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Deconstructing civil wars: Beyond the new wars debate

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Abstract

The identification of intra-national armed conflict as a leading problem for the international community in the 1990s produced a wave of novel research into civil wars. Though these new civil war studies soon began to claim a degree of consensus on several key questions, the very concept and ontology of civil war has been implicitly and explicitly contested. An examination of the politics of naming civil wars likewise reveals the extent to which varying and sometimes conflicting definitions of civil war are still in circulation among various observer types. Instead of adjudicating these disputed definitions of civil war, this article details the way in which particular conceptions of civil war produce their object of analysis. The recent Algerian conflict stands as an excellent case study in the politics of naming civil wars and the ways in which the conceptual frameworks of the new civil war studies make Algeria into a civil war. To go beyond the contested definition of civil war, the new civil war studies should not judge the viability of concepts of mass armed violence – whether civil war or so-called new wars – on their alleged coherence with particular representations of history. Concepts of mass violence should instead be judged in relation to the political goals from which they obtain their warrant in the first place.

Introduction

The identification of intra-national armed conflict as a leading problem for the international community in the 1990s produced a wave of novel research into civil wars. As one study noted, nearly a quarter of UN member-states were experiencing significant internal armed conflict in 1994. Yet, the 1990s were not unique in terms of their level of civil war activity. While there was an upsurge in the outbreaks of such conflicts at the end of the Cold War, their number had been steadily increasing for decades (Fearon, 2004: 275–6; Hegre, 2004). Internal armed conflict had become not only the predominant mode of warfare since the Second World War (by as much as three to one), but also the most deadly. The number of people who had died in intra-state wars since the Second World War was estimated to be five times higher than the number who had died in

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inter-state wars: 20 million deaths, together with an estimated 67 million refugees (Collier and Sambanis, 2005: xiii). These conflicts were problematized not only in terms of their cost to human life, but also in terms of their specific and evolving characteristics. For example, the average dura-tion of internal conflicts far outstripped that of international wars, and it was increasing (Fearon and Laitin, 2003: 75; Hironaka, 2005). For the World Bank, one of the main benefactors and beneficiaries of these new civil war studies, mass intra-national armed violence had become a significant problem for development (Stern, 2002; see also Collier and Sambanis, 2002: 3).

The conclusion that civil wars pose a serious challenge for the international community has been reached despite the lack of consensus within the recent literature as to what exactly consti-tutes a civil war. The ontology of civil wars has even been contested through the suggestion that recent episodes of mass armed violence are actually an entirely new species of war. Where the new civil war studies have treated their object of study as theoretically and empirically unproblematic, one of the literature's most paradigmatic cases, that of Algeria in the 1990s, suggests that this is not always the case. Not only did participants and bystanders in the Algerian conflict variously use or reject the label civil war, international observers – journalists, politicians, activists and academic experts – also disputed its usage. This contestation, first, highlights the deep politics involved in the naming of civil wars, which goes virtually unrecognized in the new civil war literature. Second, it underscores the disparate conceptual frameworks of civil war still in circulation among various types of observers. Instead of offering reasons to favour one conceptual framework over another, whether established civil war theories on one hand or the more recent war theories on the other, this article examines the way in which such frameworks produce their object of analysis. Through an examination of the politics of naming the civil war in Algeria and the ambiguities of its space, time, identity and practice, the article aims to shift the terrain of the civil war/new wars debate from history to politics.

The new civil war studies

Not long into its prolific and influential career,[1] the new school of civil war studies began to claim that there existed a degree of 'consensus' (Lacina, 2004) among the various models used to deter-mine the trigger causes, sustaining conditions and intensifying factors of civil wars. Surprisingly, however, this consensus has been achieved without the use of a consistent conception of civil war. One of the most visible effects of the use of varying criteria to identify and measure civil wars has been the production of significantly different lists of civil wars. According to one survey, the pro-posed number of civil wars between 1960 and 1993 ranges from 58 to 116 depending on the criteria followed (Sambanis, 2004: 835). The first of the new civil war studies in the late 1990s (e.g. Collier and Hoeffler, 1998) relied almost exclusively upon pre-existing data and research, wherein the four basic criteria of a civil war are (1) internal military action, (2) at least one thousand battle deaths, (3) the involvement of the national government, and (4) the ability of participants to inflict casual-ties on opponents. Additionally, it is assumed that civil wars can only happen within internationally recognized sovereign states that have a minimum population of at least half a million persons (see Singer and Small, 1994; Sarkees, 2000: 129). Despite the simplicity of these criteria, the boundar-ies of civil wars in space, time, identity and practice remain subject to debate within the literature. The justifications for accepting or rejecting these rules are worth examining, because they are key to the argument presented in this article.

