

**Non-State Actors, States, and Repression:  
The Effect of Militias and Informal Armed Groups on Human Rights Violations**

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Abstract

Does the presence of a pro-government militia worsen the human rights of a country even after controlling for other factors? In a statistical analysis of a cross-sectional data set, the authors find evidence that this is indeed the case. Previous research in human rights suggests the importance of accountability in understanding the decision to violate human rights. On the one hand, when faced with armed threats and civil war, governments are more likely to engage in violations. On the other hand, when governments face being held accountable for their actions by withdrawal of public support or international trade and investment, they are more likely to exercise restraint. Democracy and international trade tend to reduce the likelihood of violations. The authors further develop the accountability logic and examine the alternative choice of evading accountability. The empirical results suggest that where governments have an opportunity of evading accountability levels of human rights violations will increase, even after controlling for the factors found influential in earlier research.

Governments exhibit very different levels of respect for the rights and physical well-being of their citizens. Researchers link this variation in the use of extrajudicial killings, torture, and detention without trial to domestic institutional, economic and demographic structures, to international institutions and actors, to strategic calculations concerning the level of threat posed by the opposition, and to the likelihood of withdrawal of public support (Apodaca 2001; Bueno de Mesquita, Downs, Smith and Cherif 2005; Cingranelli and Richards; Davenport and Armstrong 2004; Gartner and Regan 1996; Poe and Tate 1994; Hafner-Burton and Tsutsui 2005; Lichbach 1995, 1996; Landman 2005). What has not been addressed in this research are questions of how repression is organized and implemented and of how the choice of agent influences the levels of violations.

To explore this issue with respect to the policy of repression we examine militias and informal armed groups that exist alongside regular security forces and their effect on the level of violations. Drawing on a well-established theoretical approach to the issue of delegation, and consistent with the general theoretical thrust of existing human rights and conflict research that emphasizes the pivotal role of accountability, we expect the presence of these organizations to increase substantially the levels of violations. In the first part of the paper we develop the theoretical argument, drawing out the implications of this argument for the delivery of repression. In the second part of the paper we describe our data and measures and the results of our empirical analysis.

## **Accountability**

The research on human rights violations yields fairly consistent findings that can be broadly summarized as pointing to the underlying importance of accountability in understanding

the decision to violate human rights. Conflict tends to increase the likelihood of violations as governments choose repression in response to threats. Threats to state security are often defined in terms of the interests of government leaders. As the basis of domestic support increases, however, the tolerance for state repression of conflict that may affect friends and relatives of government supporters is expected to decline. Leaders may lose office if they do not exercise restraint rather than repression. Democracy, and in recent research most notably “full democracy” (Arat 1991; Bueno de Mesquita, Downs, Smith and Cherif 2005; Davenport and Armstrong 2004; Keith 2002; Landman 2005; Poe and Tate 1994), tends to reduce violations.

Domestic supporters are not the only group to which the leadership is accountable. Exposure to economic and political dimensions of globalization tends to reduce violations. Repression indicates an unstable business environment. Investment and trade with repressive regimes attracts attention and pressure from international institutions and NGOs (see Hafner-Burton and Tsutsui 2005; Risse Ropp and Sikkink 1999). Thus more trade and foreign direct investment are accompanied by better human rights performance (Apodaca 2001; Harrelson-Stephens and Callaway 2003; Richards, Gelleny and Sacko 2001). Increasingly, the continuation of trade is made conditional on human rights performance. Since the early 1990s, the European Union has systematically included a human rights clause in its trade agreements. For example, in October 2006 the European Parliament’s International Trade Committee decided not to consider a trade agreement with Turkmenistan “until its government significantly improved its human rights record” (Human Rights Watch 2006). Recent work by Hafner-Burton (2005) has shown the effectiveness of trade agreements as means of enforcing compliance with human rights standards. In this way, international actors and organizations have access to sanctions that make them meaningful accountability holders.

When governments face threats they are more likely to resort to repression and to violate human rights. But when they face being held to account for their actions in terms of the withdrawal of international aid and assistance, international trade and investment, and public support, then they are more likely to exercise restraint and respect human rights. Emphasizing the importance of accountability in their detailed examination of the dimensions of democracy and their impact on respect for human rights, Bueno de Mesquita, Downs, Smith and Cherif state that “accountability appears to be the critical feature that makes full-fledged democracies respect human rights; limited accountability generally retards improvements in human rights” (2005, 439). These authors think about accountability in terms of regime type. In this paper we draw on this emphasis on accountability and develop two further implications that suggest that the presence of militias and informal armed groups will substantially contribute to the levels of human rights violations. These implications deal with implementation of policy and evading accountability.

