

# International Journal of Conflict and Violence

## Vol. 3 (2) 2009

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**International Journal of Conflict and Violence – IJCv**

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# Editorial

## Letter from the editors

This time our focus section deals with the topic of ethnic and racial violence and conflict. We are grateful to our guest editors Robert D. Crutchfield (University of Washington, United States) and Werner Bergmann (TU Berlin, Germany) for putting together an appealing collection of contributions addressing this important field. As usual, our Open Section reflects the enormous breadth of our field, with articles on the theories of Clausewitz and the media's treatment of rape incidents in kibbutzim.

Aside from regular activities, the *IJCV* is in the process of migrating to a new content management system. From next year the journal will appear in a new online design and be easier to browse. The address will not change, though. If you have signed up for our news alerts you will receive further information in good time.

December 2009

Wilhelm Heitmeyer    Douglas S. Massey    Steven F. Messner    James Sidanius    Michel Wieviorka

# Introduction: Racial and Ethnic Conflict and Violence

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Robert D. Crutchfield, Department for Sociology, University of Washington, United States

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# Introduction:

## Racial and Ethnic Conflict and Violence

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Racial and ethnic violence takes many forms. Genocides, ethnic cleansing, pogroms, civil wars, and violent separatist movements are the most obvious and extreme expressions, but less organized violence such as rioting, and hate crimes by individuals or small groups are products of racial and ethnic conflict as well. Also, the distribution of criminal violence within societies, which may or may not be aimed at members of another group, is in some places a by-product of ongoing conflicts between superior and subordinated racial or ethnic groups. Although estimates of the number of deaths attributable to ethnic violence vary widely, range of eleven to twenty million given for the period between 1945 and the early 1990s show the gravity of this type of conflict (Williams 1994, 50). So it comes as no surprise that scholars have paid increasing attention to such conflicts over the last decades.

### 1. Major Violent Racial and Ethnic Conflicts

As Donald L. Horowitz stated in his famous *Ethnic Groups in Conflict*, “ethnic conflict is a worldwide phenomenon” (1985, 3). The near-universality of multiethnic states and the persistence or immigration of strong ethnic or racial groups in many modern societies make conflicts along ethnic lines quite likely. Racial and ethnic conflicts persist on every continent, except Antarctica as far as we know; indeed, such conflicts are a central feature of contemporary social life and have been for centuries in places where heterogeneous populations live, or people from different ethnic or racial groups come into contact (Horowitz 2001 includes a global overview of ethnic riots). All too frequently these conflicts have involved violence. In the Americas—and in Australia—European colonists and soldiers fought the native populations from the outset, and these conflicts are central to the histories of the three nations of North America, as well as of the Caribbean islands. Colonialism is sometimes cited as an underlying cause of racial and ethnic violence in Africa and Asia, and while this is certainly a credible argument, ethnic conflicts existed before European invasions occurred.

Even though the United States has just elected an African American president, racial conflict remains an important

force in social life, and scholars regard persistently high rates of violence among the black population as an important consequence of racial inequality (Gabbidon and Greene 2005). Hate crimes and activities of racist movement such the Ku Klux Klan and Aryan Nations members are direct violent expressions of this conflict. And we should be clear that although the most significant conflicts historically have been between the white population and blacks and Native Americans, there are now important other conflicts as well: violence has been aimed at people of Latin American descent and Muslims, and there have been violent conflicts between blacks and some immigrant groups (Koreans, Mexicans, and Pacific Islanders).

Canadian social life was disrupted in the late 1960s and early 1970s by the violent actions of the French Canadian separatists of the Front de libération du Québec (FLQ). Mexico has experienced violent uprisings by indigenous populations in the southern state of Chiapas, and descendents of the indigenous peoples of Central and South America continue to be violently subjugated—and continue to fight back.

Historically, Europe, Africa, and Asia have all experienced racial and ethnic conflicts, some of which are still capable

of flaring into violence today, even as new ones arise. In Europe, some former colonial powers have more heterogeneous populations today, and at times violent conflict has resulted. In Britain we already find anti-immigrant riots in the late 1950s (Nottingham and Notting Hill in 1958, Middlesbrough in 1961, Dudley in 1962), followed by major race riots in the 1980s (Bristol in 1980, Brixton in 1981, Tottenham in 1985) (Panayi 1993). After German reunification refugees were attacked in anti-minority riots in eastern Germany in the early 1990s, while there were arson attacks on Turkish homes in the western part of the country (Karapin 2002). French and Spanish riots in recent years have been linked either to disaffection of minority groups (e.g. Paris suburbs, 2005), or anti-immigrant sentiment (e.g. Madrid, 2007). Alongside ethnic violence directed against immigrants, we also still have violent hate crimes and sometimes even riots against members of longstanding European minorities like the Roma (gypsies) and the Jews (European Union Agency for Fundamental Rights 2009; ODIHR 2007, 2008; Human Rights First 2008).

Of course racial conflicts have existed for centuries in Africa and have been at the heart of many of the continent's violent struggles; ethnic conflicts continue to fuel violence in Rwanda, Congo, Nigeria, Somalia, Kenya, Darfur and elsewhere. It is argued that many of these conflicts have been made more intractable and violent by the way European colonialists carved Africa up, drawing borders according to Europe's national conflicts and interests, disregarding the historic territories of African ethnic and national groupings and forcing traditionally hostile groups under a single flag (Gurr 1994). Following independence, when colonial domination ceased to be an issue, these ethnic groups faced the question of who the new states should belong to (Horowitz 1985). Since Nigeria's independence in 1960 the ethno-religious groups of the Yoruba, Ibo, and Hausa/Fulani have clashed again and again over the division of political power, in conflicts ranging from civil war (Biafra) to communal riots, in which thousands died. Scholars point out that Belgian government policies in Rwanda gave the Tutsi minority power over the Hutu majority, which was much resented, while the British in Kenya did the same with the Kikuyu and other ethnic groups including the Luhya, Luo, Kalenjin, and Kamba. These are considerable minorities: the Kikuyu

are the largest group, but they still constitute less than one quarter of the population. These histories contributed to the genocide in Rwanda and to Kenya's post-election violence in 2007–8.

Former colonies in Asia have experienced similar ethnic problems, especially in India, where the populace has been faced with ongoing violent clashes between the Hindu majority and the Muslim minority since partition in 1947. But there are also conflicts where large modern nations have subsumed the historic territory of an ethnic group, producing what criminologist Thorsten Sellin (1938) called cultural conflict. China has two such ongoing conflicts: Tibet, whose population periodically asserts its independence, and more recently in Xinjiang between the Uighur minority and the Han majority. These conflicts should be seen in the same way as those that occurred in what is now the United Kingdom (between the English, Welsh, Scots, and Irish), in France with the Bretons, in Spain with the Basques, and in the Americas with the indigenous peoples.

These are but a few examples of racial and ethnic conflicts that have produced violence in the past, and continue to do so. Readers can easily find many more. What we want to emphasize is the ubiquity of this phenomena. Racial and ethnic conflict is not the exception that sometimes flares into violence, but rather a central—and certainly unfortunate—part of social life in many, many countries on all of the continents. Which of course leads us to try to develop a better understanding of these conflicts and how and when they produce violence.

## 2. Explaining Racial and Ethnic Conflict and Violence

To understand racial and ethnic conflict we have to look to history and socio-structural arrangements. The conflicts described above must be seen in the context of the historic relationships between the groups. Some are based in long-contested territorial rivalries. The conflict over Tibet is one such example: the Chinese insist that it is a historic part of their nation, while the Tibetans see themselves as culturally, ethnically, and nationally distinct. In the southern Mexican state of Oaxaca, indigenous groups want self-determination and a degree of independence from the Latino-based national government. And the violence of Basque separatists

is motivated by their belief that their region of the Pyrenees should not be controlled by Spaniards.

Colonial histories underlie a number of ongoing racial and ethnic conflicts. It is clear that conflicts in the Americas, Australia, and in places in Oceania involve native peoples, former slaves, and the descendents of colonial settlers. As indicated above, the way the organization of the former colonies in Africa and Asia ignored the conflicts and relationships of the peoples of the colonized areas forms the basis of certain contemporary violent clashes. Today, a significant portion of the population heterogeneity in Western Europe is a consequence of those countries' histories of imperial power. Migration from former colonies is a significant source of ethnic conflict in the United Kingdom, France, and Spain. And while some would object to calling Soviet—and more recently Chinese—adventures in Africa colonialism, these activities have resulted in some migration from Africa to these places and racist violence has resulted.

The dissolution of multiethnic empires commonly gives rise to large-scale ethnic conflicts and violence. The disintegration of the Ottoman, Czarist, and Habsburg empires resulted in wars (Balkan Wars), genocide (Armenia), ethnic cleansing (on the Balkans, population transfer between Turkey and Greece), and pogroms (Ladas 1932; Naimark 2001; Dunn and Fraser 1996). Here, ethnic sentiment and conflict were often fuelled by the doctrine of “national self-determination.” In more recent history too, the social and political changes that followed the collapse of the Soviet Union led to some of our current conflicts and the ensuing violence. Clashes in the Baltic states between large Russian minorities and Latvian, Lithuanian, and Estonian majorities fighting for independence in the early 1990s belong to these processes of dissolution and separation, as do the armed conflicts in the Caucasus (Georgia, Chechnya, Azerbaijan, Dagestan, Ossetia, Nagorno-Karabakh, etc). Conflicts between the peoples of Yugoslavia that had been suppressed by the Communist regime also erupted after the end of the Cold War. The creation and expansion of the European Union has encouraged more migration within the continent, which has increased ethnic heterogeneity and might set the stage for violence under certain social conditions.

Socio-structural explanations of racial and ethnic conflict are based on conflict theory. If we take the notion that social life is characterized by efforts to manage stresses between competing interest groups as being fundamental to conflict theory, and recognize that racial and ethnic groups are virtually always in competition, then heterogeneous societies are engaged in a project to minimize conflict and violence between segments of their populations. These projects frequently fail, sometimes spectacularly, other times more modestly. The violent clashes described above are examples of spectacular failures of efforts to prevent racial and ethnic conflicts from turning violent.