In terms of space, the new civil war literature lacks agreement on what kinds of territories – from internationally recognized sovereign states to non-self-governing territories – can host a

civil war. The classification of historical and contemporary wars in former European colonies and disputed territories is one aspect of the debate on this issue. Suggestions for the adoption of a special yet contentious category for such wars, such as 'extra-systemic' (i.e. outside the international system of states) or 'extra-state' (i.e. outside the state's territory but not an international war), have represented an attempt to find a third way between claims that these are either international or civil wars. One study, however, was not convinced and classified extra-systemic wars as civil wars (Fearon and Laitin, 2003: 76). Another spatial concern, less frequently voiced but nonetheless pertinent, is the tipping point of internationalization. That is, the extent to which foreign aid can be rendered to participants, the extent to which foreign fighters can join the fray, or the extent to which violence must be territorially contained before war passes into the international category (see Gleditsch, 2007). A third spatial consideration is the extent to which the territory in question must be internally divided. Some 'conventional' (Licklider, 1993: 9) definitions hold that civil war is an armed conflict between at least two sovereign entities within the same territorial state, a form of conventional and symmetrical armed conflict between rivals possessing relatively equivalent degrees of political, military, social and geographical organization. Though this conception has mostly been displaced to accommodate more asymmetrical forms of civil war, territorial division is nonetheless considered key to understanding civil wars (see, for example, Kalyvas, 2006: 17). Others, however, implicitly defer such questions of internal geography to organizational capacity.

Indeed, questions of space are closely linked to questions of political identity and practice in the new civil war literature. For some, the direct involvement of agents of the sovereign state, or some kind of governmental authority claiming control over the territory of contestation, is considered a necessary condition. For others, this requirement is too strict, and it is suggested that what is necessary is only that a civil war takes place within a sovereign state. Disagreement also exists over the necessary level of institutional and ideological coherence exhibited by opposition forces. While it is often assumed that state actors belong to a sizeable organization with an intelligible, publicly articulated political agenda, there is no agreement as to whether this should also be the case with armed opposition groups. Given the fact that asymmetry is now built into many definitions of civil war, minimum organizational benchmarks for the armed opposition – political, military and geographical – are warranted for obvious reasons.[2] A highly constrained definition asserts that the participants in a civil war must be militarily organized before the fighting even starts (Licklider, 1993: 9), though the ability to engage in 'military action' and to inflict casualties on one or more opponents apparently stands as a proxy for sufficient organizational capacity (see, for example, Sarkees, 2000: 129).

In terms of practice, the new civil war literature has focused on the intensity and context of organized killing in armed conflicts. Determining the correct intensity threshold, however, has proven to be just as difficult as defining other aspects of civil wars. Within the same long-term study, the minimum battle-death threshold for a civil war has been given both as one thousand deaths per conflict year (Small and Singer, 1982: 210; Sarkees, 2000: 126) and as one thousand deaths per conflict (Singer and Small, 1994). One argument holds that the per annum criteria is more reflective of the requirement that civil wars necessarily involve 'large scale violence' (Licklider, 1995: 682). Another argument, however, holds that the one thousand battle deaths rule has to be significantly 'relaxed' to a lower threshold – 200 per conflict – to accommodate other intuitive cases of civil war (Regan, 2000: 20). Yet, even when higher thresholds were maintained, some lower-intensity conflicts were added to civil war lists on an ad hoc basis (noted in Gleditsch et al., 2002: 617). In response to objections that battle deaths do not measure the true cost of war,

fatalities are presented as simply the most practical and effective means of measuring the overall devastation caused by civil war (Sambanis, 2004: 820). Even with that stipulation, serious concerns remain.[3]

As much as the level of violence, the context of killing in civil wars is also an important consideration that lacks consensus. While there is agreement that wars need to be distinguished from sustained episodes of one-sided violence like genocides or massive use of terrorism by state or non-state actors (hence, effective resistance criteria), loaded concepts such as 'military action' or 'battle deaths' are rarely explicated. One of the few attempts to sketch such criteria proposes a principle of immediate violent resistance: a combat situation obtains if an act of violence *could* be met with counter-violence (Lacina and Gleditsch, 2005: 150–1). Another study, however, allows insurgent violence directed at civilians to count as resistance against the state, though state violence against civilians is not registered as possible insurgent casualties (Fearon, 2004: 278).[4]

Lastly, determining the temporal boundaries of a civil war is perhaps the most neglected aspect of defining such wars, despite the fact that duration has been an important research topic in the new literature (see, for example, Elbadawi and Sambanis, 2000; Collier et al., 2004; Fearon, 2004; Hegre, 2004). It seems to be assumed that either political developments or levels of violence will offer clear signposts for identifying discrete episodes of civil war. Yet, patterns of violence and political events do not always cooperate: peace treaties are signed but violence does not come to an end – and vice versa. Grappling with this ambiguity, the most comprehensive effort to collate and refine the various civil war definitions circulating in the literature lists a total of eleven civil war criteria, seven dealing primarily with setting temporal boundaries (Sambanis, 2004: 829–31).

At this point, it should be noted that there is even a lack of consensus within the literature regarding the ontological status of civil wars. While the line between civil wars and less-violent armed conflicts is strictly enforced in some cases (e.g. Gleditsch et al., 2002), others use civil war interchangeably with an array of terms deemed synonymous with intra-territorial armed conflict (e.g. Regan, 1996: 338). The possibility that such terms as civil war are not 'sacrosanct' and could be abandoned if a better taxonomy is developed is at least recognized in one study (Henderson and Singer, 2002: 187). A model's explanatory capacity, after all, does not necessarily require perfect correspondence with the most dominant or prevailing representations of reality (Kuhn, 1996: 68). This, however, does not address the problem of reification, whether reification takes place in the context of established vocabularies or in the most provisional of operational assumptions. In other instances, civil wars are considered knowable, whether analytically or synthetically, as a distinct phenomenon given human intuition and civil wars' shared transcendent essential properties (e.g. Kalyvas, 2006: 17). In one instance, the tension between using civil wars as an 'operational definition' (pragmatic assumption) and the assertion that 'civil wars are different from other violence' (ontological claim) is never resolved (Sambanis, 2004: 815).