First, although the attention has been on governments, accountability is an issue for those charged with implementing policy. As accountability is what makes governments respect human rights, so it is the critical feature that makes the individuals who carry out or implement security, defense, and policing policies respect human rights. Accountability “implies that some actors have the right to hold other actors to a set of standards to judge whether they have fulfilled their responsibilities ... and to impose sanctions if they determine responsibilities have not been met” (Grant and Keohane 2005, 29). It follows that, “the availability of information is crucial for all forms of accountability” (Grant and Keohane 2005, 39). On a theoretical level, we are well aware that delegation gives information a critical role in holding agents accountable for their actions. Principal-agent logic suggests that goal variance between principals and agents

combined with a balance of information that generally favors the agents will make it important but difficult to hold them accountable for their actions. To the degree that agents charged with carrying out repression engage in hidden actions for strategic or private gain, be it revenge, violence for its own sake, or violence or the threat of violence for the sake of bribes and financial gain then the level and nature of human rights violations will exceed that intended by the government. This problem of controlling the agents is likely to be severe where agents are organizationally separated from formal government agencies and where the lines of accountability are fuzzy.

These organizations' recruitment procedures are likely to be less selective, attracting both 'fanatics' and 'opportunists' (see Elster 2004, 137). Through entrepreneurial direction supplied by committed local leaders, and in which governments may have a role, these groups form around the strategic motivations of the dispute, as it is linked to a political agenda, regional or national identities, or religious beliefs, and they form around the private motivations of those who value the intrinsic rewards of violence. In other words, these organizations are more likely to encounter "adverse selection" problems and have individuals with a less developed awareness of "combat morality," either for reasons of fanaticism or opportunism. These organizations are likely to recruit strategic extremists and those interested in private gain. Even assuming that they hold the aim of inculcating a code of conduct, these informal organizations are unlikely to be as well equipped for that task as state agencies. Informal organizations are generally less likely to provide the levels of monetary compensation and sanctions that help to control agents in state organizations or to be able to communicate appropriate professional values. As Kenneth Arrow says: "there is a whole world of rewards and penalties that take social rather than monetary forms. Professional responsibility is clearly enforced in good measure by systems of ethics,

internalized during the education process and enforced in some measure by formal punishments and more broadly by reputations.” (Arrow 1985, 50). Thus agents recruited to militias and informal armed groups are more likely to recruit those who seek private goods. At the same time they are less likely to have this impulse checked by being held to account either by the militia leader or government leaders - the formal accountability holders.

The responses to private goods-seeking agents are the activities of monitoring and holding agents accountable. Under this condition of organizational separation from the conventional chain of command and formal government agencies, these responses are less likely to be undertaken. The actions of the agents of these informal groups are likely to be less transparent to government leaders and these leaders have a reduced incentive to attempt to overcome information asymmetries. Government leaders are likely to feel less command responsibility with respect to these organizations and a more attenuated accountability-holder function (see Grant and Keohane 2005). These considerations about the accountability of individual agents suggest that if there are pro-government informal armed groups or militias, then there are likely to be higher levels of human rights violations.

The second implication of a focus on accountability returns the discussion to the level of government leaders. The government’s demand for these informal organisations may be as force builders, but it may also be as accountability evaders. As force builders, these militias or informal groups supply additional numbers to supplement what the government can deploy and they may supply a reputation that provides strategic benefits. As a tool to evade accountability, the militias provide a response to the threat yet they are not recognizably part of the state bureaucracy and therefore government leaders can claim a lack of control.

This paper argues that this second implication is consistent with the theoretical thrust of earlier research. To this point governments have been conceived as willing to use repression unless they face the prospect of being held to account, operationalized as formal regime mechanisms or the level of engagement in trade. If they face the prospect of accountability and sanctions they may choose to avoid repression. But an alternative choice is to seek to evade accountability; that is to use repressive measures without being held accountable for their use. Where the government has the opportunity to evade accountability, government restraint will lapse and human rights will be violated. Thus rather than forgo repression, another option for both full-fledged democratic and non-democratic governments is to evade accountability for repression through the activities of non-state actors. This idea has yet to be represented in the analysis of human rights violations.