Less obviously, racial and ethnic conflicts can produce other forms of violence too. For example, sociologists explain higher rates of violent crime among African Americans as resulting from racially based economic relations (Wilson 1987) and racial residential segregation (Massey and Denton 1993). Though dated, Sellin (1938) explains how cultural conflicts, sometimes along racial and ethnic lines, produce criminal violence. Sellin argues that cultural conflicts occur when migrants bring with them cultural patterns of behaviour and norms that are at times inconsistent with the laws of the countries they move to. For example, Middle Eastern immigrants to the United States have sometimes been charged with rape after participating in the marriage traditions of their homelands (older, wealthier men consummating arranged marriages with girls under the legal age of consent in the United States). Cultural conflict also can occur when a territory is invaded by a group that proceeds to subjugate the resident population. Language conflicts in Western Europe provide examples: the Welsh in the UK (which has produced acts of violence) and the Bretons in France. Sellin regards border regions as another source of ethnic and cultural conflict, as in the case of Spain historically with the Moors, and along the U.S./Mexican border today.

Horowitz emphasizes that today's ethnic conflicts possess elements of universality and uniformity which they did not have before, proposing that certain worldwide ideological and institutional currents are responsible for the growth of ethnic conflicts: the spread of the norms of equality, which makes any subordination illegitimate; the spread of the

value of achievement, which stokes inter-group competition; and the state system, because the control of the state, control of a state, and the exclusion of control by others are among the main sources of (violent) ethnic conflict (1985, 5). Williams, too, stresses the role of the state as a major actor in “creating, accentuating, or diminishing ethnic identities.” He sees states both as “arenas of rivalry and conflicts” and as “resources for ethnic mobilization and counter-mobilization” (1994, 49). At the heart of ethnic conflicts is not ancient hatred between ethnic groups—which in many cases only formed in the ongoing conflict process and did not previously exist as groups with a clearly defined identity; instead, conflicts are driven by political interests. At stake are collective goods, including language rights, religious beliefs, civic and political rights, economic equality, prestige, and political influence (1994, 49, 59).

Fortunately, not all ethnic conflicts become violent. Which raises the question under which circumstances conflicting parties resort to violence. The breakdown-deprivation approach stresses the importance of grievances, the degree of political or economic discrimination, and the restriction of political access, with violence emerging as a viable “last resort” from a process of conflict (Grant and Wallace 1991; Gurr 1993; also Morgan and Nichols 1973). Breakdown theories of collective action give social breakdown a prominent role in the escalation of conflict into a spiral of violence: it generates losses that are experienced as highly salient deprivations, while also undercutting actors’ confidence that their accustomed routines will provide a satisfactory future. The conjunction of these two factors “gives rise to anger, indignation, and revolt” (Useem 1998, 227). The solidarity-mobilization approach, on the other hand, emphasizes political opportunity structures and the mobilization of contenders. If groups are excluded from effective participation in the polity violent collective action may arise (Jenkins and Schock 1992; Tilly 2003). These political theories of violence see violent action as framed in terms of collective interest, with actions understood as “purposeful and rational” (Rule 1988, 170). Ethnopolitical violence theorists view civil violence as part of a continuum of forms of social action, as a phase of collective action, which may oscillate between violent and non-violent forms (Rule 1998, 170). In recent years other scholars have developed a more emotion-

based approach to ethnic conflict and violence, stressing emotions like resentment, fear, hatred, and rage (Petersen 2002; Kaufman 2001). These emotions are associated with specific negative action tendencies, e.g. to harm or to wipe out somebody. Mobilized emotions are seen as a motivation for groups to take collective action (Suny 2004).

For competition theory inter-group hostility and ethnic conflict are a natural outcome of competition for scarce resources (Giles and Evans 1986; Olzak, 1987). Although David Lake and Donald Rothchild see this kind of competition at the heart of ethnic conflict, too, they do not regard competing policy preferences as “sufficient for violence to arise” (Lake and Rothchild 1996). Violence is not caused directly by inter-group differences, “ancient hatreds,” or modern economic stresses, but by “collective fears of the future,” which can take many forms: ethnic groups may fear for their physical lives and survival, or fear assimilation into a dominant culture. In situations of state weakness (anarchy) the use of violence arises out of strategic interactions between groups. Lake and Rothchild see three “strategic dilemmas” (1998, 11) that make the use of violence between groups more likely: information failure, problems of credible commitment arising in situations of changing power relations, and incentives to use force pre-emptively in situations of state weakness (security dilemma) (1996; 1998, 9–18).

Andreas Wimmer summarizes recent scholarship on ethnic conflicts and formulates some basic insights about their character (2004):

*Complexity.* Conflicts involve more than one single ethnic group, interlocking a whole set of political, legal, and economic institutions. Different actors—warlords, underground organizations, non-violent actors, etc.—are linked in a complex network. In many cases ethnic conflicts do not end at the borders of nation-states. Ethnopolitics “is a crucial global force” and has to be located in the context of international relations (Williams, 50–1; Lake and Rothchild 1998).

*Individuality.* Many researchers are now sceptical about the possibility of a general theory of ethnic conflict and recommend a case-by-case approach to account for the complexity of the patterns involved. This means accentuating the



contextual and historical factors of each case rather than applying a “single master scheme.”

*Depth.* Ethnic conflicts are about “participation and exclusion from state power” (Wimmer 2004, 352), and therefore closely related to the basic political institutions. The main issues in these conflicts preferentialism, nepotism, and clientelism along ethnic lines. Ethnic conflicts are not only about political and economic interests (resource distribution or political power); these interests are intertwined with cultural status and identities. Therefore in many ethnic conflicts a zero-sum attitude predominates, which makes compromise solutions difficult.

*Persistence and durability.* “Ethnic conflicts are long-term phenomena” (Wimmer 2004, 352). In recent years researchers have devoted much attention to the self-sustaining and self-amplifying logic of violence (Azar 1990). When conflicts became violent “war economies,” “markets of violence” or a “culture of violence” emerge, creating their own dynamics and transforming the interests of the actors (Waldmann 2007). For example, warlords are unlikely to have much interest in reaching a peace agreement.

Readers will find examples of Wimmer’s insights in the three focus contributions in this issue, which examine complex, persistent conflicts that result from institutional exclusion of groups and illustrate the difficulty involved in generating a general theory of racial and ethnic violence.

### 3. This Focus Issue

The three papers in this focus issue are very different, reflecting the broad scope of research into racial and ethnic violence. As we have described above, a wide variety of acts and underlying causal forces are in play when such violence occurs, and the contributions reflect the heterogeneity of acts involved: from criminal violence to territorial violence, violence as a means of identity politics, and in-group integration.

The contribution by María B. Veléz, “Banks and the Racial Patterning of Homicide: A Study of Chicago Neighborhoods” (2009) is an example of racial and ethnic conflict leading to criminal violence. She considers the influence of bank mortgage decisions on black, and Latino minority neighborhoods and homicide rates, finding that important

economic decisions—which are external to the communities—affect rates of this particular crime and the ethnic distribution of homicide in Chicago. This paper fits into the literature that documents how racial residential segregation in cities concentrates the negative impact of social problems (Massey and Denton 1993), and violent crime (Peterson and Krivo 2005) onto the economically and socially most marginal segments of populations. Of course, bankers do not realize that their decisions contribute to racial or ethnic violence, but to the extent that they are a determining force in higher levels of homicide in black and Latino neighbourhoods, as Veléz demonstrates, they in fact are. It is a challenge for scholars to explore and document how other public and corporate decisions raise or lower the likelihood of racial and ethnic conflict and violence.

Challenging interpretations of communal violence between Hindus and Muslims in India as a defensive rejection against Western ideas or the threats of globalization and modernity, Julia Eckert’s contribution on “The Social Dynamics of Communal Violence in India” (2009) focuses on “the social dynamics that evolve in relation to conflicts within a group.” She sees the construction of hostility between Hindus and Muslims as a part of the identity politics of the Hindu nationalist project, aiming at “unifying the Hindu population and defining the nation against the republican idea.” In this view the Muslims play the role of a substitute enemy, because violence, which operates via “institutionalized riot systems,” as Paul Brass calls them, serves as a tool to affirm local networks and create experiences of participation and empowerment among the members of the nationalist movement. The ability of collective violence to draw clear boundaries between “us” and “them” is used to overcome internal differences and unify the Hindu population under the banner of Hindu nationalism. Eckert shows that communal violence is at the same time a mass movement and clearly manipulated by Hindu nationalist organizations.

Jonah Leff’s “Pastoralists at War: Violence and Security in the Kenya-Sudan-Uganda Border Region” (2009) is obviously about violence, but it is not, at least on the surface, about racial or ethnic violence. The focus is on conflict between groups of pastoralists over access to scarce water

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and grazing lands, and the way the increasing availability and lethality of guns in the region has made clashes—which have occurred for centuries—much more deadly. It is about ethnicity, nonetheless. The clashing groups are defined by their ethnic affiliation to tribes that have longstanding, conflicting claims to these resources. Recent wars have made small, portable arms more widely available, and worsened violent ethnic conflicts over resources that will, for the foreseeable future, remain scarce, causing problems for the participants as well as those charged with maintaining local security. Here, war, as a factor external to the competing ethnic groups, has exacerbated longstanding ethnic group conflicts and made them more lethal.

These three contributions highlight the importance of exclusion as a major social force underlying racial and ethnic conflicts. Exclusion can come from many sources: economic institutions or systems, political arrangements, or resources; each made more problematic by historical patterns of winners and losers. These contributions remind us of the futility of “blaming” racial and ethnic conflicts on explanations based on the particular cultures of the groups involved. In these instances, broader institutional forces, not group norms or values, are important.

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# **Banks and the Racial Patterning of Homicide: A Study of Chicago Neighborhoods**

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# Banks and the Racial Patterning of Homicide: A Study of Chicago Neighborhoods

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While bank investment is a driving force behind neighborhood viability, few studies have directly examined the effects of bank loan practices on neighborhood crime rates. This paper proposes that variation in residential bank loans helps explain the higher rates of homicide in minority neighborhoods in Chicago compared to white neighborhoods. It finds that black and Latino neighborhoods would experience fewer homicides if more financial capital were infused into these neighborhoods. These findings suggest that neighborhoods are shaped profoundly by the decisions of external economic actors.