Given the incoherence in these various conceptualizations of civil war, it is not surprising that an insurgent discourse has emerged. Growing out of the same international political milieu that witnessed a spike in armed conflicts in the 1990s, a group of scholars began to lay claim to a new ontology of war.[5] While the 'new wars' thinking seemed to offer a number of resources to help scholars, activists and policymakers work through the problems of representing and addressing mass armed violence, it has gained little traction among the new school of civil war studies. Instead of provoking a policy debate as intended (Kaldor, 2005: 10), the new wars thesis has mostly prompted a theoretical debate about whether (civil) war has changed in such a fundamental way as to warrant a conceptual reformulation (Kalyvas, 2001; Henderson and Singer, 2002; Newman, 2004; Duyvesteyn and Angstrom, 2005). The irony of most critiques of the new wars thesis is that

they rest upon the assumption that categories such as civil war are conceptually coherent across the literature, which, as this article has already demonstrated, is clearly not the case. The irony of the new wars thesis is that, in its efforts to destabilize some of the basic oppositions of 'old wars' thinking (inter-/intra-national, civilian/combatant, battle/massacre), it has laid the groundwork for a self-critique of its own proposed ontology.[6] The civil war/new wars impasse can be bypassed, but first we need to recognize the debilitating political and theoretical shortcomings of the new civil war literature.

The politics of naming civil wars

Although the new school of civil war studies has not been able to obtain a consensus definition of civil war, it has never doubted that Algeria experienced a civil war in the 1990s. Nevertheless, a survey of the domestic and international discourse of the conflict shows that the term civil war was often treated as a problematic description of what was happening in Algeria. The fact that the term civil war had become politicized within the political discourse of the Algerian conflict is perhaps not surprising. Where rebels often embrace the moniker civil war (war as legitimate violence), governments tend to deny the legitimacy of insurgent violence by labelling insurgents terrorists (Kalyvas, 2006: 17). To some degree, this observation fits with the Algerian case, especially the way in which the Algerian regime framed the conflict throughout the 1990s.[7] A change of tone seemingly occurred in 1999, when President Abdelaziz Bouteflika became the first Algerian leader to use the term civil war (BBC Worldwide Monitoring, 1999). However, this was more the exception than the rule. Official Algerian documents, such as the 2005 *Charte pour la paix et la réconciliation nationale* (Charter for Peace and National Reconciliation), use euphemisms such as 'national tragedy'. Members of Algeria's civil society and opposition convey just as much contention and hesitancy in their deployment or exclusion of the term civil war.[8] However, the Islamic Salvation Front (FIS) never seemed to embrace the term civil war wholeheartedly, perhaps out of a preference for an Islamic vocabulary of *jihād* (Moussaoui, 2006: 436). Even when it seemed that the violence in Algeria could not get any worse, in early 1997 an exiled FIS leader, Kamar Edienne Kherbane, was still reluctant to say that the conflict had crossed into civil war (Dennis, 1997).

The international politics of naming the Algerian conflict somewhat mirrored its domestic variant, though the opinions of foreign governments were often mixed. In December 1993, French Minister of Defence François Léotard spoke openly of the 'the ongoing civil war in Algeria' (cited in Charmelot, 1993). By early 1994, France's President François Mitterrand saw Algeria as being in 'the beginnings of a civil war' (cited in Towers, 1994), but described the situation several months later as unambiguously a civil war (*Le Monde*, 1994). Bruce Riedel, then deputy assistant secretary of defense, cautioned the US Congress in 1995 that the Algerian situation could descend into 'full-scale civil war' (cited in Lippman, 1995). A 1996 report commissioned by the US Army described Algeria as in a state of both 'virtual civil war' and 'ongoing civil war' (Fuller, 1996: x, 64). Yet, during the years 1997 and 1998, widely considered the most violent of the conflict, the situation in Algeria was never referred to as a civil war during the US State Department's daily press briefings, neither by the department's spokespersons nor by the journalists in attendance.

It is perhaps easy to dismiss, as an effect of domestic Algerian 'semantic contestation' (Kalyvas, 2006: 17), the qualified, inconsistent or possibly hypocritical use of the term civil war by the international gallery surrounding the Algerian drama. Less easy to dismiss are the arguments put forward by acknowledged area experts and country specialists who reject the term civil war in the case of the Algerian conflict. Many academic – along with media and activist – accounts of the

conflict deployed the term civil war without so much as a second thought, though some authors did express ambivalence. The most forceful rejection of the label civil war, in the case of Algeria, has come from Hugh Roberts (1999: 391). Roberts is unwilling to apply the term civil war for several reasons, namely, the ideological and organizational incoherence of the insurgency, its failure to rally to its cause large swaths of Algerian society (i.e. the millions of FIS voters), and its failure to establish any significant territorial purchase. Other Algeria experts have agreed. Willis (1997: 376), Quandt (1998: 162) and Ruedy (2005: 257) anticipated or mirrored some of the aspects of Roberts' critique; Moussaoui (2006: 436–7), Evans and Phillips (2008: 225) and Darbouche and Zoubir (2009: 22) have since endorsed it.