A government will tolerate these informal armed groups or militias so long as the violence that they do is linked to the strategic goals and so long as the government is not held directly accountable. Accountability is evaded by the militia's organizational separation from the regular security forces. The choice of inaction or passivity is the major issue facing the government, although in practice its regular forces may well provide material support for militia activities.<sup>1</sup> The members of Arkan's Tigers in the Balkans in the 1990s, the Christian Phalange in Beirut in the early 1980s, or the Janjaweed in Sudan committed widespread violence, while dealing with the strategic threat or provoking panic and population flight that was perceived of strategic value for governments. In preparing the Phalange to go into the refugee camps in Beirut

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<sup>1</sup> To illustrate, the Israeli Defense Force provided aircraft and flares to illuminate the West Beirut Palestinian refugee camps for the night operations of the Lebanese Christian Phalange in 1982 (Burnett 1985). Or a Scotland Yard enquiry found that the British army's "Force Research Unit" in Northern Ireland colluded with loyalist paramilitaries in the killings of Catholics in the 1980s (Stevens Report 2003).

in 1982, Defense Minister Sharon instructed, “I don’t want a single one of the terrorists left.” (Sachar 1996, 914). Once the massacre became public, the Defense Minister claimed that the militia was out of control and the Israeli government denied responsibility in advertisements in the *New York Times* and *Washington Post* (Burnett 1985, 74). Thomas Friedman (1989, 164) says in describing what he characterizes as the “blind tribal rage” of the Phalangists, “the Israelis knew just what they were doing when they let the Phalangists into those camps.” A substantial section of the Israeli public was not satisfied with the denials offered by the Israeli government and sought to hold the government accountable. A protest demonstration in Tel Aviv a week after the massacres drew 400,000 participants, about 10 percent of the population of Israel (Gilbert 1998, 509), which represented a substantial withdrawal of public support, and a subsequent investigation found the Defense Minister “indirectly responsible.”

While there has been a lack of systematic analyses of these types of organizations, Janice Thomson’s work (1994) provides an account of the development and demise of mercenaries and pirates. The motive she identifies was commercial gain on the part of non-state actors and on the part of the authorizing states the motives of avoiding expense and the inability “to resist the temptation to allow or even authorize nonstate violence while they denied responsibility and accountability for its consequences”(1994, 42). In the nineteenth century states’ asserted their “monopoly on external violence” (1994, 143). Her work does not deal with contemporary developments that challenge norms against nonstate violence, but she refers to the Nicaraguan contras and says that “exploiting nonstate violence remains a powerful temptation for state rulers” though “contemporary state leaders must do this in secret” (1994, 152). Our focus is contemporary rather than historical, and on the consequences of these institutions for human rights violations, but we identify similar motives at work on the part of states in terms of the

effort to exploit opportunities to use non-state violence and deny responsibility. As the Contras and the other examples suggest, governments exploiting the opportunity to evade accountability often operate with a fairly minimal view of the credibility threshold that their denials have to achieve. Generally, government leaders must calculate that there will be domestic support for strategic goals among their core constituencies (the Israeli protest in 1982 was unusual), and that the international regime is a relatively weak regime. Grant and Keohane, in their analysis of other non-state actors make this point: “in world politics, accountability for most power-welders is likely to be less constraining than is optimal” (2005, 40). In this situation, even flimsy denials of responsibility for the activities of the “bad apples” and “rogue elements” in these groups may prove sufficient.

In short, we argue that the development of non-state actors such as militias is an institutional choice for governments under conditions of protest or conflict and hypothesize that higher levels of human rights violations accompany the operation of these militias. The nature of the incentives we describe implies that the violations attributable to these militias will be a general rather than cultural or regional phenomenon. First, principal-agent logic suggests that agents within these organizations will have greater inclination and discretion to pursue private goods. Second, these organizations present an opportunity for governments to evade accountability for violence expected to be of strategic benefit. As a consequence, we anticipate that the presence of a pro-government militia will substantially contribute to the level of violations beyond the factors generally included in statistical models by other scholars.

