

The Security Costs and Benefits of Non-State Militias

THE EXAMPLE OF EASTERN UKRAINE

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Non-state (or “informal”) militias play crucial roles on both sides of the conflict in eastern Ukraine. They serve as force multipliers and, in some cases, provide plausible deniability for brutality. However, governments that support informal militias also face a “principal-agent problem,” whereby militias have interests and goals that do not always match those of the state, be it Russia or Ukraine. One way for at least Kyiv to alleviate this problem is to maintain good relations with oligarchs who are state-friendly conduits to informal militias. If Kyiv cuts ties with these oligarchs prematurely, it will remove an obvious mechanism for monitoring and control.

The Principal-Agent Problem

States that support informal militias anywhere in the world face what social scientists call a “principal-agent problem.” The “agent” (in this case, the militia) has interests and goals that do not precisely match those of the “principal” (in this case, the state), and the agent often lacks the capacity to perform the mission as well as the principal would have done if it could afford or were able to do the job itself. The principal cannot adequately monitor what the agent does, because the agent always has better information than the principal does about what is happening on the ground. The agent often also has an incentive not to share all that information with the principal. Since the militia is not really subject to the state’s formal command hierarchy, the state’s ability to control the militia is limited. This means that the agent sometimes surprises and disappoints the principal.

For example, most Western experts agree that a Russian-supported informal militia leader, Igor Girkin (aka Igor Strelkov), was probably responsible for shooting down the

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Malaysian MH-17 civilian jetliner over the Donbas region of eastern Ukraine in July 2014, given the posting and then removing of his social media claim that his forces had downed a Ukrainian military jet. The resulting deaths of hundreds of Europeans (including 193 Dutch citizens) caused greater-than-expected European unity on the sanctions regime against Moscow. An “agent” (in this case, Girkin) acting on behalf of a “principal” (Moscow, as the major backer of the rebel side of the conflict) made a choice that the principal would never have supported. In an example from the other side of the conflict, leaders of Ukraine’s Pravyi Sektor (“Right Sector”) militia are widely suspected of neo-Nazi ultranationalist sympathies—sympathies that the Ukrainian state (at least in its current configuration) does not share. Pravyi Sektor’s commanders have refused to subordinate themselves to Ukraine’s National Guard. Instead, some of its units have engaged in violent armed standoffs with Ukrainian police and rallied in Kyiv on behalf of impeaching the Ukrainian government.

Despite these principal-agent problems, states around the globe and far back in history have cooperated with informal militias for various purposes, both on their own territory and in neighboring countries. In cases ranging from Afghanistan and Iraq to the Palestinian Authority and Libya, the United States and its allies have often supported such militias because of the perceived security benefits of doing so. In Ukraine, the United States has explicitly stated that it will not work with Pravyi Sektor or other militias with members that have demonstrated ultra-nationalist and racist sympathies (e.g., the Azov Battalion). However, U.S. forces have trained other informal militias who agreed to put themselves under the aegis of Ukraine’s newly formed National Guard. These militias appear still to be largely funded by private donors, and it remains unlikely that a truly centralized command structure could subordinate them to Kyiv, given that their unit structures (and hence their organizational cultures and loyalties) remain unaltered.

What are the security costs and benefits of cooperating with informal militias, and how can the costs be mitigated when the benefits are seen as overwhelming?

Informal Militias: The Negatives

The bad news about informal militias around the world—especially in states like Ukraine and Russia that are known for high levels of corruption—is that their leaders often have mixed motives. While referring to themselves as patriotic supporters of the state, they are often recruited using local personal patronage networks. For example, pro-Ukrainian militias include the Aidar Battalion and Dnipro-1 Battalions, mostly locally recruited (with some foreign fighters) and both openly funded by Dnipropetrovsk billionaire oligarch Igor Kolomoisky (who is also [reported](#) to have helped fund the Azov and Donbas battalions). While these battalions officially subjugated themselves to the Ukrainian state in mid-2014, Kolomoisky employed a group of armed men wearing combat fatigues in a standoff against Kyiv authorities over

control of the state oil pipeline UkrTransNafta enterprise in March 2015. Kolomoisky's close associate Oleksander Lazorko had been the director of UkrTransNafta; Poroshenko replaced him as part of his anti-corruption campaign, which meant that Kolomoisky's interests were being targeted by the Ukrainian president.