This disparity between the new civil war studies (which see Algeria as an unambiguous case of civil war) and these Algeria experts can be explained by the definitions of civil war used or implied in either case. The Algeria experts seem to have in mind (Roberts [1999: 391] is actually quite explicit on this point) a more 'traditional' – for lack of a better term – conception of civil war. To dismiss alternative definitions as simply misguided or partisan – a mere 'spill over effect' (Kalyvas, 2006: 17) of the politics of naming practised by civil war participants – is not only a weak agreement to justify something that must be assumed *a priori*: it is also to engage in a different kind of politics of naming with a logic not unlike the one that has been rejected. In other words, the attitude of the new school of civil war studies seems to be this: There is one meaning of civil war whether you like it or not. We are right, everyone else is wrong. But, as Roberts (1999: 391) argues, 'Of course observers are free to describe the violence in Algeria as a civil war if they really want to. But, unless their purpose is to irritate Algiers by subverting its propaganda, what is to be gained from doing so?' Here we have a similar 'whether you like it or not' sentiment, in that using the term civil war has political effects regardless of scientific intent. The political effects of naming (regardless of intent) are a widely recognized facet of other contentious violence-related concepts like genocide (Mamdani, 2007) and terrorism (Bhatia, 2005), yet it remains unacknowledged in recent civil war studies. On top of this, it is difficult not to detect patronizing overtones in such speech acts as redesignating the names of conflicts: the connotation that social scientists working in wealthy institutions know better than the participants and victims of an armed conflict how to describe and think about what is happening.[9] In this way, the most objective and neutral academic observers of civil wars are implicated in a series of practices that can be deeply political in their consequences – not just in terms of playing into or rejecting the discourse of a conflict's participants, but also in terms of shaping international attitudes and responses, marshalling or thwarting the diplomatic, financial and intellectual resources of the international community, and (re)writing history.

Reading mass violence

The case of Algeria is interesting not only because it underscores the politics of naming civil wars, but also because it illustrates some of the ways in which the discourse of the new civil war studies makes possible their object of analysis. To paraphrase Judith Butler (2006: 34), there is no civil war behind expressions of civil war. Civil war is performatively constituted by the very expressions that are said to be its results.

Here, a pre-emptory note is in order: Algeria is not being used in this article as a case study to advance an alternative vision of armed conflicts as inherently ambiguous. The various ambiguities of space, time, identity and practice in the Algerian conflict arise not out of a situation that is ultimately indeterminate, but rather from the observation that competing frameworks produce divergent readings. Indeed, a cursory examination of the still profoundly contested representations of

the violence in the Algeria conflict reveals the extent to which the array of discordant theoretical frameworks of the new civil war studies shapes such crucial boundaries as time, space, identity and practice into a particular 'imaginative geography' (Said, 1994: 49) of the Algerian conflict.

Time

Determining the beginning of a conflict is an important aspect in the analysis of civil wars. It is not only necessary for several points of comparison across cases, but also determines the peace/war boundary that makes causal analysis possible. What comes before could be causative; what comes after is effect. Within the new civil war studies, the start date of the Algerian conflict is often presented as simply 1992 (see, for example, Fearon and Laitin, 2003; Sambanis, 2004). One study (Sarkees, 2000) gives the precise date of 7 February 1992, though there is no significant event, apart from ongoing deadly clashes between demonstrators and security forces, that might account for this. Another study (Collier and Hoeffler, 2004) proposes May 1991 as the start date, which coincides with *calls* made by the FIS for a general strike that would result in some casualties the following month. However, none of the widely recognized triggers had yet to take place as early as May 1991, such as the arrest of the FIS leadership in June that year, the mysterious attack on a military outpost near Guemar at the end of November 1991, the dramatic events of January 1992 (the resignation of President Chadli Bendjedid, the institution of a military-dominated junta and the annulment of FIS electoral victories), or the proscription of the FIS in February 1992 followed by the imprisonment of thousands, if not tens of thousands, of suspected Islamist activists in the Sahara.[10]

Using levels of violence to determine the start of the conflict is equally problematic. For example, the Correlates of War (COW) project has been criticized (Sambanis, 2004: 818) for suggesting that fewer than one thousand Algerians died in 1992. Algeria did not register in the COW list of civil wars as of 1992 (Singer and Small, 1994), but was in its list as of 1997 (Sarkees, 2000). None of the available estimates at the end of 1992 and in early 1993, however, claim more than 600 total casualties during the year following President Bendjedid's resignation (BBC Summary of World Broadcasts, 1993a; *Guardian*, 1992; *Associated Press*, 1993a; Amnesty International, 1993: 1), nor was the conflict listed in the SIPRI (1993) yearbook covering 1992. Only by mid-1993 were foreign news agencies reporting more than 1,000 fatalities (an *Associated Press* [1993b] report claimed 1,200 killed; a report by *Agence France Press* [1993] claimed 2,000 killed).[11] The extent to which these were actual combat deaths is not specified in the sources, yet this does not stop the new civil war studies from representing them as such.