## **Data and Measures**

There is an accumulation of research providing systematic empirical analysis of human rights violations that provides a set of variables for our analysis. We test our arguments regarding pro-government militias against two commonly employed human rights scales, and a standard accountability model of violations. We describe the human rights scales, our measure of pro-government militias, and the components of the standard accountability model, which includes measures of democracy, trade, and conflict. We also describe of measures of two common control variables: wealth and population.

For the dependent variables we use the political terror scale (Poe and Tate 1994; Gibney and Dalton 1996) and the CIRI human rights violations scales (Cingranelli and Richards 1999), which are the most frequently used measures in the empirical analysis of human rights violations. The Political Terror Scale is a five-point ordinal scale representing the degree of protection of physical integrity rights in a country. The same scale is used to develop both Amnesty International based scores and United States Department of State based scores. High scores indicate widespread human rights violations. The CIRI human rights measures offer three-point ordinal scales for different dimensions of human rights violations (including disappearances, extrajudicial killing, torture, and political imprisonment) and an aggregate Physical Integrity Rights Index that is the sum of these components. For the CIRI indices, lower values indicates poor human rights records. While there are criticisms of each of these measures, their wide use within the research community presents an important test for our argument.

To collect data on the variable of key theoretical significance, the presence or absence of militias, we used American, European, Asian, Middle Eastern and African news sources. As the United States Department of State Country Reports routinely provide a paragraph description of

the country's security forces and include information on pro-government militias we used these reports as an additional source of information. To make the data collection task manageable, we searched these news sources for the year 2000. We selected the year 2000 in part to minimize biases that might be associated with human rights abuses during the "War on Terror". We used "government supported militias," "paramilitaries" or "death squad" as search terms. We recorded up to three news source citations for each country identification of a government militia, paramilitary, or death squad, but for some countries such as Colombia, Philippines and Sudan there were many more cites. Because very little information turned up on the troop strength of these organizations, coding for the presence or absence of militias represents a more reliable measure than some ordinal measure of militia strength. The Appendix lists the 31 countries having at least one of these groups.

In line with our arguments, we expect the presence of a pro-government militia to be associated with poorer human rights records. For the PTS variables we expect positive coefficients in our multivariate analysis while we expect negative coefficients for the CIRI variables. We have some reason to expect a null result between pro-government militias and CIRI's political imprisonment index. On the one hand, the existence of a pro-government militia may be coupled with generalized state repression, including political imprisonment. This would support a significant negative relationship between the two variables. On the other hand, our argument of evading accountability suggests that governments are more likely to have direct control over prisons, and the independent capacity for non-state actors to hold prisoners is likely to be limited. This would support a null finding between the existence of a militia and this form of repression.

To address the possibility that our selected year was unusual in terms of the performance of our dependent variables, we compared the annual averages across countries to surrounding years and to the historical average of the variable's temporal domain. The Department of State PTS average score for 2000 is lower than for 1999 and 2001 but is within one standard deviation of the historical average from 1980 to 2004. The Amnesty International PTS average score for 2000 is perfectly in line with the historical average over the same time period and the surrounding years. The CIRI aggregate Physical Integrity Rights average for 2000 is slightly lower compared to 1999, 2001, and its historical average from 1981 to 2004 but is within the 90 percent confidence interval of its historical average. The four CIRI component averages are all lower than the surrounding years. The Disappearance Index is lower than the historical average while the Political Imprisonment is higher than the historical average; however, each is within one standard deviation of its respective historical average. The Extrajudicial Killing Index is significantly lower than its historical average. The Torture Index is lower than its historical average but is within the 80 percent confidence interval of its historical average. Thus, we have reasonably high confidence that our single-year analysis is not affected by the PTS or CIRI aggregate variables being unusual within their temporal domains. We have somewhat less confidence with respect to the CIRI component variables.

We operationalize threat facing governments by using the presence of internal conflict and civil war from the Uppsala/PRIO Armed Conflict Dataset (ACD, Gleditsch, Wallensteen, Eriksson, Sollenberg, and Strand 2002). The ACD measure of "civil war" (conflict level 3) has the same measurement rule as the Correlates of War. In addition, the ACD allows us to examine "civil conflict". This has a lower battle-death threshold (25 to 999) but still indicates fighting between the government and some organized and armed opposition. We include each of these

types of fighting as dummy variables in our analysis. Table 1 shows the cross-tabulation between conflict level and the presence of a pro-government militia. While militias are associated with civil wars, there are more cases of militias in countries with no armed conflict. We expect either type of conflict to be associated with poorer human rights records (positive coefficients for the PTS variables; negative coefficients for the CIRI variables).

