as it often impacts central aspects of its social order.

Let me develop each of these points further. I start with the first, to wit, that dispute institutions are an essential building block of society. Conflict is inherent to human interaction. In any given community, economic, political, and social life is made up of numerous small interactions that entail the possibility of a dispute—from lending money to neighbors to organizing childcare to doing business to hunting in groups to solving a problem with an authority. Dispute institutions are essential because they prevent conflict by decreasing uncertainty, reducing the number of available choices, and creating precedent; furthermore, when conflict erupts, dispute institutions are in charge of solving it (North 1990; Roberts 2013; Sweet 1999). When dispute institutions are of low quality, people struggle to form expectations about the actions of others, who may fail to honor agreements and refuse to follow the rules in the absence of a mechanism to enforce compliance. In such an environment, all kinds of interactions suffer, and conflict is likely to become widespread.[22]

Different literatures have recognized, both theoretically and empirically, the paramount importance of dispute institutions for society to function well. To start with, the existence of dispute institutions is ubiquitous in most societies, "stretch[ing] from song duels and witchcraft to moots and mediation to self-conscious therapy and hierarchical, professionalized courts" (Felstiner 1974:63), suggesting that they are an essential component of societal life. Furthermore, dispute institutions are often considered one of the most important elements of governance because they help to preserve order (Benson 1989; Roberts 2013) and allow for coordination (Levi 1989:41; Sweet 1999:149), which is, in turn, crucial for mutually beneficial economic, social, and political interaction. Dispute institutions are also an important determinant of economic outcomes because they can decrease transaction costs[23] (Coase 1998; North 1990) and increase social capital (Ackerman 2002; Adler and Kwon 2000; Dasgupta and Serageldin 2000; Knack and Keefer 1997; Ostrom and Ahn 2003). In sum, dispute institutions are essential for people to live together peacefully and engage in mutually beneficial cooperation.

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[22] As Hart argues, perhaps only very small, cohesive communities can preserve order without dispute institutions, because they can rely on social control alone. For most societies, however, dispute institutions are an essential building block of social order. Herbert L. A. Hart, *The Concept of Law* (Oxford University Press, 1961); cited by Benson (1989:4).

[23] Transaction costs are those costs associated with the definition, maintenance, or transfer of property rights (Coase 1998).

The second reason dispute institutions are a primary determinant of civilians' preferences for or against a new form of rule is that they often impact the quality of local governance more generally. A system of dispute resolution that is impartial is likely to increase equality among community members in other domains of local life; in contrast, a community with dispute institutions that discriminate or are biased, for example, to favor elites or an ethnic majority, is likely to foster discrimination more broadly. Likewise, a community where dispute institutions are effective is a society that has managed to enforce rules pertaining to the protection of property rights, enforcement of contracts, and conflict resolution. It is likely that this community also has effective institutions in place to regulate other local matters. In fact, several studies of local governance in rural communities show that the persons, committees, or organizations in charge of adjudicating disputes are often also in charge of many other aspects of local governance and community organization, such as crime, disaster relief, and public goods provision, in contexts as varied as China (Huang 2008), India (AnanthPur 2004), Uganda (Wunsch and Ottemoeller 2004), Peru (Gittitz 2013), and Colombia (Sandoval Forero 2008).

Given that dispute institutions are a necessary enabler of peaceful and beneficial interaction among the members of a society, their quality is an important determinant of civilians' preferences for their governance structure. People living under dispute institutions that are illegitimate or ineffective are unlikely to have a strong desire to preserve—let alone defend—those institutions. By contrast, members of a community with high-quality dispute institutions are unlikely to welcome the establishment of new rule.