Determining the end date of the Algerian conflict is even more fraught with difficulty. Part of the problem is the lack of any political event to mark the end. The Algerian government has adopted two programmes to encourage insurgent demobilization through amnesty and stipends (the 1999 *Concorde civile*) while immunizing state agents from future prosecution (the 2005 *Charte*). Neither of these, however, could be considered a peace treaty, as they have been unilaterally implemented and utterly failed to stop the violence. The conflict's only formal truce was declared in September 1997, when the Armed Islamic Group (the military wing of the FIS) announced a unilateral ceasefire and was soon joined by other armed opposition groups. Yet, this had no visible effect upon the levels of violence or the willingness of armed groups to slaughter civilians. Indeed, fatality rates are just as unhelpful as looking at the changing political landscape. Only one study within the literature (Lacina and Gleditsch, 2005) is current enough to venture an end date to the violence that erupted in 1991–2. Here, the year 2002 is proposed on the basis of an alleged drop in the level of violence below one thousand deaths in that year. Yet, the authors' figure of 150–350 casualties is

far below the 1,500 claimed by Human Rights Watch or the 1,386 reported by the US State Department. The ambiguity of time in the Algerian conflict – when did it start? when did it end? – highlights one of the ways in which the Algerian conflict can only become a discrete civil war if we apply a conceptual framework that renders it as such. The beginning and the end of the conflict do not decide themselves, but must be determined by observers' assumptions.

Space

The external spatial aspect of determining the Algerian civil war is perhaps the least contested element of the conflict, in that extraterritorial acts of violence were negligible (e.g. bombings in France and Morocco tied to Algeria). It is almost by virtue of this quality alone – the overwhelming intra-territoriality of the violence – that Algeria ranked as a civil war for many international observers. Ambiguities begin to emerge within accounts of the Algerian conflict in relation to the extent to which internal territorial division either had an important function in the violence or was even significantly present. Most contemporary definitions of civil war only consider the external territorial aspect of civil wars (i.e. the international legal status of the territory in question) and no longer take seriously the condition that a civil war requires the presence of at least two sovereign-like entities vying intra-territorially for control of the same state. For others (e.g. Kalyvas, 2006: 17), the implied division of sovereignty in civil wars is nonetheless 'a key intuition' into the essence of a civil war. Likewise, the most significant field-based study of the Algerian conflict (Martinez, 1998: 12–13) sees the use of armed force to control territory as key to understanding the situation as one of civil war. However, the case study in this instance – suburban and semi-rural areas of Algiers – is arguably an extraordinary instance of insurgent control that was matched nowhere else in 1990s Algeria (Roberts, 1999: 391).[12] This critique could be extended to one of the most influential attempts to explain the massacres in the Algerian conflict (Kalyvas, 1999). Kalyvas aims to provide a spatially informed hypothesis for over 80 massacre episodes occurring in over 15 Algerian provinces. However, his data refer overwhelmingly to two of the most extraordinarily lethal and internationally publicized massacres, those in Raïs (28–29 August 1997) and Bentalha (22–23 September 1997), which were separated by less than ten kilometres and occurred in the same milieu as that studied by Martinez (1998/2000). Here the same geographical concern – exceptional rather than exemplary – applies. Additionally, these areas around Algiers could be equally described as having been (strategically) abandoned and deliberately isolated by the state as much as actively controlled by insurgents (Martinez, 2000: 150–1). Like Roberts, Stora (2001: 59–60) described the conflict in Algeria as one that lacked clear fighting fronts (*guerre sans front*). And, yet, this does not go far enough to underscore the spatial fluidity of the Algerian conflict, in that space could belong to any number of armed actor groups (security forces, insurgents, pro-government militias, criminal gangs, business interests, etc.) not exclusively but simultaneously.

Practice

According to the new civil war studies, mass intra-territorial armed violence can be properly interpreted as civil war if a certain number of combat or battle deaths are registered. In this way, it is not the just the practice of (deadly) violence that matters but also the context of killing and the identity of those involved, victim and perpetrator alike. As noted above, battle and combat have different interpretations within the new civil war studies, especially the extent to which non-combatants, non-resisting combatants and indirect fatalities can be counted towards combat-death thresholds.

In the case of Algeria, most fatality statistics used by the new civil war studies are simply assumed to be accurate and to represent combat deaths (see Weinstein, 2007: 316). Yet, the wide disparity and gross imprecision of the available figures does not justify such certainty in either case. Almost all casualty figures for the Algerian conflict have exhibited extremely low numerical and demographic resolution, not just in terms of the most basic indicators (age, gender, geographical distribution) but, more importantly, in terms of the victim populations that are fundamental to determining a state of civil war (civilian, insurgents and government forces). Only in the first two years of the conflict did international human rights groups, press outlets and conflict-monitoring organizations attempt to provide figures for civilian, insurgent and government losses (Amnesty International, 1993: 1; Human Rights Watch, 1992, 1994). But, by 1995, estimates almost always appeared as aggregate casualties in increments of ten thousand (Amnesty International, 1994: 1; Human Rights Watch, 1994, 1996, 1997).[13]

By 2006, the Algerian government had suggested that as many as 150,000–200,000 Algerians had died in the conflict since 1992. This contradicted a 2002 Algerian military estimate of 37,000 and doubled the figure of 100,000 that was endorsed by President Bouteflika during his first months in office. Since 1999, several studies have taken the figure of 100,000 and interpolated averages back to 1992 (e.g. Lowi, 2005: 239; International Crisis Group, 2000: i) or manipulated other data sources to hit this mark (Lacina and Gleditsch, 2005). Yet, there is no justification for accepting 100,000 over 37,000, 200,000 or any other figure, as all available numbers are estimates and conjecture that cannot be independently verified. Throughout the conflict, human rights groups frequently complained that obtaining basic and reliable figures relating to civilian, insurgent and government casualties from Algiers has been nearly impossible (Human Rights Watch, 1996: 268).[14] Moreover, in its national reconciliation policies, the Algerian government has refused to engender a basic fact-finding body while simultaneously making it illegal for any domestic organizations to carry out their own inquiries (see Human Rights Watch, 2005).[15] While there have been two systematic efforts to catalogue the number of Algerians killed in massacre episodes (Aït-Larbi et al., 1999; Sidhoum and Algeria Watch, 2003)[16], no foreign organization has yet attempted a similar feat for all casualties incurred in the conflict.