[Table 1 about here]

We use the index constructed by Gates, Hegre, Jones, and Strand (2006) as our measure of democracy. Their Scalar Index of Polities (SIP) is based on executive recruitment, executive constraints, and political participation. This measure avoids a potential endogeneity that exists between the Polity index (Jagers and Gurr 1995) and levels of human rights violations. In particular, the political participation component of the Polity index includes “factional” violence that would also be picked up in the measures of human rights violations we are examining (Gates et al. 2006: 897). The SIP measure avoids this by relying instead on Vanhannen’s (2000) Polyarchy data set to measure political participation based largely on rates of voter turnout. While there is a 0.92 correlation between the two democracy indices within our data set, the divergent cases are telling. For example, Yugoslavia has a Polity coding of 7 for 2000 (on a scale ranging from -10 to 10) while its SIP measure is only 0.22 (on a scale ranging from 0 to 1). We hypothesize that higher level of democracy will be associated with better human rights records (negative coefficients for the PTS variables; positive coefficients for the CIRI variables).

We rely on Gleditsch (2002) for our measures of trade, wealth, and population. Gleditsch uses a variety of methods to interpolate missing data. This allows us to include some cases that might otherwise be dropped from the analysis. We measure accountability to international actors by a country’s trade openness (i.e., total trade over GDP). Gleditsch’s total trade data are

primarily from the International Monetary Fund (IMF 1997) while his GDP data are primarily from the Penn World Tables (Summers and Heston 1991). We hypothesize that greater trade openness will be associated with better human rights records.

We also include control variables for wealth and population. We measure wealth by real GDP (in trillions of dollars). We expect wealthier countries to have better human rights records. We measure population in terms of logged population. We expect more populous countries to have poorer human rights records. Gleditsch's data from each of these variables are primarily from the Penn World Tables.

### **Empirical Analysis**

We found 31 countries with some kind of pro-government militia. The average PTS scores for countries with such groups are 3.87 (using Amnesty International data) and 3.71 (using Department of State data). The average PTS scores for countries *without* such groups are 2.39 and 2.05, respectively. For the nine point (reversed) CIRI Physical Integrity index, the average score for countries with pro-government militias is 1.93 compared to 5.09 for countries without such groups. These differences are all statistically significant. This suggests that the presence of these groups increases the likelihood of human rights abuses. Does this finding hold when controlling for other variables?

For the multivariate analysis we use ordered probit given the ordinal nature of the human rights variables. Table 2 presents the results using the two PTS variables and the aggregate CIRI index as alternative dependent variables. Model 1 uses the Amnesty International PTS variable while Model 2 uses the Department of State version of the PTS as the dependent variable. In each of these models, positive coefficients indicate that higher values of the independent

variables are associated with poorer human rights records according to the PTS. Model 3 uses the aggregate CIRI Physical Integrity Index as the dependent variable; in this model negative coefficients are associated with poorer human rights records.

[Table 2 about here]

The models in Table 2 consistently show that the existence of a pro-government militia is significantly associated with poor human rights records. The same consistent finding is present for low-level civil conflict and civil war. Democracy is consistently and significantly associated with better human rights records.<sup>2</sup> Trade openness produces better human rights records according to the PTS variables but is insignificant in the CIRI model. The control variables are not consistently significant, but they tend in the correct directions.

To assess the substantive significance of our militias variable, we use model estimates to calculate the probability of a poor human rights record for hypothetical countries with and without a militia at different conflict levels, different levels of democracy, and different levels of trade openness (assuming average values of wealth and population). We define a poor human rights record as a 3, 4, or 5 for the PTS and a 0, 1, 2, 3, or 4 for the CIRI Physical Integrity Rights index. (We selected the CIRI cut off to represent approximately the same percentage of cases as the PTS cut off.)

The hypothetical average country does not have a pro-government militia, does not have civil conflict, is moderately democratic (having a SIP score of 0.59), and has trade openness of less than 0.04. Such a country is not expected to have a poor human rights record, having

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<sup>2</sup> We also estimated all three models with the 21-point Polity IV democracy measure in place of the SIP measure of democracy. The only difference worth mentioning is that trade openness is significant at the 0.10 level in Model 3.

between a 33% to 42% chance of having a poor human rights record.<sup>3</sup> Changing this country in just the single way of having a pro-government militia increases its chance of having a poor human rights record by an average of thirty percentage points, depending on the model. The existence of a pro-government militia clearly has a deleterious effect on the country's citizens.