The contemporary economic recession illustrates that the actions of the banking industry have serious consequences for the world's communities (Bremmer and Roubini 2009; Davis 2009). The financial crisis has also put a spotlight on residential loans. In the United States, predatory subprime loans, which played a central role in creating the economic turmoil, are highly concentrated in minority and low-income communities (Woodstock 2008, 2009). Concern has been expressed that the global financial crisis will be particularly harmful to places that are poor and marginalized and that have large shares of people of color. These observations suggest the interconnections between banking, race, and economic conditions. What do criminologists have to say about these connections? At the very least, we would like to know if the amount of bank investment influences local crime rates. I begin by assessing the impact of levels of mortgage lending on homicide rates across neighborhoods in one U.S. city (Chicago). Given that crime is higher in minority neighborhoods, I pay particular attention to the role of bank mortgage allocation in producing racial differentials in violence (Krivo and Peterson 1996; Krivo, Peterson and Kuhl 2009; McNulty

1999; McNulty and Holloway 2000; Pattillo-McCoy 1999; Peterson and Krivo 2005, 2009a, 2009b; Sampson and Wilson 1995; Shaw and McKay 1942, 1949; Wilson 1987, 1996).

Bank loans are a promising area of investigation for criminologists because the actions of banks are a driving force shaping neighborhood viability (Garmaise and Moskowitz 2006; Kim 2000; Massey and Denton 1993; Skogan 1990; Smith, Caris, and Wyly 2001; Squires and O'Connor 2001). Neighborhoods that receive few bank loans are unable to build new housing, repair dilapidated housing, recruit new home buyers, sustain existing businesses, or attract new businesses. These conditions lead to neighborhood depopulation, decline in local economic opportunities, weakening of local social ties, and deterioration of community institutions like schools and churches. All of these developments, in turn, would be expected to heighten crime. Gregory Squires and Charis Kubrin (2006) evaluate this possibility with an analysis of Seattle neighborhoods in 2000. They find that an increased rate of conventional loans for single-family homes directly reduced neighborhood levels

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of crime. This phenomenon is especially consequential for minority, immigrant, and low-income communities in the United States and elsewhere, which share limited access to financial capital and histories of community disinvestment (Aalbers 2005; Bolt, van Kempen and van Ham 2008; Fuller and Mellor 2008; Immergluck 2002; Massey and Denton 1993; Peterson and Krivo 2009b; Squires and O’Conner 2001). There is considerable evidence that minority neighborhoods in the United States receive fewer loans and fewer loan dollars than white neighborhoods even after adjusting for neighborhood economic conditions (Dedman 1988; Farley, Danziger, and Holzer 2000; Holloway and Wyly 2001; Metropolitan Chicago Information Center 2007; Squires and O’Connor 2001). Research from the United Kingdom also indicates that older low-income neighborhoods with devalued housing stock experienced redlining, in which funds for housing and home buying are diverted or not allocated (Pacione 2005).

By focusing on the role of lending in shaping differences in lethal violence across minority and white neighborhoods, I hope to contribute to the literature on the link between race and crime that has taken center stage recently in the field of criminology (Krivo and Peterson 2005; Krivo, Peterson, and Kuhl 2009; Peterson and Krivo 2009a, 2009b). To explain the racial disparity in crime rates, most researchers focus on the disadvantaged status and accompanying crime-producing conditions of African American neighborhoods. Compared to white neighborhoods, for instance, black neighborhoods are more likely to have high poverty rates, public housing projects, underfunded schools, weak local institutions, and to be spatially proximate to other poor neighborhoods (Krivo and Peterson 1996; McNulty and Holloway 2000; Pattillo-McCoy 1999; Sampson and Wilson 1995; Wilson 1987, 1996). Yet such an approach typically finds that the minority-white gap in neighborhood crime, especially violent crime, cannot be explained completely even after a variety of conditions are taken into account (Fitzgerald and Carrington 2008; Krivo and Peterson 1996; McNulty and Holloway 2000; Peterson and Krivo 2009a, 2009b). Thus, I am proposing that because bank loans are a site of racial inequality, their inclusion in crime models will move us toward a more complete explanation of the link between race and crime.

Highlighting the relevance of bank lending practices to criminological processes helps to broaden our conceptualization of macro-level processes. Most community and crime research has focused on intra-neighborhood dynamics such as ties among neighbors or collective efficacy to understand how communities control crime (e.g., Bellair 1997; Sampson, Raudenbush and Earls 1997; Warner and Rountree 1997). This leads to viewing high crime rates largely as a result of the inability of residents within a neighborhood to organize collectively against crime. But a growing number of criminologists draw upon insights from urban political economy to argue that the actions of political and economic elites historically and currently have created conditions that cause minority neighborhoods to have more crime than white neighborhoods (Bruce, Roscigno and McCall 1998; Bursik 1989; Bursik and Grasmick 1993; Feagin 2001; Hirsch 1983; Logan and Molotch 1987; Massey and Denton 1993; McNulty and Holloway 2000; Mears and Bhati 2006; Morenoff et al. 2001; Peterson and Krivo 2009a, 2009b; Smith et al. 2001). For instance, city elites almost always place public housing in poor and minority neighborhoods, which do not have sufficient leverage to organize effectively against such initiatives. As a result, these already poor communities experience an increased concentration of poverty, residential instability, and violence (Bruce et al. 1998; Bursik 1989; Massey and Denton 1993; McNulty and Holloway 2000). By focusing on bank loans—resources allocated by outside economic actors—this study seeks to further our understanding of how macro-criminological processes result in part from decision making that is external to the neighborhood affected by crime. Such a perspective reminds us that neighborhoods are not islands unto themselves, but are embedded within a larger political and economic context.

### **1. Neighborhood Research on the Link between Race and Crime**

Contemporary research on race and crime largely draws on the American experience. Community and crime researchers argue that differences in crime rates between minority and white neighborhoods can be explained largely by the stark differences in their relative levels of structural disadvantage (Almgren, Guest, Immerwahr and Spittel 1998; Fitzgerald and Carrington 2008; Krivo and Peterson 1996; 2009; McNulty 1999; McNulty and Holloway 2000; Peterson and Krivo 2005, 2009; Shaw and McKay 1942, 1949;

Sampson and Wilson 1995; Shihadeh and Shrum 2004; Wilson 1987, 1996; Wooldredge and Thistlethwaite 2003). Most researchers focus on the social isolation generated by contexts of concentrated disadvantage, which in turn is associated with several major community characteristics that make crime more prevalent. Disadvantaged contexts, for instance, lead to indicators of diminished community social organization like weak ties between neighbors and low levels of collective efficacy (Bellair 1997; Sampson et al. 1997). Moreover, in disadvantaged contexts, cultural adaptations like ghetto-related behavior or the code of the street make violence more likely (Anderson 1999; Wilson 1996). The current thinking is that neighborhood disadvantage inhibits community social control and produces cultural adaptations, which together increase crime. Because minority neighborhoods are more disadvantaged, this process should be particularly salient for explaining their relatively high incidence of crime.

Lauren Krivo and Ruth Peterson (1996), for example, assessed the impact of disadvantage on property crime rates for white and black neighborhoods in Columbus, Ohio. They found that there were no significant differences in property crime rates in black versus white neighborhoods once levels of disadvantage were taken into account. Similarly, Robin Fitzgerald and Peter Carrington (2008), in a study of neighborhoods in Winnipeg, Canada, found a strong positive relationship between the proportion of Aboriginal residents and crime levels. They also found that socioeconomic disadvantage and residential mobility account for a large measure of the link between race and crime in Winnipeg neighborhoods.

While in some cases the link between race and crime can be accounted for by disadvantaged status and its accompanying crime-producing conditions, this is not always true for violent crimes. Krivo and Peterson (1996) found that in both low- and high-disadvantaged areas, predicted violent crime rates were higher in African American than white neighborhoods. Similarly, Thomas McNulty and Steven Holloway (2000) were unable to explain away the race effect for robbery rates in Atlanta even after adjusting for neighborhood disadvantage and proximity to public housing. To make sense of this finding, most community and crime scholars have interpreted the residual race effect as

reflecting unmeasured structural factors, such as underfunded schools, spatial proximity to disadvantaged areas, or cultural adaptations like the code of the street (Alba, Logan and Bellair 1994; Krivo and Peterson 1996; McNulty and Holloway 2000; Pattillo 1998; Pattillo-McCoy 1999; Peterson and Krivo 2009a, 2009b; Shaw and McKay 1942, 1949).

## 2. The Role of Bank Loans

An important factor missing from research on neighborhood crime rates is the external resources allocated by economic officials to neighborhoods. Among the key external resources are residential bank loans. Residential loans include monies for multifamily building purchases, home improvement, refinancing, and conventional and government-subsidized purchases of single-family dwellings. An infusion of residential bank loans should inhibit or at least curtail a spiral of neighborhood decline. In particular, neighborhoods that receive few loans embark on a trajectory of physical decline and abandonment which some research suggests culminates in heightened levels of crime and victimization (Massey and Denton 1993; Skogan 1990; Squires and Kubrin 2006). Without loans there are not enough resources to refurbish housing and building stock, leading to their deterioration. The neighborhood becomes characterized by abandoned houses, broken windows, litter, graffiti, and other indicators of physical decline. This physical disorder is associated with crime directly and indirectly (see Kelling and Coles 1996; Markowitz et al. 2001; Sampson and Raudenbush 1999; Skogan 1990; Taylor 2001; Wilson and Kelling 1982).

In addition, an infusion of bank loans should facilitate a community's ability to control crime, through a process referred to as public social control (Bursik and Grasmick 1993; Squires and Kubrin 2006; Veléz 2001). Researchers who study public social control have found that neighborhoods with strong ties to the police and local public officials benefit from more informal social control (Silver and Miller 2004) and less household and personal victimization. This is the case especially in disadvantaged neighborhoods (Veléz 2001). External ties are thought to help neighborhoods secure external resources, which may lead to more bank loans, better police protection, city-sponsored greening projects, and the like.