Around the world it is not unusual for informal militias to engage in smuggling, gun- and drug-running, human trafficking, oil pipeline tapping, and other forms of illegal activity that bring them private profit at the expense of state authority. Because informal militias often operate in weak states or in geographical areas where the state lacks strong control (such as contested border regions), their state-sapping activities are difficult for state police or border guards to monitor, let alone rein in. When states rely on informal militias in difficult-to-control regions for many years, this can empower individual warlords who are virtually impossible to dislodge; attempting to unseat a powerful warlord can itself provoke the outbreak of new armed conflict.

The number of cases where militia challenges to state authority have happened is virtually endless, but clear examples of mixed-motive behavior and warlordism have been well documented within the Northern Alliance and Afghan Local Police in Afghanistan; the [Palestinian Authority](#); among urban protection rackets in Baghdad and tribal militias in Anbar Province (both during Saddam Hussein's rule and the later U.S. military intervention in Iraq); in the province of Ajara and the small region of Upper Kodori in Georgia during Eduard Shevardnadze's presidency; and in Ramzan Kadyrov's rule in Russia's Chechnya.

Most recently in Ukraine, Pravyi Sektor's battle with police in the far western town of Mukacheve was [reportedly](#) over control of cigarette smuggling routes.

In addition to pursuing criminal activities that directly challenge state rule, informal militias are often abusive toward local populations, practicing arbitrary justice. As Stathis Kalyvas notes in his masterful [study](#) of civil war, selective violence against a civilian population can be an effective tool to gain local submission. Jason Lyall and co-authors demonstrate in both [Chechnya](#) and [Afghanistan](#) that when selective violence is carried out by groups who share the ethnicity of their victims, it is unlikely to provoke civilians to switch sides in the immediate conflict. Brutality may therefore seem to have little cost. However, when we take a longer-term perspective, numerous studies show that suppression of civil rights is a major cause of both civil war and extremist terrorism. This means that the dominance of a local area by an informal militia that is not really accountable to the state can create major headaches for state stability and security in the long run, even if immediate violence is effective at controlling dissent.

Furthermore, there is by definition no recognized legal procedure for either defining the geographical writs of particular informal militias or of transferring power from one militia leader to another. From Mexico to Libya, territorial militia infighting has led to

enormous levels of violence and instability in recent years. Ukraine has not been spared, for example with recent murderous competition in Luhansk between Cossack and non-Cossack rebel militia heads.

Informal Militias: The Positives

Given all these problems that militias create, why do states cooperate with them?

The most obvious reason is that militia combat skills can be force multipliers for weak, underfunded armies. The command structure of the Ukrainian Army, for example, is widely seen by Ukrainians themselves to be riddled with corruption, incompetence, and Russian spies.² As a result not only Pravyi Sektor but even Islamist militias from Chechnya are tolerated in the Mariupol area of eastern Ukraine because their cooperation is seen as necessary to the survival of the Ukrainian state.

For states with stronger militaries—like Russia—informal militias have long been used to hold territory and provide plausible deniability for brutality in hard-to-control border regions. The most glaring example of this is President Vladimir Putin’s decision to elevate and maintain Kadyrov as the leader of Chechnya, a move that effectively ended the Second Chechen War. But this choice is hardly unique to Russia.

Moreover, informal militias can serve as a sort of confidence-building measure to control violence in contested border areas. While we have not yet observed this in eastern Ukraine, there are two other examples that Kyiv and Moscow might keep in mind as they consider their negotiating options going forward (both detailed in my 2012 book, [Warlords](#)).

One is the case of the Federally Administered Tribal Areas (FATA) of Pakistan in the 1970s. By paying off local Pashtun *maliks* (chieftans) and their militias, the Pakistani government stemmed a movement to create an independent state of “Pashtunistan,” whose advocates were being egged on by neighboring Afghanistan (most likely with support from India). While many lament the corruption and political repression that these payoffs enabled in the FATA, the arrangement may have prevented the kind of bloody war and refugee crisis that accompanied the independence of the former Pakistani province of Bangladesh in 1971 (the Pashtunistan movement had cited Bangladeshi independence as an inspiration).