However, we do not claim that this is the only or even the largest effect. Returning to the average country and forcing it to endure low-level conflict increases its chance of having a poor human rights record by an average of 43 percentage points (ranging between 79% and 81%). Our otherwise average country engaged in a civil war has a chance of a poor human rights record of between 88% and 97%.

Our regime and international economic accountability variables—democracy and trade openness—also have large effects. An otherwise average country with the least domestically accountable governments (of the likes of Cuba and North Korea) increases its chances of having a poor human rights record by an average of 38 percentage points. Conversely, shifting to the other end of domestic accountability (countries such as Sweden and the United Kingdom), the chance of a poor human rights record decreases by an average of 21 percentage points.

Similarly, international accountability measured through trade openness also has a noticeable effect for the PTS dependent variable. While shifting the average country to having the lowest trade openness does not have a large effect (only an increase in the chance of a poor human rights record of an average of six percentage points), this is because average trade openness is already very low. Shifting the average country to have the highest trade openness decreases the chance of having a poor human rights record by an average of thirty percentage

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<sup>3</sup> The low estimate is from Model 2. The estimate from Model 3 is a 35% chance of a poor human rights record.

points. This is the same magnitude as the change introduced by having a pro-government militia.

These average effects suggest that the overall story of accountability and evading accountability capture much of the dynamics of having a good or bad human rights record. To assess this further, we examined the joint additive effects of the lowest, average, and highest levels of domestic and international accountability while also examining the effects of a pro-government militia and differing levels of conflict. The effects from the three models in Table 2 are generally comparable. In Figure 1, we show the effects using the estimates from Model 2 (using the Department of State PTS scores) as they are less dramatic than those from the other models.

[Figure 1 about here]

These estimated effects demonstrate several main points. First, countries with low regime and international accountability, defined as having a democracy score of zero and trade openness of zero, are quite likely to have poor human rights records. Second, countries with average accountability and no civil conflict are not likely to have poor human rights records if they do not have a pro-government militia but are likely to have a poor human rights record if they do have a pro-government militia. Third, any level of conflict in countries with average accountability implies a high likelihood of having a poor human rights record. Fourth, countries with high accountability are not generally likely to have poor human rights records. However, this positive effect is offset if a high-accountability country has the twin curse of civil war and a pro-government militia. Thus, for countries with average or high accountability, the existence of a pro-government militia can have substantively important effects that cross the fifty-percent threshold.

We now turn our attention to the CIRI component indices to see how our militias variable affects different types of physical integrity rights. Table 3 reports ordinal probit estimation results for the same set of independent variables but using each of the CIRI component indices as dependent variables. Recall that each of these variables is a three-point scale in which low values indicates a poor human rights record for a country.

[Table 3 about here]

The analyses in this table show that the existence of a militia makes several types of human rights worse, but not all. Countries with a pro-government militia are significantly more likely to have poor human rights records in the areas of disappearances, extrajudicial killings, and torture. In the area of political imprisonment, however, having a militia has no significant effect. This bolsters our argument concerning the role of militias in engaging in repression. In areas where there is naturally a high degree of state control, the government may indeed engage in a wide variety of behaviour, but unregulated militias would not be expected to play a role. Outside such areas, militias have a freer hand and more directly contribute a country's human rights record.

Low-level conflict or civil war have the expected effect on disappearances and extrajudicial killings, though civil war is only significant at the 0.10 level for extrajudicial killings. Neither conflict variable has a significant effect on the level of torture, and low-level conflict has a significant effect on political imprisonment only at the 0.10 level. Our measure of democracy has a consistent significant effect across the different areas of human rights examined

here.<sup>4</sup> Trade openness, which has no significant effect on the aggregate CIRI index of Model 3, has a significant effect in the predicted direction on torture (at the 0.05 level) and on extrajudicial killings (at the 0.10 level). The control variables behave as expected.