Unfortunately, many of these studies are unable to measure the external resource in question. By contrast, this study assembles bank lending data for each neighborhood to test these hypotheses. An infusion of loan monies should reduce crime because it sets in motion processes that stimulate the community control needed to reduce crime. For instance, loans provide incentives for residents to move into and stay in the neighborhood, because they allow the purchase, repair, and refinancing of homes. Loan monies should facilitate residential stability by encouraging residents to invest further in their neighborhood (Squires and Kubrin 2006). Residential stability also stimulates community participation in neighborhood activities like neighborhood watch associations, and this participation in turn allows such organizations to lobby more effectively for additional external resources (Campen 1992; Dawley 1992; Medoff and Sklar 1994; Metzger 1992; Rabrenovic 1996; Rooney 1995). For instance, Duncan Fuller and Mary Mellor (2008) document a community organization whose primary purpose was to increase financial empowerment for a low-income community which had experienced major financial disinvestment. Strategies included providing debt counseling, delivering business advice, and offering basic banking accounts.

An infusion of residential bank loans should also improve the economic situation of a neighborhood, thereby reducing crime. As William Julius Wilson (1996) points out, a major reason for high crime and other deleterious outcomes in inner city neighborhoods is their high male joblessness (see also Krivo and Peterson 1996). External resources can expand local economic opportunities in a variety of ways. Residential bank loans, because they help neighborhoods improve their physical appearance, provide incentives for businesses to move to or stay in disadvantaged neighborhoods. Bank loans also help a neighborhood maintain its population base by encouraging people to purchase or fix up their homes, which creates and helps sustain a business's customer base. By expanding employment opportunities, an infusion of loans should offer a lucrative alternative to criminal activity as well as create an environment that encourages existing businesses to stay and new businesses to start. In sum, an investment by banks in a neighborhood should reduce lethal violence by reducing physical disorder, increasing public social control, and expanding employment opportunities.

### 3. Determinants of Mortgage Lending

In order to more fully explicate the role of bank lending in understanding the association between race and crime, it is important to examine how lending varies across neighborhoods. The large body of work that examines mortgage lending in urban contexts highlights the role of two key determinants for its uneven distribution. One factor consistently associated with variation in bank lending is neighborhood racial composition, which is often measured as the percentage of African American or Latino inhabitants in a given census tract. Race matters at both the macro and micro level. Research indicates that banks allocate more loans and more loan dollars to white neighborhoods than to minority neighborhoods, even after controlling for important economic factors. Gregory Squires and Sally O'Connor (2001), for example, find that majority-minority neighborhoods received a very small percentage of loans and loan dollars relative to areas that were predominantly white. Another study shows that banks in Detroit were about three times more likely to make mortgage loans in white census tracts compared to economically comparable black tracts (Farley, Danziger, and Holzer 2000). Elvin Wyly and Steven Holloway's analysis of moderate income census tracts in Atlanta during the early 1990s (1999) finds that conventional home purchase loans are made significantly more frequently in white than in black neighborhoods (see also Dedman 1988; Holloway and Wyly 2001). At the micro level, Alicia Munnell et al. (1996) analyzed data collected by the Federal Reserve Bank of Boston to find that blacks were more likely to have a mortgage loan application denied, even with important controls for default risk and loan characteristics (see also Holloway 1998; Squires and O'Connor 2001). Other work finds that minority applicants have a harder time getting a mortgage loan if the property is located in a white neighborhood, suggesting that white neighborhoods are harder for minorities to access for housing (Ezeala-Harrison et al. 2008; Holloway 1998). Minorities who apply for loans in majority-black neighborhoods do not experience such lending disadvantages.

The second factor associated with variation in lending is socioeconomic status, which is often measured by the percentage of inhabitants below the poverty line or the median housing values in a given census tract. Mortgage lending tends to be more frequent in well-established middle- to upper-class



neighborhoods. For instance, in a study of Milwaukee census tracts, Squires and O'Connor (2001) examine the differences in mortgage lending activity between poor, devalued neighborhoods (what they term target areas) and other neighborhoods. They find persistent gaps in conventional mortgage lending, with fewer loans and dollars allocated to target areas compared to other parts of the city. They also find that target census tracts had significantly higher loan denial rates than non-target areas.

It is important to note that these studies conceptualize mortgage lending as a *resource* that benefits communities. As discussed earlier, infusions of home loans contribute to neighborhood viability. Yet the current financial crisis in the United States highlights the problems created by a different type of mortgage lending—predatory and subprime—especially for poor and minority communities. These mortgage practices prey on poor and minority communities, making their members pay more for lending capital than their affluent and white counterparts (Allison and Mayo 2005; Woodstock 2009). Their higher risks are associated with higher foreclosure rates, which contribute to neighborhood decline through property vacancies, loss of equity, depopulation, lower housing values, and crime. For instance, Dan Immergluck and Geoff Smith (2006) found that foreclosures translated into increases in violent crime in neighborhoods in Chicago. Predatory and subprime loans are disproportionately clustered in poor and minority communities, which are particularly vulnerable to neighborhood decline. Because housing loans are expected to bolster neighborhood viability, especially for minority communities, it is particularly important to understand the impact of lending on these neighborhoods.

#### 4. Data and Methods

The early to mid-1990s marked a peak of violent crime and subsequent public concern in Chicago, along with the rest of the United States. Chicago has been the subject of

long-standing theoretical interest in criminological and urban sociological processes (Sampson et al. 1997; Shaw and McKay 1942; Wilson 1987, 1996). It is also diverse across race and class lines, making it an appropriate site for studying the relation of race and crime. Furthermore, Chicago is an ideal setting for examining the distribution of residential bank loans because some of its neighborhoods and organizations have been at the forefront of challenging biased bank lending practices.<sup>1</sup> I utilize data from archival and secondary data sources, which I will outline while discussing the measurement of variables.

Community and crime researchers use a variety of geographical markers to denote neighborhoods, such as police beats, neighborhood clusters, and census tracts. I have used census tracts, which cover smaller geographical areas than police beats or neighborhood clusters. The average population of a census tract in Chicago is 3,466 residents. There are a total of 865 census tracts in Chicago, but the sample here is limited to census tracts with at least 100 residents, a total of 786 census tracts.

#### 4.1. Variables and Measures

##### 4.1.1. Dependent Variable

*Homicide.* Homicides, an important indicator of neighborhood violence, are the most accurately reported crime (Morenoff et al. 2001). I conceptualize homicide as a count rather than a rate variable, because most neighborhoods in Chicago have few if any homicides. In this sample, 220 neighborhoods (28 percent) had zero homicides during 1993–1995. Moreover, when the population size of an aggregate unit is small relative to the offense rate, the homicide rate must be computed from a small number of crimes, making it inappropriate for least squares analysis (Kubrin and Weitzer 2003; Osgood 2000). To ease interpretation, I follow D. Wayne Osgood (2000) and include the natural logarithm of the size of the population at risk and fix it to one. This makes the negative binomial regression an analysis of rates

<sup>1</sup> For instance, in the 1970s the Citizens Action Program made community reinvestment a major theme (Squires et al. 1987). Their actions were critical in getting Congress to pass the Community Reinvestment Act of 1977 and the Home Mortgage Disclosure Act. This group (now known as the National Training

and Information Center) continues to pressure bank officials to ensure equitable lending. Recently, the National Training and Information Center coordinated the Illinois Coalition Against Predatory Home Loans, which led to the passage of anti-predatory lending legislation in 2003 and the City of Chicago Anti-

Predatory Lending Law (the first such municipal law in the country). Predatory practices include engaging in deception or fraud, manipulating the borrower through aggressive sales tactics, or taking unfair advantage of a borrower's lack of understanding about loan terms (Housing and Urban Development 2007).

of events per capita, rather than a counts model. *Homicide per capita* rates represent the number of homicide incidents per capita in a three-year period (1993–95). The homicide data are based on police reports of homicide incidents, which were geo-coded based on the address of the incident. These homicide incidents were then aggregated to the census tract to capture the total number of homicides occurring in each census tract during the three-year period. The data were downloaded from the Chicago Homicide Data Set at the ICPSR data archive and were collected originally by Carolyn and Richard Block (1998). The homicide per capita rates for each census tract include cases of non-negligent manslaughter but exclude deaths from injuries inflicted by police or other law-enforcement agents (see Morenoff et al. 2001).

#### 4.1.2. Independent Variables

*Residential loans.* I operationalized residential bank loans in two ways. First, I examine the total *dollar* amount of residential loans allocated to each census tract in 1992 (in millions). Second, I capture the total *number* of loans allocated to a census tract for single to multi-family, home-improvement, refinancing, and conventional purchases, as well as loans made through the Veterans Administration and Federal Housing Administration. Because the measure includes a wide array of home mortgages, it functions as a global indicator of how much lending is taking place in a community. These data are taken from the 1992 issue of the *Community Lending Fact Book*, published by the Woodstock Institute, a nonprofit agency that tracks the lending practices of Chicago banking institutions using home mortgage disclosure data. The data are made available by the Home Mortgage Disclosure Act, which requires most American financial institutions to maintain and annually disclose data about home purchases, home purchase pre-approvals, home improvement, and refinance applications involving 1- to 4-unit and multifamily dwellings. Note that the above bank lending variables are treated as both dependent and independent variables. I conceptualize them primarily as independent variables because the theoretical premise in this paper is that their uneven distribution across neighborhoods is consequential for variation in homicide.

To take into account that the effect of home loan investment on homicide may be spatially embedded, I compute spatial

lags for the two lending variables. More formally, the spatial lag is:

$$\sum_j w_{ij} s_j,$$

where  $w_{ij}$  is an element of row-standardized spatial weights matrix, and  $s_j$  is the total loan rate in each census tract's neighbors as identified by the spatial weights matrix (Anselin 2003). Subscript  $i$  refers to a particular census tract; subscript  $j$  refers to the census tract's neighbors. The spatial weights matrix defines the range of interaction across space. The range of interaction is based on the first-order rook contiguity spatial weight matrix which defines the observations that share common boundaries as neighbors, which should capture the likely "reach" of bank resources represented by the measures of lending activity.

*Racial composition.* The central independent variable of interest is racial composition. Using 1990 Census data (STF 3A), I created three dummy variables for majority Latino, majority African American, and racially heterogeneous neighborhoods. Majority *African American* neighborhoods are census tracts that are at least 50 percent African American (coded one; zero otherwise). This makes up 40 percent of the sample. I consider neighborhoods to be *majority Latino* if they are at least 50 percent Latino (coded one; zero otherwise). Fourteen percent of sampled neighborhoods are majority Latino. *Heterogeneous neighborhoods* are census tracts in which "other" racial groups (for example, Asian Americans) make up the majority; or Latinos, whites, or African Americans make up less than 50 percent of the population (coded one; zero otherwise). Such neighborhoods make up 7 percent of sampled neighborhoods. The reference category, *majority white neighborhoods*, which make up 39 percent of the surveyed neighborhoods, are places in which more than 50 percent of residents are white (coded one, zero otherwise).