### *Civilians' Ability to Resist Collectively*

I have stressed that wanting to resist is not sufficient for collective resistance to materialize: civilians also have to be able to do so—and thereby to overcome a collective action problem. The quality of dispute institutions plays a central role in fostering the community's capacity for collective action. Building on a broad literature, I argue that legitimate and effective dispute institutions foster communities' ability to launch and sustain collective action. Such institutions influence the extent to which community members rely on shared norms of behavior and conflict resolution schemes, as well as their capacity to coordinate and their interpersonal trust, reciprocity, and social cohesion. These factors have been repeatedly found to affect communities' capacity to initiate and sustain collective action (Dasgupta and Serageldin 2000;

Flora et al. 1997; Habyarimana and Posner 2007; Ostrom 1990, 1998; Petersen 2001; Putnam, Leonardi, and Nanetti 1993; Temple and Johnson 1998). Communities that rely on legitimate and effective dispute institutions are therefore more likely to be not only willing to oppose rebelocracy but also able to unite and actively resist it.

Furthermore, communities that can rely on legitimate and effective institutions to adjudicate disputes often rely on the same actors involved in doing the adjudication to coordinate important collective action. As mentioned before, they often coordinate other important activities for the communities, such as responses to disasters, communicating with state officials, organizing the provision of public goods, and coordinating assistance to community members in need. This provides an effective and legitimate preexisting leadership structure that can be repurposed for civilian resistance against armed actors.[24]

According to various studies, it was precisely the capacity for self-governance and collective action that came from autonomous dispute institutions that allowed communities in Peru to resist the penetration of the rebel group Shining Path. In the region of Cajamarca, for example, since the 1970s peasants had developed local committees called *rondas campesinas* to maintain order and adjudicate disputes. These committees gained widespread recognition among peasants, were seen as legitimate, and were quite effective at controlling petty crime, transgressions of public order, and even corruption (Gittitz 2013; Lair, Massal, and Bonilla 2000; Picolli 2009). Several authors argue that the *rondas*, by allowing peasants to mobilize, impeded the rebel group's expansion in the region (Lair, Massal, and Bonilla 2000; Picolli 2009). Local institutions also seem to explain variations of Shining Path's success within other regions of Peru. In Ayacucho, Heilman (2010:195) found that Shining Path militants "fared best in those areas rife with sharp internal conflict, abusive authorities, and *gamonalismo*." Similarly, La Serna (2012) argues that in Ayacucho Shining Path met resistance in communities whose systems of justice were effective and found acceptance where such systems were not.

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[24] To be sure, the capacity to engage in collective action can vary across communities with high-quality institutions. Other factors such as the existence of specific organizations and the kind of resources at their disposal may further facilitate risky collective action in communities whose members have a strong preference for resisting rebelocracy.

***Dispute Institutions as the Spearhead of Rebelocracy***

In addition to shaping civilians' desire and ability to resist rebelocracy, high-quality dispute institutions deprive armed actors of one of the most effective means to consolidate their power: creating their own dispute institutions and becoming the de facto administrators of justice for local populations.

Work across disciplines has shown the importance of dispute institutions in how rulers come to power, despite being largely overlooked in social science research. Anthropological studies of law have found that "those in power seem invariably to have provided dispute institutions to their subjects" and, what is more, that "'courts' have historically played a central role in colonial expansion" (Roberts and Palmer 2005:222), whilst legal analysts have shown how "conquerors use courts as one of their many instruments for holding and controlling conquered territories" (Shapiro 1981).

The instrumental value of dispute institutions is threefold. First, they increase the ruler's social control over the population. According to Roberts and Palmer (2005:223), rulers seldom establish dispute institutions with the sole purpose of settling disputes: as "central was the ambition to remain in power; and certainly in much of the Medieval European world, for example, the principal means available to the monarchs for controlling their subjects was the judge." Second, they allow the ruler to enforce rules, which often entails not only applying existing regulations but also interpreting them and creating precedents, which contributes to the consolidation of the regulatory system that the ruler aims to establish. Finally, having the power to decide the proper resolution to a dispute—that is, arbitrating justice—can garner legitimacy. As Shapiro (1981:22) argues, "governing authorities seek to maintain or increase their legitimacy through the courts."[25]

Even though courts have been neglected in the study of state building, recent scholarship provides compelling evidence of the centrality of courts as a means to consolidate rule. In an analysis of legal norms, Bilz (2007) argued it was crucial for European state building that citizens delegated to the state their right to seek revenge when harmed by others. In her impressive study of premodern state formation, Boucoyannis (2017) finds that the power of

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[25] Quoted in Roberts and Palmer (2005:223).

rulers to build integrated court structures shaped their extractive and hence their military capacity, rather than the reverse, as assumed by most of the literature.