If we reject the lower end of government figures, which suggest roughly 42,000 deaths (26,536 security forces and civilians, 15,200 insurgents), then those who embrace the range of 100,000–200,000 have yet to account for tens of thousands of deaths, possibly as many as 150,000. Furthermore, assuming a range of 100,000 to 200,000 serves to exacerbate the fact that we know very little about not only *who* died in the conflict but also *how* they died. There are many possible contexts of death in the Algerian conflict that could account for these missing thousands. Internecine fighting between insurgent groups and their civilian supporters is one mode of 'combat' that has the ability to evade detection at the national and international level. But, as is recognized in the new literature on civil wars (Kalyvas, 2003; Kaldor, 2007), a significant number of the deaths in Algeria could have a rationale that rests outside the conflict's putative political limits – violent crime, banditry, opportunism and vendettas (both new and old).

Looking at aggregate data for state and insurgent losses could be entirely misleading, as it is not just a question of who dies but how they die that is key to the determination of civil wars. Totally absent from our knowledge of the Algerian conflict is any sense as to whether the victims were violently resisting their killers at the time of their death or were even able to do so; whether the motive of the killing was religious, political, economic, interpersonal; whether the identity of the perpetrators can be determined or approximated by the identity of the victims; and whether security forces and allied militias branded their victims 'terrorists' in order to justify their execution.

Indeed, it is not impossible to picture an armed conflict where direct confrontations between incumbent forces and armed groups rarely take place. Where the threat of immediate retaliation or the fear of resistance when engaging in violence is minimal to nil. A conflict based upon the mutual infliction of casualties upon non-resisting or captured populations, both civilian and combatant. A conflict where the state fights insurgents by killing suspected rebel supporters, and insurgents simply massacre civilians seemingly allied to the state.[17] The situation could be one in which there is mainly violence but little 'war' in the sense of combat. Demanding higher-resolution data, however, will not solve this impasse, because any theory of civil war will have to deploy (contested) conceptions of combat, combatants and civilians that will make the 'fine-grained' data that it seeks to find.

Identity

Identity is not sufficient for determining the context of violence yet is seemingly necessary. However, identities can be one of the most ambiguous aspects of mass violence. Within the new civil war literature, it is recognized that distinctions between civilians and combatants are difficult to maintain and are even deliberately transgressed (Lacina and Gleditsch, 2005: 148). Moreover, the prevailing macro-level conceptual frameworks of civil wars have a tendency to overdetermine identity, ideas and practice at the micro level (Kalyvas, 2003). In the Algerian conflict, however, it is not just that identities changed or shifted (e.g. soldiers becoming insurgents, insurgents becoming pro-government militias) but that identities could be hybrid and manifold (police by day, insurgents by night). This is further complicated, in the Algerian case, by the fact that identities were often deliberately obscured. The ambiguity of identity as it relates to the practice of violence in the Algerian conflict is encapsulated in the 'Qui tue?' (Who kills?) discourse that circulated widely both domestically and internationally. In episodes of violence in Algeria, *Qui tue*? could be an expression either of ignorance (the killers are uncertain) or of doubt (the killers might not be those who have been accused).

The ambiguity of the violence in Algeria is exacerbated by fighting that seemed deliberately obfuscatory: The psychological warfare and counterinsurgency techniques of the intelligence bodies, special forces and security agencies regularly used undercover operatives, informants, turned guerrillas, pseudo-insurgents and other types of 'false flag' operations. Meanwhile, insurgents, militias and criminal gangs dressed as rebels or security forces engaged in what Algerians called '*faux*' attacks. Yet the *Qui tue*? debate has been most acute with respect to the wave of civilian massacres that began escalating in late 1996 and peaked in January 1998. Though Algeria has witnessed hundreds of massacres since the start of the conflict (frequently defined as the deliberate killing of at least four unresisting civilians during a single violent event), international human rights groups readily acknowledge that very few people, if any, have ever been held accountable, especially in relation to the half a dozen massacres that each claimed more than one hundred lives. Numerous theories have been proposed to explain this wave of mass civilian killing but, as noted above, the Algerian government continues to refuse to allow either a domestic or a foreign inquiry into such matters.

What is perhaps most striking about the Algerian massacres is that they came despite the increasing routinization of electoral processes and the advancement of peacemaking overtures between the regime and the FIS. In other words, the intensity of the violence, especially towards civilians, became unprecedented, yet the politics of the conflict at the national level suggested de-escalation. While the regime, government and state seemed to be stabilizing, and the FIS/AIS capitulating, grassroots violence spiralled out of control. If an intense level of violence is the sole criterion for

terming an intra-national armed conflict a civil war, then Algeria had certainly reached an appropriate level well before the massacre surge in late 1996, 1997 and 1998. But, if a civil war requires the articulation of mass violence with easily identifiable participants in the fighting, then the Algerian conflict had only become more ambiguous as the regime became more immune to the 'war'. The apparent disarticulation of national politics from the violence gave the Algerian conflict its most unique, most disturbing and most challenging characteristic for the international community in terms of accurate representation and proper intervention.