*Neighborhood-level controls.* I control for six neighborhood characteristics. Drawing on previous research (e.g., Krivo and Peterson 1996), I constructed a concentrated disadvantage index by standardizing (converting to z-scores) and summing the following indicators for each census tract: (1) the percentage of households with incomes below the poverty line; (2) the percentage of persons age 16 and older employed in professional and managerial occupations (reverse-coded);

(3) the percentage of households that are female-headed; and (4) the percentage of civilian non-institutionalized males age 16 and older who are either unemployed or not in the labor force. Data for these indicators are from the 1990 U.S. Census of Population and Housing, Summary Tape File 3A.

As another measure of socioeconomic status, I adjust for median housing values in a given census tract. Data for this indicator are from the 1990 U.S. Census of Population and Housing, Summary Tape File 3A.

The residential stability index standardizes and sums values for two factors: (1) the percentage of a census tract's population five years of age or older who stayed in the same residence between 1985 and 1990; and (2) the percentage of dwelling units that are owner occupied ( $\alpha = .68$ ). Data come from the 1990 U.S. Census of Population and Housing, Summary Tape File 3A. Housing units is the number of housing units in a census tract (1990 U.S. Census, STF 3A).

The final two controls measure additional aspects of homicide by neighborhood. First, prior homicide rates are measured with the three-year average homicide rate (1988–90) per 1,000 population in a neighborhood. I control for prior homicide as a way to absorb some of the processes that led to past variation in homicide among neighborhoods. Doing so allows me to better determine the effects of lending and other variables on current homicide levels. Homicide data were obtained from the Chicago Homicide Data Set as discussed above. To take into account that homicide may be spatially embedded, the second measure is a spatial lag of the homicide per capita rate that captures the homicide count of surrounding communities for a focal community. I utilize the same weighting strategy as discussed above for the two lending measures so as to capture the likely “reach” of violence in focal and proximate communities.

#### 4.2. Analytic Strategy

I first assess the impact of racial composition on neighborhood distributions of bank loans to determine the extent of racial inequality. Disadvantaged and minority neighborhoods are expected to experience gaps in home mortgage lending compared to their more affluent and white counterparts. I then examine the effect of racial composition and

all independent variables except residential bank loans on neighborhood homicide levels. This analysis demonstrates the extent to which black and Latino neighborhoods experience higher levels of violence than white neighborhoods before bank loan distribution is taken into account. Last, I estimate the role of bank loans in reducing neighborhood homicide per capita rates and to what extent they help explain the racial disparity in crime.

I examine loan (number) and homicide per capita rates using negative binomial regression, the appropriate technique to employ in the presence of over-dispersion (Kubrin and Weitzer 2003; Long 1997, Morenoff et al. 2001; Osgood 2000). In presenting the regression findings I also considered the potential effects of multicollinearity. The variance inflation factors do not exceed four in any equation, indicating multicollinearity does not exceed typical levels of concern (Belsey, Kuh and Welsch 1980).

## 5. Findings and Discussion

### 5.1. Descriptive Statistics

Table 1 provides mean and standard deviation for all variables across all neighborhoods as well as majority white, black, and Latino neighborhoods in Chicago. It is clear that there are important differences in the substantive and control variables across neighborhood racial composition. African American and Latino neighborhoods average more than six and three homicides, respectively, while white neighborhoods have on average less than one. The spatial lag of homicide shows that minority neighborhoods are much more likely than white neighborhoods to be surrounded by neighborhoods with high levels of homicide. Also important is bank loan distribution. White neighborhoods received on average more than \$12 million in loans compared to about \$1.5 million in African American neighborhoods and about \$3 million for Latino communities. Similar disparities prevail in the number of residential bank loans allotted to communities. African American and Latino neighborhoods received, on average, 25 and 39 loans, respectively, while white neighborhoods received 114 loans. A further indication of racial gaps in lending is that minority as compared to white neighborhoods are much more likely to be embedded in seas of little lending activity (spatial lags for loan variables). These racial differences are both substantively large

and statistically significant, revealing that minority neighborhoods are at a tremendous investment disadvantage in at least one large city in the United States. No doubt some of

this racial disparity in lending is due to the class disadvantage of minority neighborhoods. To separate out class from race statistically, I turn next to the multivariate findings.

**Table 1: Neighborhood means and standard deviations (in parentheses)**

	All (N=786)	White (N=306)	Black (N=313)	Latino (N=110)
Homicide count	3.537 (4.904)	.908 (1.800)	6.125* (5.556)	3.200* (3.076)
Spatial lag of homicide	3.380 (3.213)	1.375 (2.023)	5.582* (3.312)	3.042* (2.031)
Residential loans (\$1,000,000)	6.241 (9.252)	12.294 (11.972)	1.484* (2.511)	2.921* (2.491)
Spatial lag of loan dollars	5.721 (7.563)	11.460 (9.736)	1.646* (1.882)	2.681* (1.712)
Residential loan numbers	63.987 (73.505)	114.578 (89.773)	24.760* (29.036)	39.009* (28.556)
Spatial lag of loan numbers	58.720 (59.062)	106.008 (67.918)	26.363* (24.437)	34.588* (17.913)
Majority African American	.398 (.490)	–	–	–
Majority Latino	.140 (.347)	–	–	–
Heterogeneous	.073 (.260)	–	–	–
Majority white	.389 (.488)	–	–	–
Concentrated disadvantage index	.000 (3.304)	-2.630 (1.476)	2.623* (3.142)	.329* (1.894)
– Extreme poverty (%)	.181 (.385)	.000 (.000)	.383* (.487)	.164* (.372)
– Male joblessness (%)	40.289 (17.337)	28.327 (8.229)	55.750* (15.237)	32.944* (8.639)
– Female-headed families (%)	13.190 (12.852)	3.791 (2.994)	22.909* (14.077)	13.644* (7.600)
– Professionals (%)	12.783 (10.939)	19.854 (12.704)	8.134* (6.646)	6.198* (3.939)
Median housing values	91.327 (83.603)	136.521 (104.226)	57.278* (48.244)	56.861* (25.190)
Residential stability index	.000 (1.740)	.287 (1.982)	.205* (1.625)	-.537* (.814)
– Owner occupied housing (%)	40.182 (24.532)	51.385 (24.348)	34.604* (24.928)	32.520* (13.011)
– Same residence in last five years (%)	55.264 (14.642)	52.776 (16.303)	61.587* (12.291)	51.973 (7.816)
Prior homicide rate	.370 (.545)	.113 (.401)	.650* (.603)	.348* (.424)
Housing units	1414.770 (1101.812)	1701.990 (1276.59)	1169.220* (866.127)	1100.320* (673.993)

\* Significant difference in means of black or Latino neighborhoods from white neighborhoods.

**5.2. Multivariate Findings**

Table 2 predicts the distribution of residential loans across Chicago neighborhoods during the early to mid-1990s. This analysis assesses the extent of racial inequality in bank lending practices after economic conditions are taken into account as well as other potential predictors. Table 2 shows substantial racial disparities in residential bank loans. Compared to white neighborhoods, black neighborhoods are awarded on average \$2.4 million less than white neighborhoods. There is no significant difference in dollars allocated between Latino and white communities.<sup>2</sup> When examining the number of loans, black and Latino communities receive fewer loans than their white counterparts. Note the stark disparities in the distribution of bank loans despite rigorous controls for concentrated disadvantage, median housing values, prior homicide rates, and the spatial diffusion of lending. This pattern is consistent with historical and contemporary accounts of the lending practices of banks in black and Latino neighborhoods (Ezeala-Harrison, Glover and Shaw Jackson 2008; Massey and Denton 1993; Squires et al. 1987; Squires 1994). In addition, this finding parallels research that has shown that minority individuals are disadvantaged in interactions with banks. Minorities, for instance, are less likely to receive bank loans and more likely to pay higher mortgage rates than whites after adjusting for socioeconomic factors like credit records and neighborhood status (Allison and Mayo 2005; Holloway and Wyly 2001; Munnell et al. 1992; Squires and O'Connor 2001). While this study cannot demonstrate that racism accounts for these lending gaps, the vast literature on this subject shows the meaningful role of racism in the underallotment of funds to minority neighborhoods. More generally, my argument is consistent with discussions of institutional or systemic discrimination—that is, racial inequality that results from the normal operation of societal institutions—in many other sociological domains such as physical and mental health (Nazroo 2003; Williams 1999), housing (Massey and Denton 1993), and everyday activities such as shopping and going to work (Feagin 2001). The next set of analyses will assess the extent to which this racialized context of lending is consequential for the racial patterning of homicide.

<sup>2</sup> It is important to note that Latino communities are allocated significantly fewer loan dollars than white neighborhoods before median housing values are

entered into the models. The effect becomes non-significant when median housing values are adjusted.  
<sup>3</sup> Factor changes in the expected per capita rate for nega-

tive binomial regressions are computed by taking the absolute value of the exponential of the unstandardized coefficient, i.e.,  $\exp(1.607)$ ; see Long 1997; Osgood 2002.

**Table 2: OLS and negative binomial regressions with robust standard errors of residential loans on racial composition and controls (N=786)**

	Residential loans (\$)	Residential loans (#)
	b (se)	b (se)
<i>Racial composition</i>		
Majority African American	-2.408*** (.481)	-.493*** (.091)
Majority Latino	-.727 (.444)	-.262** (.076)
Heterogeneous	-1.803*** (.549)	-.243* (.107)
<i>Controls</i>		
Concentrated disadvantage	.069 (.093)	-.147*** (.022)
Median housing values	-.029** (.007)	-.001 (.001)
Residential stability	.463** (.162)	.036 (.051)
Prior homicide	.439 (.279)	-.047 (.103)
Housing units	.002*** (.000)	-.000** (.000)
Spatial lag	.001*** (.000)	.003*** (.001)
Constant	-2.080***	-4.014**
R2	.739	...
Chi square	...	1438.20***

Note: \* p < .05, two tailed; \*\* p < .01, two tailed; \*\*\* p < .001, two tailed

Table 3 provides findings for homicide per capita rates. As expected, Model 1 shows that minority neighborhoods have higher rates of lethal violence compared to white neighborhoods, controlled for concentrated disadvantage and other factors. Specifically, African American and Latino neighborhoods are almost five and two times more likely, respectively, to experience a homicide than white neighborhoods, holding all other variables constant.<sup>3</sup> Put differently, the statistically significant coefficient of 1.607 indicates that African American neighborhoods have a 399 percent higher per capita rate of homicide than white neighbor-

hoods.<sup>4</sup> Similarly, the statistically significant coefficient of .832 indicates that the average Latino neighborhood has

a homicide per capita rate 130 percent higher than that of white neighborhoods.