Although studies of rebel behavior have overlooked the strategic value of rebel courts, case studies of insurgencies have highlighted their instrumental role for territorial expansion. In his study of the Taliban courts in Afghanistan, Baczko (2013:IV) argues that by creating a judicial system that goes "beyond individual conflicts and identity-based divisions" the group has been able to gain legitimacy in many areas of the country. Likewise, in his study of rebel courts run by Colombian guerrillas, Aguilera Peña (2001) argues that adjudicating disputes was highly effective for gaining popular legitimacy and consolidating territorial control.

Rebels quickly learn that gaps in dispute institutions offer a unique opportunity to penetrate a community, obtain information about its members and their networks, gain legitimacy, and control civilian behavior. Once the dispute institutions established by the armed group become the preferred mechanism for adjudicating disputes, the organization becomes a central figure in the community. Locals are likely to seek its help when involved in a conflict; to defer to its judgment in order to solve community problems; and to treat it as a ruler. The armed group can then easily expand its influence and power over other areas of community life. And if some civilians decide that they do not welcome such influence, it is usually too late—the group already has supporters, allies, and the means to identify and punish defectors. The possibility of coordination of collective action is largely reduced at that point, because coordinating opposition under the surveillance of informants is extremely hard. Thus, there is an inverse relationship between rebel consolidation of social control and the likelihood of civilian resistance in war zones.

When the preexisting dispute institutions in the community are legitimate and effective, on the other hand, civilians are unlikely to turn to the armed actor to solve their disputes. By depriving combatants of the possibility of becoming the de facto judge, high-quality dispute institutions make it much more difficult for their organization to consolidate their power and, eventually, establish a full-fledged rebelocracy.

## RELAXING ASSUMPTIONS

The previous sections relied on three nontrivial assumptions. First, armed groups require the same kind and level of civilian cooperation in all the territories they aim to control, as if these organizations intend to use all local territories in the same way. Second, local capacity for collective action is static within each interaction with an armed actor: living under the presence of combatants does not change it. Third, armed groups have perfect information about local institutions and, therefore, can accurately predict civilian resistance. In this section I discuss these assumptions and theorize the implications of relaxing them.

### Armed Groups' Different Uses of Local Territories

I have argued that armed actors strive for control over territory. Although I have so far assumed that all territories are equally valuable, this is certainly not the case. Armed groups use territories for different purposes, some of which are often deemed more valuable than others. Some places are targeted, for example, because they are easy to conquer and simply add to the total of territories under rebel control; others are deemed economically important; others function as safe havens, where leaders are well-protected, wounded combatants can be healed, and new recruits can be trained; and other places are used as corridors for smuggling weapons in and illegal resources out.

These different uses of territory have important consequences for the type of civilian cooperation sought. Consider a region that is deprived of natural resources and is not located in any crucial area of the country. The group benefits from rebelocracy because it helps it to accumulate territorial control and provides valuable benefits. Yet, it can tolerate aliocracy too if the community is likely to resist; rebelocracy is not crucial in this territory because there are few, if any, secondary benefits to controlling the territory.

But this is not the case for highly strategic territories such as safe havens: an area in which high-level commanders hide requires extreme protective measures. Groups often protect such a haven by creating rings of security around the territory. Civilians closer to the core experience higher pressure to fully cooperate with the group. In this context, civilian autonomy cannot be tolerated. Hence, the armed actor does not adapt its behavior to avoid resistance: on the contrary, if resistance is expected, it may massively displace the population or even

annihilate it so that it can then resettle strong supporters to the territory or keep it solely for military purposes. Communities with high-quality institutions are therefore likely to face disorder if their territory is highly valuable for the rebels, even if the group operates under a long time horizon. Table 2 shows how taking into account the value of territories changes the predictions of the theory.