When we examine the average effects, while militias substantially increase the chances of both extrajudicial killings and disappearances, it is in the area of torture that the effects of militias are most pronounced. Using outcome zero of the torture variable as a “poor” human rights record (approximately 48 percent of the cases), the presence of a militia increases the probability of a poor human rights record from between 34 to 36 percentage points, depending on conflict level. Once again, however, countries with high domestic and international accountability are not predicted to have a poor human rights record in this area. Democracy by itself can reduce the chance of a poor human rights record by 31 percentage points (from minimum to maximum values of democracy). The effect of trade openness by itself is 43 percentage points by the same reckoning.

## **Discussion**

Our central argument concerns accountability. Earlier research addresses this issue by examining whether the formal institutional mechanisms of regime accountability and international economic accountability are present. In general, the more democratic a government is and the more open to international influences a government is, the more accountable it is. Specifically, attention has been directed at the strong finding that democracy tends to reduce violations. The other findings, such as the likelihood of negative aid or trade consequences

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<sup>4</sup> The analysis using the Polity IV measure produces the same results with the following differences. In Model 4, democracy is no longer significant. In Model 5, trade openness becomes significant at the 0.05 level. In Model 7, low-level armed conflict is significant at the 0.05 level.

attached to human rights violations also reinforce the attention to the issue of accountability.

Here we aim to develop the logic of accountability as it concerns policy implementation and the incentives and opportunities governments have to evade accountability.

On a theoretical level, we move beyond the regime and international economic representation of accountability found in the standard model and focus on the choice of agents and the use of non-state actors as a problem of control and as a device to evade accountability. If these sorts of agents and organizations are present then there are more likely to be severe control problems stemming from the familiar characteristics of principal-agent logic including goal variance, information asymmetry and adverse selection. But it is not merely a question of governments being less able to control these agents within these organizations. It is a question of governments being tempted not to control. In short, we approach the issue of accountability from the opposite direction to the earlier research and instead of examining the mechanisms of accountability that are in place we examine what opportunities there are for evading accountability, and whether it is possible for governments to make use of informal organizations of violence. There is a long history of case examples of this practice, from Henry II's use of four French knights to rid himself of a threat in the form of the Archbishop of Canterbury to the more contemporary uses of Contras and others. But there is no systematic analysis. On an empirical level, while there are data collection challenges and we only have data for one year, we provide a systematic test of the effects of the presence of militias and other informal armed groups on the levels of human rights violations, while controlling for the mechanisms of accountability, for levels of conflict and the other factors that are generally found influential in earlier research. The findings of this research suggests that the presence of these groups adds substantially to the likelihood of human rights violations, whether or not there are formal mechanisms of

accountability in place. The immediate step for further research is the cumulation of results from additional years of data, a project that is likely complementary with the aims of data collection in the area of conflict studies as these non-state actors have implications for the duration and nature of conflict.

Scholars have examined the positive contributions of non-state actors to improving human rights conditions (Hafner-Burton and Tsutsui 2005; Keck and Sikkink 1998). Here the focus is on the dark side of non-state actors. With additional data and analysis adding confidence to these findings, the policy implications for those concerned to improve the protection of human rights is first to reduce the temptation to exploit non-state violence (see Thompson 1994) and to treat the government denials of responsibility with scepticism. In the increasingly detailed attention that human rights conditions are receiving in trade agreements, with, for example, the International Trade Committee of the European Parliament insisting that non-governmental organizations and the International Committee of the Red Cross are free to operate in EU trade partners (Human Rights Watch 2006; see Hafner-Burton 2005), it is equally plausible to insist that governments dismantle those non-state organizations that violate human rights. As long as these organizations exist, the implication is to hold government leaders responsible for the actions of these groups. This responsibility exists in international law as the doctrine of command responsibility. The indictment of Slobodan Milosovic included his command responsibility for Arkan's Tigers (see also Burnett 1985). While our findings support the emphasis in earlier research on establishing the formal mechanisms of accountability and development and international trade, we focus on a factor that is likely to be more amenable to immediate interventions.