**Table 3: Negative binomial regression models of homicide per capita rates with robust standard errors (N= 786)**

	Model 1		Model 2		Model 3	
	b	e <sup>b</sup> (% change)	b	e <sup>b</sup> (% change)	b	e <sup>b</sup> (% change)
Residential loans (\$)	...	...	-.020* (.008)	.97 (3%)	...	...
Residential loans (#)	...	...	...	...	-.004*** (.002)	.996 (.40%)
<i>Racial composition</i>						
Majority African American	1.607*** (.159)	4.99 (399%)	1.498*** (.139)	4.15 (315%)	1.367*** (.144)	3.94 (294%)
Majority Latino	.833*** (.138)	2.30 (130%)	.741*** (.132)	2.16 (116%)	.684*** (.131)	1.97 (97%)
Heterogenous	.995** (.295)	2.71 (170%)	.911*** (.145)	2.49 (149%)	.858*** (.144)	2.36 (136%)
<i>Controls</i>						
Concentrated disadvantage	-.010 (.025)	.99 (-1%)	-.014 (.018)	1.02 (2%)	-.013 (.017)	.99 (1.29%)
Median housing values	-.003** (.001)	1.00 (-.30%)	-.002** (.001)	1.00 (-.20%)	-.002** (.001)	1.00 (-.20%)
Residential stability	-.122** (.040)	.89 (-11%)	-.120*** (.025)	.91 (-9%)	-.075*** (.028)	.93 (-7%)
Prior homicide	.371*** (.107)	1.45 (45%)	.384*** (.082)	1.43 (43%)	.380*** (.081)	1.46 (46%)
Number of housing units	-.000* (.000)	1.00 (0%)	-.000 (.000)	1 (0%)	.000 (.000)	1 (0%)
Spatial lag	.018+ (.011)	1.02 (2%)	.015 (.012)	1.02 (2%)	.015 (.012)	1.02 (2%)
Constant	-7.767***	...	-7.695***	...	-7.595***	...
Chi square	597.20***	...	550.20***	...	559.45***	...
Alpha (over-dispersion parameter)	.405 (.083)	...	.397 (.042)	...	.387 (.041)	...

Note: + p < .10, two tailed; \* p < .05, two tailed; \*\* p < .01, two tailed; \*\*\* p < .001, two tailed

<sup>4</sup> Following Long (1997, 228), percent changes in the expected count for negative binomial regressions are computed by taking the absolute

value of the exponential of the unstandardized coefficient, subtracting this from 1, and multiplying the result by 100—i.e., [1-exp(1.607)]\*100.

Models 2 and 3 introduce residential bank loans to assess the extent that loans reduce homicide per capita rates. Findings indicate that an infusion of bank capital in a neighborhood reduces lethal violence. For example, Model 2 shows that for every additional million dollars in bank loans, a neighborhood's homicide per capita rate decreases by three percent or by a factor of .97, while holding all other variables in the model constant. In human terms, this means that a typical Chicago neighborhood would experience one fewer homicide every three years. Moreover, Model 3 shows that each loan decreases a neighborhood's homicide per capita rate by almost half a percent or a factor of about one, while holding constant all other variables in the model. To explain these findings, I suggest that infusions of bank capital give tools to neighborhoods to control crime: either informally through neighbor interactions, by providing resources to fix up housing and other buildings, or by expanding local economic opportunities.

Bank lending also partially ameliorates some of the homicide rates in minority neighborhoods. When residential bank loans are taken into account, the amount of violence in African American neighborhoods is lessened. Specifically, Model 2 indicates that black neighborhoods have 4 times the homicide per capita rate of white neighborhoods compared to almost 5 times in Model 1. The disparity is diminished somewhat for majority Latino neighborhoods as well. A similar pattern emerges for both black and Latino neighborhoods when the number of loans is considered rather than the dollar amount. It follows then that if African American and Latino neighborhoods did not experience the lending disadvantage illustrated in Table 2, there would be substantial reductions in lethal violence.

I turn now to a brief discussion of the control variables. Neighborhoods with higher median housing values have

lower homicide rates. It appears that socioeconomic advantage can help protect against lethal violence. For example, research regarding affluent communities points to their use of political power to create and implement zoning restrictions that limit the encroachment of crime-producing settings like bars, taverns, and public housing projects (McNulty and Holloway 2000; Peterson and Krivo 2009a, 2009b; Veléz et al. 2003).<sup>5</sup> Models also show that homicide is lower in residentially stable neighborhoods, a finding in line with social disorganization research, which contends that residential stability stimulates the formation of conventional social networks and subsequent informal social controls such as neighbors watching out for each other's property (Bellair 1997). Neighborhoods with relatively high levels of homicide rates in the past continued to have high rates in the study period. Importantly, these controls maintain their significance in Models 2 and 3, which account for the infusion of loan dollars and the number of loans in neighborhoods.

While my evidence supports the hypothesis that bank loans affect homicide rates, might neighborhood homicide rates influence bank loans? Crime rates can affect the lending process: for instance, recent research finds that crime, especially violent crime, affects neighborhood property values, foreclosure rates, and housing prices (Immergluck and Smith 2006; Schwartz et al. 2003; Tita et al. 2006). It is likely that neighborhoods with relatively higher homicide rates are allocated fewer loans than neighborhoods with less crime. If simultaneity occurs, the results in Table 3 would result in biased coefficients.<sup>6</sup> To address this potential problem, I conducted a Hausman test for simultaneity (Pindyck and Rubinfeld, 1991, 303-305). To do this, I followed Gregory Squires and Charis Kubrin (2006) and identified an instrument that is significantly correlated with lending dollars and the number of loans but that is uncorrelated with the residuals from the results of the regression from Table 3, Model 2 or 3. A vari-

<sup>5</sup> The impact of concentrated disadvantage on local homicide per capita rates is significant before racial composition variables are included (results not shown). But once measures of racial composition are included the effect of concentrated disadvantage is explained away.

<sup>6</sup> The models as presented already partially take into account issues of reverse causality in two ways. First, note that Table 2 controls for the amount of homicide in neighborhoods in prior years (1989–1991). Doing so should capture the factors associated with homicide rates, including their effect on home mortgage lending and vice versa, in previous years. Model 3 shows that even after prior homicide was controlled, the coefficient for the loan rate remained statistically significant and

substantially negative. Second, the model includes a spatial lag of the homicide per capita rate. This measure captures the dynamic between mortgage lending and crime that takes place in neighboring communities. The coefficient for the spatial lag of homicide is significant in Model 1 but loses its significance when lending variables are introduced.

able that meets these criteria is the age of the housing stock in a census tract.<sup>7</sup> Chicago tracts with older homes are better established and experience more lending activity, but the age of housing is not related to homicide levels. This variable is positively correlated with the lending dollars (.09) and loan numbers (.12) and uncorrelated with the regression residuals from Models 2 and 3 (.042 and .043, respectively). I then regressed the instrument and the exogenous independent variables on the two lending variables and saved the residuals for each loan model. Subsequently, I applied the resulting residuals from those models and included them as additional independent variables in the estimation of neighborhood homicide rates. Table 4 shows these results; Model 1 refers to the number of loans variable and Model 2 refers to the loan dollars variable. As can be seen in both models in Table 4, the residual terms from stage one are not a statistically significant predictor of homicide per capita rates (significance level equals 0.103 and .125 respectively) in stage two. Thus there is no statistical evidence that simultaneity is a problem in the results displayed in Table 3 (for examples of how bank activity directly affects lending, see also Immergluck and Smith 2006; Squires and Kubrin 2006). Bank lending, in other words, matters for the neighborhood distribution of homicide.

**Table 4: Negative binomial results predicting homicide per capita rates with robust standard errors from Hausman test for simultaneity (N=786)**

	Model 1 Loan numbers b (se)	Model 2 Loan dollars b (se)
Loan measure	-.010** (.004)	-.068* (.022)
Residual from stage 1	.007 (.004)	.048 (.031)
African American neighborhood	1.013*** (.254)	1.192*** (.204)
Latino neighborhood	.895*** (.168)	.946*** (.152)
Heterogeneous neighborhood	1.021** (.349)	1.080** (.333)
Concentrated disadvantage	.029 (.020)	.026 (.020)
Median housing values	.001 (.001)	.000 (.001)
Residential stability	.108 (.056)	.021 (.037)
Prior homicide rate	.144 (.078)	.169* (.077)
Number of housing units	.001*** (.000)	.001*** (.000)
Spatial lag of homicide	.051*** (.011)	.046*** (.011)
Constant	-.415*	-.589**
Wald chi square	709.36***	687.31***

Note: \* p < .05, two tailed; \*\* p < .01, two tailed; \*\*\* p < .001, two tailed

<sup>7</sup> Utilizing 1990 Census data (STF 3A), I operationalized the age of the housing stock with the average median year in which homes were built in a census tract.



## 6. Conclusion

We have vast evidence from around the world that political and economic actors, including banks, affect at the neighborhood level social capital, financial exclusion, residential racial or ethnic segregation, physical disorder, residential stability, park and recreation facilities, and community decline (Aalbers 2005; Bolt et al. 2008; Bursik 1989; Button 1989; Giffinger 1998; Massey and Denton 1993; Orr 1999; Skogan 1990; Squires and O'Connor 2001). A major concern is that these actors facilitate socio-spatial segmentation that allocates resources to places already set up to prosper, while resources are diverted from or denied to places already vulnerable to deleterious conditions such as crime—magnifying the impact of inequality (Fuller and Mellor 2008).