**TABLE 2**

**SOCIAL ORDER IN TERRITORIES WITH DIFFERENT STRATEGIC VALUE**

|  |  | Quality of preexisting local institutions | |
|---|---|---|---|
|  |  | High | Low |
| Armed group's time horizon | Long | Low-value territory: Aliocracy<br>High-value territory: Disorder | Rebelocracy |
|  | Short | Disorder |  |

**Changes in Communities' Capacity for Collective Action**

I have argued so far that civilian resistance is determined by the quality of preexisting dispute institutions in the community when an armed group enters it. I have therefore been assuming that a community's capacity for collective action cannot change under the presence of an armed actor. Yet, it might be that the capacity for collective action is dynamic rather than static in conflict zones. If over time civilians resent rebelocracy and develop capacity for collective action, couldn't they resist?

One possibility could be that armed groups create legitimate and effective institutions that, over time, facilitate the community's capacity for collective action. Although this institutional change is possible, armed groups have little incentive to sponsor a fully civilian-led government that would allow for such change, precisely because autonomy reduces combatants' capacity to shape local dynamics in ways that favor their organization. Rebels may create community organizations and foster mobilization, but always under their wing—either formally or by operating as a shadow government. For this reason, the chances of increased collective action under rebelocracy are quite low.

Still, a community's capacity for collective action may increase during the war for at least two reasons. First, recent studies have found that violence triggers pro-social behavior, trust, and social cohesion (Bateson 2012; Bellows and Miguel 2009; Chris Blattman 2009; Gilligan, Mvukiyehe, and Samii 2013). High levels of violence may therefore lead to a greater capacity for collective action. Yet, most of these studies focus on either non-wartime settings or post-conflict contexts. We do not know whether or not violence leads to collective action *within* a context of war and how lasting such an effect might be if perpetrators are still around, and armed. Furthermore, other studies have found the opposite effect: violence destroys trust and collective action (Cassar, Grosjean, and Whitt 2013; Grosjean 2014; Rohner, Thoenig, and Zilibotti 2013). If violence can indeed increase a community's capacity for collective action, an observable implication would be that highly victimized communities are less likely to experience rebelocracy in the future, as they have a higher capacity to resist. To account for this possibility, we would need to theorize the conditions under which violence does foster collective action—an important question that I do not pursue in this paper.[26]

The second reason why collective action may increase during wartime is that policy interventions sometimes work. There are numerous projects implemented by national and international NGOs and donors that can impact the institutional capacity of local communities. Although further research is needed to understand when and how this might happen, it is possible that both top-down and bottom-up processes foster collective action. I do not develop this hypothesis in this paper.[27] However, insofar as NGOs or other organizations impact communities' capacity for collective action, the theory expects that their effect on social order would be the same as that of high-quality pre-existing local institutions.

## Imperfect Information about Local Institutions

According to the theory, full-fledged collective resistance is an off-the-equilibrium path—that is, an outcome that we should not observe—unless the territory is highly valuable. Civilians threaten the group with collective resistance, and combatants—anticipating the disastrous effects

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[26] See Schubiger (2016).

[27] See Castañeda (2014) and O. Kaplan (2013b) for studies of how collective action capacity to reduce violence may develop during wartime.

of resistance—give in. If armed groups have accurate expectations of collective resistance, they should avoid it and we should not observe it.

A central assumption in this logic is that armed groups have perfect information about the likelihood of civilian resistance. I argue that assuming perfect information makes sense because armed groups rely on different strategies to make correct inferences. However, sometimes they do form poor expectations, fail to properly tailor their ruling strategy, and resistance does emerge. In what follows I discuss some of the strategies that combatants rely on to gauge the likelihood of civilian resistance.