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	Pro-Government Militia		Total
	No	Yes	
No armed conflict	130	13	143
Low-level armed conflict	16	8	24
Civil War	1	10	11
Total	147	31	178

Table 1. Level of Conflict and Presence of a Pro-Government Militia

	(1)		(2)		(3)	
	PTS (Amnesty)		PTS (State Dept.)		CIRI (aggregate)	
Pro-government militia	0.89	0.002	0.72	0.013	-0.74	0.010
	(0.29)		(0.29)		(0.28)	
Low-level armed conflict	1.00	0.003	1.33	0.000	-1.23	0.000
	(0.33)		(0.35)		(0.33)	
Civil war	1.88	0.000	2.38	0.000	-1.55	0.001
	(0.48)		(0.52)		(0.45)	
Democracy	-1.22	0.000	-2.05	0.000	1.94	0.000
	(0.30)		(0.30)		(0.29)	
Trade openness	-5.06	0.036	-5.55	0.029	3.07	0.177
	(2.41)		(2.53)		(2.28)	
Real GDP (trillions)	-0.20	0.144	-0.51	0.018	0.42	0.000
	(0.14)		(0.21)		(0.11)	
Population (logged)	0.14	0.101	0.29	0.001	-0.47	0.000
	0.09		0.09		0.08	
Cutpoint 1	0.24		2.42		-9.40	
	(1.39)		(1.40)		(1.36)	
Cutpoint 2	1.53		3.61		-8.59	
	(1.40)		(1.41)		(1.35)	
Cutpoint 3	2.89		5.18		-7.82	
	(1.41)		(1.44)		(1.32)	
Cutpoint 4	4.19		6.54		-7.44	
	(1.43)		(1.48)		(1.31)	
Cutpoint 5					-6.64	
					(1.29)	
Cutpoint 6					-6.13	
					(1.28)	
Cutpoint 7					-5.32	
					(1.26)	
Cutpoint 8					-4.32	
					(1.25)	
N	135		154		149	
LR $\chi^2(7)$	96.96		150.65		152.18	
Prob > $\chi^2$	0.000		0.000		0.000	
Pseudo R <sup>2</sup>	0.24		0.33		0.24	
Log likelihood	-151.91		-154.20		-241.33	

Table 2. Ordinal Probit Results on Aggregate Human Rights Indicators

	(4)		(5)		(6)		(7)	
	Disappearances		Extrajudicial Killings		Torture		Political Imprisonment	
Pro-government militia	-0.79 (0.32)	0.014	-0.85 (0.35)	0.016	-0.95 (0.41)	0.019	0.01 (0.33)	0.984
Low-level armed conflict	-0.99 (0.36)	0.006	-1.92 (0.50)	0.000	-0.22 (0.42)	0.605	-0.73 (0.38)	0.056
Civil war	-1.88 (0.53)	0.000	-1.20 (0.62)	0.052	0.00 (0.65)	0.996	-0.79 (0.52)	0.127
Democracy	0.80 (0.39)	0.040	0.92 (0.31)	0.004	0.83 (0.32)	0.009	2.68 (0.36)	0.000
Trade openness	-3.73 (3.11)	0.230	5.36 (3.05)	0.079	5.47 (2.52)	0.030	-1.15 (2.61)	0.659
Real GDP (trillions)	1.57 (0.52)	0.002	0.60 (0.24)	0.011	0.28 (0.13)	0.030	0.43 (0.26)	0.096
Population (logged)	-0.55 0.14	0.000	-0.41 0.10	0.000	-0.40 0.09	0.000	-0.48 0.11	0.000
Cutpoint 1	-10.73 (2.41)		-7.14 (1.71)		-5.94 (1.50)		-7.00 (1.81)	
Cutpoint 2	-9.22 (2.36)		-5.74 (1.66)		-4.14 (1.46)		-5.82 (1.79)	
N	149		149		149		149	
LR $\chi^2(7)$	87.64		102.56		62.24		104.90	
Prob > $\chi^2$	0.000		0.000		0.000		0.000	
Pseudo R <sup>2</sup>	0.37		0.32		0.22		0.33	
Log likelihood	-74.50		-109.46		-110.18		-108.11	

Table 3. Ordinal Probit Results on Component Human Rights Indicators

Appendix. Countries having a Pro-Government Militia in 2000

Algeria  
Angola  
Brazil  
Burundi  
Cambodia  
Colombia  
Congo (DRC)  
Cote d'Ivoire  
Georgia  
Haiti  
Honduras  
India  
Indonesia  
Iran  
Laos  
Lebanon  
Liberia  
Mexico  
Myanmar (Burma)  
Philippines  
Russia  
Rwanda  
Sierra Leone  
Solomon Islands  
Sri Lanka  
Sudan  
Tajikistan  
Turkey  
Uganda  
Yugoslavia  
Zimbabwe

Figure 1. Average Effects on PTS (State Dept.)