This article has shown that banks allocate fewer loans and loan dollars—between 90 to 76 fewer loans and about \$10 million less—to the typical black or Latino neighborhood compared to its white counterpart. That about half of that disparity can be explained by class differences between white and minority neighborhoods is of less consequence to minority residents, who must nonetheless live in neighborhoods that experience the full disparity in loan allocation. It is not surprising, of course, that bank loans are distributed unequally across race, nor that local decisions governing a highly lucrative resource are divided along racial lines (Farley, Danziger, and Holzer 2000; Dedman 1988; Ezeala-Harrison et al. 2008; Munnell et al. 1992; Musterd, Priemus and Van Kempen 1999; Peterson and Krivo 2009; Santoro 1995; Squires 1994; Squires and Kubrin 2006). Clearly, lending across Chicago neighborhoods is taking place in a racialized context that favors white communities over minority communities.

My findings also suggest that the availability of bank loans reduces lethal violence in all neighborhoods as well as helps to reduce violence in minority communities. Shifting from an exclusive focus on intra-neighborhood dynamics to an approach that pays more attention to the actions of outside political and economic actors is especially important when examining the racial patterning of crime. Minority communities, especially those that are economically disadvantaged, have long been adversely affected by the decisions of outside economic and political actors (Browning, Marshall,

and Tabb 1984; Button 1989; Massey and Denton 1993; Stone 1989). My findings underscore the claim that the unequal distribution of loans is important in making minority neighborhoods more vulnerable to crime-producing conditions.

One implication concerns how criminologists conceptualize neighborhood “structural” conditions like poverty rates, male joblessness, single-parent families, and residential segregation. The dominant approach is to take structural factors as given—leaving them largely unanalyzed and untheorized. Yet structural conditions are themselves the product of a long series of events. Whether it is historical or contemporary practices that deny housing to blacks in white neighborhoods (Massey and Denton 1993), place public housing projects in minority neighborhoods (Bursik 1989, McNulty and Holloway 2000), limit minority job opportunities (Neckerman and Kirschenman 1991), or limit access to financial capital (Fuller and Mellor 2008; Logan and Molotch 1987; Smith et al. 2001; Squires and O'Connor 2001), structural conditions can meaningfully be viewed in part as products of racial inequality. Any study seeking to understand the racial patterning of crime needs to ground the investigation in an examination of racial inequality in political and economic power (see Bonilla-Silva 1997).

Finding that access to capital affects local homicide rates also speaks to the importance of legislation such as the Community Reinvestment Act and the Home Mortgage Disclosure Act. These acts are seen as critical for opening up mortgage lending to underserved communities and their residents as well as for facilitating the study of lending patterns by scholars, community advocates, and policy makers. Yet since the late 1990s, various initiatives by the U.S. Congress and the Executive Branch have weakened these policies' ability to pressure lenders for equitable lending (Ashton 2008; Squires and Kubrin 2006; Woodstock 2009). For instance, banks have the option of excluding the lending activities of various affiliates in their CRA performance evaluations, making it difficult to monitor higher-risk subprime mortgages (Woodstock 2009). And when the current economic crisis is presented as partly a result of “bad loans to risky people,” advocates of community reinvestment are concerned that such policies will be further weakened (Woodstock 2009). For example, President Obama supports

creation of a new regulatory structure that will provide safety nets for consumers and mechanisms to control banks, but as a recent *New York Times* editorial pointed out, the banking industry has funneled millions of dollars into lobbying efforts to make sure this new regulatory system does not have much enforcement power (New York Times 2009). Without strong regulation and a strengthening of community reinvestment initiatives, there will be even less capital for poor and minority neighborhoods. These communities will continue to pay the cost of lending inequalities by suffering increased violence. And these neighborhoods will continue to be underprivileged places characterized by limited structures of opportunity and diminished quality of life for their residents.

Whether the findings of this study are unique to Chicago must be addressed in future research, especially because Chicago has an extensive history of activism concerning community reinvestment (see Squires and O'Conner 2001) and because the banking system in the United States is less regulated than in many other parts of the world. Three avenues of future study seem particularly promising. First, comparative analysis of city neighborhoods within and across countries would be most helpful. For instance, we have strong evidence that the high crime rates in minority neighborhoods are due to their disadvantaged conditions

such as extreme levels of poverty and male joblessness. But this knowledge is almost exclusively based on research on neighborhoods within the United States, a country with well-entrenched systems of discrimination that make race and concentrated disadvantage almost inextricable. How do these factors operate in other racial contexts? Another question is how the political economy of a country affects the distribution of bank lending and the impact of lending on neighborhood crime. The Netherlands, for instance, has a highly regulated and monitored banking system that may produce fewer disparities in loans across social or racial groups. Second, research should investigate how neighborhoods solicit bank resources and bid for inclusion in financial institutions (Fuller and Mellor 2008). Core issues include the benefits of neighborhood mobilization, and connections to the formal political system, and whether the benefits of being connected to a city's political system are the same for white and minority neighborhoods. And finally, because subprime lending is concentrated in the very same poor and minority communities that experience gaps in mortgage lending, it will be important to disentangle the effects of predatory and conventional mortgage lending on crime. Understanding how bank lending shapes neighborhood crime rates will facilitate a better understanding of the intersections of race, political economy, and crime-producing conditions.

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# The Social Dynamics of Communal Violence in India

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# The Social Dynamics of Communal Violence in India

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This article analyses mobilization among Hindu nationalist organizations. Rather than seeking their attraction in their discursive outputs and the possible answers they might give in times of change, the contention is that this is to be sought in the specific internal dynamics and the possibilities they create within their historical context. These specific opportunities for action are inherent firstly in a mode of operation relying on participation and involvement, their direct intervention, localness, and accessibility. The dichotomization inherent in violence makes it possible to integrate different interests and contents under a single banner and therefore contributes to the project of unification undertaken by Hindu nationalism.

## 1. Introduction

Communal riots, large scale pogroms and increasingly frequent bomb attacks have shaken India in the last decades. Riots, pogroms, and bombings have been interpreted as instances of an ever-escalating cycle of violence between Hindus and Muslims in the country, a cycle whose historical beginning is located differently by either side.

It is particularly Hindu nationalist organizations and authors who characterize these violent events as instances of revenge or self-defense. They locate the conflicts' origin in the Mughal conquest of India, followed by the partition of the subcontinent—both of which are interpreted as acts of Muslim aggression. Among official observers, too, a language of mutuality predominates; they identify a cycle of escalation in which both sides react to each other. Government reports, judges as well as senior police officers have often expressed the view that riots between Hindus and Muslims are “like epileptic seizures” (e.g. Srikrishna Commission report 1998, 4), casting them as symptoms of a fundamentally incurable disease. Similes of volcanic eruptions further naturalize communal violence or locate its sources in a mass psyche.

With regard to communal violence in India, the interpretative screen of escalation conceals more than it reveals. Narratives of conflict that focus on escalation, by implying a certain symmetry between the opponents and equal reactive motives that relate to the fear of the other, obliterate from view the diverse social dynamics that underlie and result from a conflict. The role of perceptions and claims of escalation in the social organization of a conflict appear to be intrinsic to the “framing” of the conflict, rather than describing its dynamics.<sup>1</sup>

There are several other explanatory narratives about communal violence in India. Many academic authors have interpreted communal violence in India in relation to sociopolitical changes in Indian society. Culturalist theories have proposed that communal violence is an expression of culturally different forms of political organization, of a cultural resistance to the ubiquitous expansion or “imperialism” of an alien concept like democracy and to the homogenizing nation-state in a society in which these are alien and inappropriate. Or that these forms of political organization are a perversion of the liberal democratic system

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<sup>1</sup> On the implications of assumptions of motives of revenge among Muslims see Eckert (forthcoming).

and its need for the organization of mass-bases for competitive politics. Authors like Ashis Nandy have claimed that the modern institutions of mass democracy and secularism distorted the modes of social relations of Indian society and were therefore responsible for the violence accompanying modern politics in India (Nandy 1990; Nandy and Sheth 1996). Satish Saberwal (1997) and T. N. Madan (1997), too, have held that Indian society is governed by traditional and deeply religious norms which cannot be accommodated by the modern state and its secular credo.

Setting aside such culturalist assumptions, socio-psychological explanations have pointed toward conditions of personal anomie in which ideas of charismatic leaders and the communities constructed by their ideas offer identity and guidance. This line of thought interprets political movements as reactions to processes of socio-cultural change, such as the impact of globalization on modes of community organization and collective identity. Gérard Heuzé (1995), Jim Masselos (1996), and Sujata Patel, for example, have proposed that the social dislocations and upheavals which have accompanied economic liberalization in India can help explain the increase of communal violence and the appeal of identity politics (Patel 1997).

Despite their differences, these authors agree in their interpretation of communal violence as a defensive reaction—not against the opponent in question, namely Muslims, but against the social change effected by globalization or Westernization. Communal group conflicts and religiously inspired violence thus are seen as defensive reactions against experiences of alienation, anomie, relative deprivation, and exclusion in the face of rapid socioeconomic change, urbanization, individualization, the devaluation of tradition and religion (Weber’s “disenchantment of the world”).

These contrasting strands of explanation of the motives underlying collective action, as either culturally determined

or as an attempt at compensation, indicate an understanding of collective violence as a reaction to given conditions. They pay little attention to the social dynamics that evolve in relation to conflicts within a group, and the possible motivation that can arise from them.

The current communal violence between Hindus and Muslims in India cannot be understood simply as a defensive reaction against globalization, against alien Western institutions, or against modernity as such. This appears as implausible for several reasons and cannot provide an explanation of how violence serves the role of compensating for the experiences of anomie.<sup>2</sup> Instead, this article asserts that communal violence has to be understood in relation to the Hindu nationalist project, which aims at enforcing a majoritarian idea of the state within a unity defined by religious affiliation (see Ludden 1996a, 1996b). The construction of the enmity between Hindus and Muslims, Hinduism and Islam—and its violent realization—are part of this aim of unifying the Hindu population and defining the nation against the republican idea established at independence. In the pursuit of this aim, Muslims become substitute enemies, operational Others. Violence appears as entirely endo-strategic,<sup>3</sup> and it operates through what Paul Brass has described as “institutionalized riot systems” (Brass 1997, 9). Narratives of a cycle of escalation, of self-defense, or of insecurity or an inferiority complex contribute to what Carl Schmitt described as the quintessential political operation, namely the distinction of friend and enemy (Schmitt 1983 [1928], 124).