Conclusion: Shifting the terrain of the debate

A natural rejoinder to this article's critique, already noted above, is simply to call for more precise data and better arguments for a particular definition of civil war and its constituent concepts of space, time, identity and practice. Yet, both of these demands are closely related and self-defeating in terms of argument. Any hypothesis of civil war that we wish to test for its empirical accuracy will assume, *as given*, certain properties that are already considered aspects of civil wars. At best, the search for the ultimate definition of civil war will only reflect what meaning of civil wars has already been assumed (see, for example, Sambanis, 2004). We can no more go looking for civil wars *tabula rasa* than, as Quine argued, hope to escape the circularity of substituting synonyms to arrive at necessary truths analytically (cited in West, 1985: 260). From the realization that nothing is given, we arrive at the realization that conceptual frameworks are already embedded in observation, description is 'theory-laden' (see Rorty, 1982: 3–20). The recent literature on civil wars, including new war theories, has failed to heed Nietzsche's ([1887] 1992: 516) warning: 'only that which has no history is definable'. Concepts will always be unstable given the indelible tensions between contemporary political needs and the ambiguities of historical interpretation.

A more intellectually honest and morally responsible debate about mass armed violence would recognize the need to adjudicate conceptual frameworks on political rather than historical grounds. This is not to say that politics is any less contested than history; it is to say that politics, rather than history, is actually designed to address human needs directly. Whether we choose to reject, embrace or reformulate concepts such as civil war or new wars, our justifications should not be based on claims of alleged coherence with particular representations of history. Rather, such concepts should be judged in terms of their ability to address the very phenomena they seek to ameliorate.

Funding

Notes

1. Two of this school's seminal papers – Collier and Hoeffler (1998) and Fearon and Laitin (2003) – have been cited well over 1,500 times each according to Google Scholar (accessed 16 March 2010).
2. In a world of weapons of mass destruction, post-11 September 2001, it now seems possible for a very small group of individuals, if not a single person, to inflict mass casualties – well over a thousand – upon an opponent in a single episode. Effective resistance criteria could correct for such events being considered wars: coding rules often propose that there must be at least one hundred deaths suffered on either side, suggesting that an armed opposition group must be able to sustain at least one hundred losses to remain active in a civil war. While some would accept a civil war where the armed opposition numbered in the low hundreds, the ability of small groups to inflict massive casualties gets to the ambiguity of organizational-capacity thresholds.

3. Intentional yet indirect killing through attacks on an opponent's built and natural environment, for example, would fail to register, even as war-related deaths, if the effects took hold long after the conflict had 'ended'. But, regardless of whether battle fatalities are even an *accurate* proxy for destruction (for critique, see Ghobarah et al., 2003), never has it been asked whether measuring battle deaths is also *sustainable*. Advances and diffusion of medical technology might make it possible to minimize deaths while the overall level of human and environmental violence remains relatively the same. The notable decrease in the rate of injury-related fatalities sustained by US soldiers between Vietnam (24%) and the ongoing wars in Iraq and Afghanistan (10%) is suggestive of this possibility (Gawande, 2004). Similarly, at-a-distance fighting technology (e.g. land, air and sea drones) or weaponry that inflicts massive amounts of military damage without killing (e.g. cyber- or electromagnetic attacks) could have a similar effect. By measuring combat fatalities alone, we could be deceived into believing that wars are becoming less destructive, if not less frequent. Elaine Scarry's (1985: 63) argument that war is competitive injuring rather than simply killing seems all the more durable in this light, especially if we include the environment, in addition to bodies, into our measurements.

4. Even if we accept steeply asymmetric conflicts as civil wars, Fearon's rule still runs counter to most understandings of how states often conduct anti-guerrilla campaigns, which often involve acts of state terrorism against an insurgency's civilian supporters (dirty wars, 'draining the sea to kill the fish'). Indeed, such actions might be just as – if not more – indicative of a significant armed conflict than anti-state terrorism against civilians. Looking at the consequences of this rule highlights its shortcomings. A biased view towards civilian casualties would rule out 'civil wars' where insurgencies were defeated with massive state terror before rebels were able to mount effective resistance. Political violence in Syria in the 1970s and 1980s, for example, involved armed groups who inflicted casualties on the government. Thousands of civilians, allegedly allied with the Islamist opposition, were eventually killed, but overwhelmingly in acts of state terror.

5. See Kaldor (2007); Kaldor and Vashee (1997); Duffield (2001); Shaw (2000, 2003); Münkler (2005). Alleged precursors of 'new wars' thinking include Edward (1988); Holsti (1996); Snow (1996); Gray (1997).

6. Another example of the debate's (double) irony is a key disputed figure of civilian casualties in new wars: the combatant/civilian fatality ratio has gone from eight-to-one before the First World War to one-to-eight in the 1990s (Kaldor, 2007: 9). Critics have leapt upon this claim, noting the weakness of its sources and conflicting evidence (Lacina and Gleditsch, 2005: 146; see also Melander et al., 2009). The reality, however, will not be determined by the accuracy of statistics but by how such concepts as civilian, combatant and battle – the very categories Kaldor and others were supposedly trying to disturb – are used to arrive at these figures, especially where state and rebel armed groups can be highly informal, where identities are mixed, and where turncoats abound.