First, armed groups learn from their experience, that is, they engage in institutional learning. As with any organization, commanders sharpen their capacity to link their behaviors to outcomes; trial and error shows what works and what doesn't; and training allows lessons learned by different commanders to illuminate the work of others. Several accounts of how armed groups operate on the ground suggest that they make conscious changes in their war tactics as they learn.[28]

One of the ways in which this institutional learning plays out is the existence of cues: certain attributes of a local community help rebels to gauge the community's capability to resist. They may learn that tribes with deeply embedded traditions and no internal divisions are more likely to resist, as are communities living in areas where the state functions well and solves problems through accepted, institutionalized means. They also learn that hierarchical communities and divided ones are easier to penetrate.

To be sure, strong communities sometimes emerge in areas where poor institutions abound, like islands of good governance despite state failure and the winding down of tradition. These communities often surprise armed groups when they deny cooperation and oppose rebel (or paramilitary) rule. Armed groups are therefore incentivized to devote resources to accurately measuring the potential of local collective action prior to attempting to penetrate a community. One way to do this is to gather intelligence. Groups often infiltrate communities to get a sense of how organized they are and who is able to mobilize others, as I show elsewhere (Arjona 2016b).

Rebels also "test" communities' strength of collective action by using violence as a measurement tool: by threatening or harming the local leaders, the group assesses whether

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[28] Several examples are given in Arjona (2016b).

collective action will prevail without them. In some cases, targeting leaders effectively destroys the possibility of collective resistance and rebelocracy ends up being consolidated. Yet, sometimes such violence triggers fierce resistance: attacking the leaders only serves to fuel the desire, and the means, for opposition. In this case, combatants will hardly achieve more than minimal obedience under a tense social order of aliocracy, and they may end up losing territorial control altogether. For this reason, the group is better off finding out how capable the community is of resisting before targeting anyone.

## CAVEATS

So far the theory has not explicitly dealt with three important factors that can be expected to impact social order: the state, the ideology of the armed group, and the structure of the community. Although the state is not one of the main explanatory variables, it *does* impact social order, but it does so through its effect on armed competition and institutional quality; both effects are, therefore, captured by the theory. Turning to ideology, although the ideology of the armed actor—that is, its stated motivations for fighting—does not affect the type of social order that emerges, elsewhere I argue that it does affect in many ways *how* social orders are built as well as some of their attributes (Arjona 2016b).

Finally, for simplicity the theory treats the community as a unified actor. I focus only on whether or not its local institutions are legitimate and effective, without considering the specific ways in which internal divisions and inequalities within the community might impact the interaction of its members with armed actors. While it is true that most communities are made up of population groups that differ from each other in their interests, values, identities, power, and resources, insofar as these differences lead to strong divisions and conflict, the typology captures them: it is unlikely that communities with strong tensions between ethnic groups, elites and workers, or estate owners and peasants have high-quality institutions. I contend, therefore, that this simple distinction is sufficient to explain the conditions under which aliocracy and rebelocracy emerge. I do argue, however, that the specific internal divisions of a community shape the process by which social orders are built. In particular, armed actors are likely to select their strategies—in terms of whom to approach and how—by paying attention to the particular form of institutional failure in the community and the divisions that it leads to. I develop these propositions elsewhere (Arjona 2016b).

**CONCLUSION**

In this paper I proposed a theory of the creation of social order in civil war by theorizing the choices of armed groups, civilians' responses, and the ensuing institutional arrangements. The proposed argument opens up new questions about how the wartime transformation of institutions shapes the behavior of civilians, combatants, and incumbents during war, as well as their legacies in the postwar period (Arjona 2014). Importantly, it is one of the first theories to specify how civilian agency can shape the behavior of armed actors. The argument also calls for a more careful theorization of the context in which civilians and combatants interact and, by implication, of the ways in which local contexts can condition the effects of wartime and postwar interventions and policies. Beyond civil war, the theory proposed in this paper is essentially one of how aspiring rulers come to power: how they approach communities, how the latter respond, and what the outcome is. It is, in this sense, a theory of how order is created. The argument may provide insights into a number of contexts in which similar encounters between aspiring rulers and local populations take place.

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