² For examples of recent press references to this, see “[Guns and Underpants: Ukrainian Army Hobbled by Bureaucratic Woes](#),” Reuters, July 29, 2015; Olga Rudenko, “[Thousands Dodge Ukraine Army in Fight with Rebels](#),” *USA Today*, May 6, 2015; and Alec Luhn, “[Corrupt, Cash-Strapped and Lacking Skill: The Ukrainian Army Britons Come to Train](#),” *The Guardian*, Mar. 19, 2015. This was a repeated theme in conversations with Ukrainian politicians, journalists, and academics in which the author participated in Lviv, Dnipropetrovsk, and Kyiv, May 2015.

The second case is the tiny region of Upper Kodori, seized by Russian-supported Abkhazia in the 2008 war but earlier an uncontested part of Georgia. Kodori's warlord, Emzar Kvitsiani, engaged in smuggling and acted as a thorn in Tbilisi's side. Yet during the time that his rule was tolerated and financially supported by Georgian President Shevardnadze, Kvitsiani's Monadire militia served as a tripwire ensuring that a 1994 ceasefire agreement brokered by Moscow between Georgia and Abkhazia (following the horrendous Abkhazian civil war) would hold. That tripwire policy served the interests of both sides, since the Kodori Valley has often been described as an arrow pointing down from the territory of Georgia proper into the Abkhazian capital of Sukhumi. Both Georgia and Abkhazia knew that Kvitsiani and his Monadire stood in the way of territorial aggrandizement by either party. The decision by Shevardnadze's successor, Mikheil Saakashvili, to unseat Kvitsiani and instead make Upper Kodori a showpiece of Georgia's pro-Western development was probably one of the provocations leading to the 2008 war.

Working with Informal Militias: Lessons from the Past?

Under the assumption that both the Ukrainian and Russian states will continue to work with informal militias in eastern Ukraine, and given that such militias can sometimes serve important geopolitical goals, what can past cases tell us about ways to control the dangers of the principal-agent problem?

Probably the most important lesson comes from the Georgian examples mentioned above. While Saakashvili probably erred in removing Kvitsiani's Monadire tripwire in Upper Kodori, he did successfully take down both Kvitsiani and another Russian-supported warlord with whom Shevardnadze had cooperated, Aslan Abashidze in the Georgian province of Ajara (bordering Turkey). Saakashvili thereby demonstrated that these "agents" had not truly escaped the control of the "principal," and in Ajara he ended Abashidze's long-standing smuggling regime.

The key to Saakashvili's success was his access to outstanding intelligence about the personal connections and financial dealings of both men. This allowed him to separate the militia leaders from their networks of supporters and turn those supporters to the side of the Georgian state. It worked not because the Georgian state was strong (although its inheritance of Soviet-era KGB personnel files probably helped) but because Saakashvili himself had personal connections that he could use.

In Ajara it was Saakashvili's friend and university classmate, Levan Varshalomidze, who opened the door: his father had been a high-ranking official earlier in Abashidze's administration and his family was one of the warlord's favored clans. When Saakashvili removed Abashidze as Ajara's governor, he appointed Varshalomidze in his place, ensuring a smooth transition. It is rather ironic that in Ukraine today, Saakashvili has

come in as an outsider to govern Odessa; he may not have learned the lesson of his own prior experience.

In Upper Kodori the connection was a Tbilisi-based politician then allied with Saakashvili, Irakli Alasania. Alasania had credibility in Upper Kodori because his father was a Georgian security officer killed in the Abkhazian civil war and because he himself made frequent helicopter visits to negotiate with members of the mountain community while Kvitsiani was away.

Applying this lesson to eastern Ukraine leads to an uncomfortable conclusion: it may actually be in Kyiv's interests to maintain good relations with the oligarchs, as state-friendly conduits to the informal militias. If Kyiv cuts ties with the oligarchs prematurely, it removes an obvious mechanism for monitoring and controlling their militias. Unless the state has reliable independent sources of human intelligence about militia functioning—a doubtful prospect, given that the Ukrainian intelligence agency, the SBU, is well known to be penetrated by [Russian spies](#)—Kyiv may need to work with militia-connected oligarchs to have any chance of preventing the long-term fragmentation of whatever Ukrainian territory remains after the eastern Ukrainian border war is over.