7. For example, Interior Minister Salim Saadi insisted at the end of 1993 (well into the armed conflict) that 'there is no civil war in Algeria as some people claim' (BBC Summary of World Broadcasts, 1993a). Prime Minister Mokdad Sifi likewise assured his corps of ambassadors in 1994 that 'there is no civil war in our country' (Schweitzer, 1994). Declaring Algeria's 'victory' over terrorism in early 1997, Prime Minister Ahmed Ouyahia chastised foreign observers for 'seeing terrorism in Algeria as a civil war' (BBC Summary of World Broadcasts, 1997; see also *Agence France Presse*, 1998; Benyamina, 1998: 186).

8. For example, Said Saadi, a leader in the Kabylia-based secular opposition, claimed at the end of 1993 that Algeria had not yet come to civil war (BBC Summary of World Broadcasts, 1993b). Similarly, but for different reasons, union leader Abdelhak Benhamouda believed Algeria was not in a state of civil war in mid-1994 because society at large had not been mobilized against itself nor had regions split into rival camps (BBC Summary of World Broadcasts, 1994). The Rome Platform, signed by several Algerian political parties in January 1995, including the National Liberation Front (FLN) and the FIS, sought to bring the crisis to an end to avert a real civil war. The fact that the daily *Le Matin* had ventured a comparison with political violence in Lebanon following a truck bombing in the Algiers suburb of Meftah in September 1995, and so implied the existence of a civil war, was considered a 'first' for the Algerian press (*Agence France Presse*, 1995). For Louisa Hannoune, head of Algeria's *Parti des Travailleurs*, the

conflict was 'not as they say, a civil war but a war of decomposition, disintegration of our country' (cited in Ficatier, 1996).

9. Another example of the political callousness of the new school touches on the problems involved in designating the conflict in Algeria between 1954 and 1962 a civil war or an extra-systemic war. Fearon and Laitin (2003: 76) 'see no reason in principle to exclude anticolonial wars' from their list of civil wars, 'such as the French versus the National Liberation Front (FLN) in Algeria'. They then argue that 'to drop such cases would be like dropping the current conflict in Chechnya as a civil war in Russia if the Chechens succeed in gaining independence. Alternatively, it would make even less sense to include them as wars within "states" that did not exist (such as "Algeria" in 1954)'. Fearon and Laitin are free to say Algeria did not exist before 1962 and to call the 1954–62 conflict a civil war, but I would advise them not to do so in front of either Algerian veterans of that war or French *pied noir revanchists*. More importantly, though, here we can also see the sleight of hand that makes much of the new civil war studies co-constitutive of the very objects they study: the subtle transformation of hypothesis into reality. Where UN recognition is initially treated as an operational assumption or a provisional coding rule for the sake of model-building, it quickly becomes a reified fact. Metric becomes object.

10. One study (UCDP and PRIO, 2008) similarly proposes a start date of 1 June 1991 when the first battle-related death allegedly occurred and 1 December 1991 when 25 conflict-related deaths (i.e. that study's threshold for an armed conflict) had accumulated. The June date is likely a reference to deaths during that month's demonstrations. The December date is a reference to the attacks near Guemmar in which three members of the Algerian security forces and roughly a dozen alleged members of the Algerian *Takfīr wa al-Hijrah* group were reportedly killed.

11. Sambanis (2004) appears to be relying upon data that have been interpolated from a figure of 100,000 first provided by President Bouteflika in 1999 (Lowi, 2005: 239; International Crisis Group, 2000: i), which provides an *average* of more than 1,000 deaths per year.

12. Martinez's argument for calling the Algerian conflict a civil war inexplicably does not appear in the introduction to the English translation of his work (Martinez, 2000).

13. See also the SIPRI yearbooks for 1993–2001.

14. In 2000, Amnesty International (2000: 15–16) accused the Algerian government of regularly providing 'artificially low figures – less than half'. Yet, the basis on which official Algerian statistics could be judged any more 'artificial' than any other foreign estimate is not clear. As readily acknowledged in Amnesty reports, neither the Algerian government nor domestic or international human rights organizations have been able to verify any figures, whether internally or externally generated.

15. Officially, the Algerian government only 'investigates' those cases where family members of slain insurgents and persons 'disappeared' by the state have applied for compensation. According to two Algerian advocacy groups working on behalf of victims of the conflict, compensation claims are rarely investigated by local authorities as mandated under Algeria's national reconciliation measures; the basis on which state culpability is recognized and compensation granted or denied seems arbitrary (interviews, Algiers, 17 February 2008 and 26 May 2008). Thus there is no way to determine how the 17,000 claims for compensation made by the families of slain insurgents stand in relation to the (as yet unknown) total number of insurgents killed. In these cases, compensation is ostensibly to be granted on the basis of economic hardship only (Tlemçani, 2008; Fethi, 2009). So far, no compensation measures for the families of civilians killed by insurgents or insurgents killed by insurgents have been proposed.

16. These two lists, which include episodes of mass victimization of four or more people (e.g. face-to-face killing, some bombings), can only account for roughly 7,500–8,000 fatalities, mainly civilians, between December 1993 and December 2002.

17. Samabanis (2004: 823) certainly recognizes the possibility of massive one-sided violence overtaking combat as the dominant form of killing, though he only voices his concerns regarding our ability to discern between battle and slaughter in relation to well-known cases of state-authored violence (e.g. Argentina, Cambodia). The possibility that an armed conflict could be predominantly composed of acts of reciprocated atrocities against non-resisting civilians and combatants escapes him.

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