If we consider the identity politics of Hindu nationalism as a proactive project, the role of violence has to be newly evaluated. The social-psychological phenomena implied in the analysis of violence as a reaction to anomie, or those implied in the assumption of a cycle of escalation, are not sufficient. Instead, two aspects of the politics of violence need to be understood: the affirmation of local networks (see

<sup>2</sup> Hindu nationalism’s enthusiastic embrace of globalization, especially economic liberalization in India since the 1990s, appears to contradict those analyses that locate the causes of extreme violence in the experience of anomie or alienation. As Thomas Blom Hansen has shown convincingly, the appeal of Hin-

du nationalism among the aspiring Indian middle classes is part of India’s struggle to gain recognition in the global arena (1996a) and to shed its association with poverty, underdevelopment, and passivity. Rather than wanting to hold globalization at bay and protect Hindu tradition, Hindu nationalism is actu-

ally a means to claim global membership—by means of excluding those who appear to hold India back. I have elaborated on these arguments in Eckert 2003. <sup>3</sup> Elwert 2004, 43; compare Coser 1972.



Brass 1997; Berenshot [forthcoming]); and the provision of opportunities to participate in local power. The capacity of violence to bind people to the project of Hindu-nationalism is to be sought in precisely these specific internal dynamics and the possibilities they create within their historical context. The success of Hindu nationalist organizations thus lies not simply in their nationalist credo but in the specific opportunities of action and participation that are inherent in their mode of operation and form of organization. They reset the terms of inclusion and exclusion not solely ideologically but also in a practical manner offering local possibilities of action. These specific opportunities for action are inherent in a mode of operation that relies on participation and involvement, direct intervention, and localness and accessibility. Violence is organized to create participation and empowerment among the participants. Participatory action achieves an expansion of the space for acting individually and collectively. I contend that the specific opportunities for action that are created by the politics of violence are what constitute its appeal. Moreover, the simple friend/foe dichotomization inherent in violence makes possible the integration of different interests and discontents under one banner and therefore contributes to the project of unification undertaken by Hindu nationalism.

## 2. Hindu Nationalism

*Hindutva* (Hinduness), the pivotal tenet of Hindu nationalism, posits the unity of all Hindus beyond any differences in the rites or beliefs of different *jatis* (castes) and sects.<sup>4</sup> It is unity in diversity, and also in inequality: the *Adhikari Bheda* (lit.: differential rights). In the harmonious-hierarchical structure of the Hindu caste system, everything and everybody has its proper place and proper task.

The idea of unity in diversity found a republican form in Nehru's concept of the state and a multicultural one in the

thought of the Bengali poet Tagore; and Ramakrishna, a religious reformer who first coined the phrase, associated it with the syncretistic traditions of Bengal. But in Hindu nationalism as it was framed in the 1920s and 1930s by its founding fathers Keshav Baliram Hedgewar and Vinayak Damodar Sarvarkar, the call for unity and harmony implied the denial and suppression of social conflicts such as caste conflicts. Ever since the founding of the RSS (Rashtriya Swayamsevak Sangh—National Volunteers' Organization),<sup>5</sup> the organic concept of the nation with the Brahmin head, the Kshatriya arms, the Vaishwa stomach, and the Shudra feet of Hindu society has been vital to Hindu nationalist ideology. Evoking unity and union, therefore, was always also directed against the articulation of demands for equality within the group defined as Hindu.

The historical process of consolidation and canonization of Hinduism is part of the genealogy of Hindu nationalism. The development of the religious and social order on the Indian subcontinent from a highly diverse religious landscape with porous borders to a clearly defined and demarcated religion named Hinduism (Thapar 1985) was a modernizing process consisting of interlocking colonial-administrative, cultural-ritual, and political developments. At first, the category of Hindu was not religious: it was a denomination applied from the outside, and from a geographical perspective, to all the people who lived "behind the Indus" (Frykenberg 1989). In the 1911 census there were still approximately 200,000 persons who called themselves "Hindoo-Mohammedans" (Sarkar 1997, 11). Establishing a religious category of Hinduism required incorporation of a great variety of *jatis* (castes) and ritual practices and a multitude of gods (Sarkar 1997, 277; Basu et al. 1993, 7), whose followers shared no common self-designation and which did not add up to a unitary religion.

4 In a much-disputed decision in 1995, the so-called *Hindutva* judgment, the Indian Supreme Court called *Hindutva* the "way of life of all Indians"—thus agreeing with the Hindu nationalist groups' claim. A detailed discussion of the judgment can be found in Cossman and Kapur 1997.

5 The RSS was founded in 1925 in Nagpur. Hedgewar considered it foremost as an instrument of "cultural

work" and of character building (Basu et al. 1993, 24). It later expanded into a wide-ranging organizational network addressing all kinds of social and political matters (ibid., 34–50; Jaffrelot 1996; see also Andersen and Damle 1987). Its political wing, earlier the Jan Sangh, today the Bharatiya Janata Party (BJP—National People's Party), was founded in 1951. The World Hindu Council (VHP), the international wing of the Sangh Parivar dedicated to cultural work, and

its youth organization, the Bajrang Dal, were established in 1964. More sub-organizations with specific purposes, including a trade union (founded in 1955), several women's organizations (starting in 1936), and the educational network Vidya Bharati with its primary and secondary schools, have gained importance, particularly in their integrating potential. The leaders of all organizations, including the BJP, India's former governing party, originated in the RSS.

The colonial administration's need for classification contributed to the definition of a uniform category (Pandey 1992, 23–65). With increasing modernization, group size and numbers became politically and administratively relevant. "Enumerated communities" (Kaviraj 1992, 50), created largely by the colonial census, determined group affiliations unambiguously and exclusively, making multiple or situational identifications impossible. At the same time, the colonial state assumed a neutral position with regard to the religious affairs of the groups defined by its own classifications and did not interfere in these matters.

These developments led to a codification of specific versions of different social practices (Kolff 1992, 231). It was during the colonial period, for instance, that the foundation for the religious personal statute was laid, which allowed everyone to settle family issues according to the rules of their religion—but only according to the laws of practices recognized as a religion by the colonial administration. The introduction of separate constituencies for Muslims in the late 1930s was meant to guarantee their political representation in the colonial committees, but it also increased political mobilization along religiously encoded group boundaries.

Administrative, cultural-religious, and political projects therefore reinforced one another in consolidating group boundaries. Administrative categories incorporated the classifications of religious self-representations, but only those forms of self-representation which complied with the criteria of classification of a modern administration system (Chatterjee 1995, 223): written form, unambiguity (Kolff 1992, 215–16, 231), and quantifiability. The categories originating in these administratively and politically motivated representations of Indian society then influenced forms of political organization, as the colonial state privileged some forms of social organization and ruled out others. Because the colonial powers assumed that community and religious formations were ultimately not political and indeed profoundly characteristic of the nature of the Orient, these organizations frequently had wider options for public action than more strictly political organizations (Freitag 1989, 284–91).

This colonial privileging of religious and community organizations, which has often been interpreted as a practice of "divide and rule" and which has been held responsible for increasing tensions between Hindus and Muslims (Pandey 1992), would never have been possible, however, had it not been able to connect to existing group differences (Freitag 1989). The distance between Muslim and Hindu political elites began to grow in the late nineteenth century. From the very beginning, Indian nationalism—organized in 1885 as the Indian National Congress—had Hindu religious traits. Key personalities supported the positions of the Hindu Right. Bal Gangadhar Tilak, for instance, the Maharashtrian Congress politician, revived religious and regional rites including Ganeshotsav, the festival of the elephant-head god, and the birthday of Shivaji, a western Indian warrior-king who had successfully fought the armies of the Mogul emperor Aurangazeb (Spear 1990, 172). This revival managed to circumvent the colonial ban on political gatherings by mobilizing people for religious events. At the same time Tilak used the festivals to counter Islamic public rites—particularly Muharram, which was then celebrated widely by Hindus as well—with specific Hindu festivals, thus shaping a clearly Hindu public (Jaffrelot 1998b).

While the Indian National Congress was able increasingly to present itself to the British colonial government as representative of the entire Indian population, references to a Hindu India (and an implicit identification of India with Hinduism) remained conspicuous in its political rhetoric.

With the religious tone Gandhi introduced into the independence movement of the Indian National Congress from the 1920s on, the fears of Muslim elites about their political exclusion from an independent India intensified. The Muslim League consolidated as the political representative of the Muslims of British India and put forward their demands for autonomous political representation within India (Jalal 1985). The "two nations theory," proposed by Muhammed Ali Jinnah and seized upon by the British colonial government, confirmed the colonial idea of an endemic conflict between Hindus and Muslims and justified the eventual partition of the subcontinent.<sup>6</sup>

<sup>6</sup> For the history of the partition of the subcontinent and the different roles played by the Indian National

Congress led by Nehru and Gandhi, the Muslim League under Jinnah, and the British colonial

government under Governor-General Mountbatten, see particularly Jalal 1985 and Seervai 1989.

Independent India inscribed secularism in its constitution (articles 27 and 28). It committed itself to religious freedom (article 25) and constituted protection of minorities (articles 29 and 30). It institutionalised the personal laws of different religious denominations for matters of family law and in the Hindu Civil Code adopted a broad definition of Hinduism, which included Jains and Sikhs.<sup>7</sup>

There were two competing concepts of secularism, however. Gandhi rejected the separation of state and religion as impossible, particularly in India. To him secularism meant equal rights for all religions. Nehru, by contrast, pursued the classical liberal model of secularism as separation of “church” and state. Gandhi’s view predominated and was legally institutionalized in various provisions concerning religious practice (Cossman and Kapur 1997; Upadhyaya 1992).

The Hindu Right’s understanding of secularism follows Gandhi’s view but transforms it: because Hinduism is not a religion but a way of life, and thus is able to integrate people of all religious orientations without proselytizing, tolerance is considered the fundamental principle of Hinduism. “When Hinduism is no religion and is a way of life, to say that a Hindu state is anti-secular is wholly incorrect. [. . .] Hinduism is secularism par excellence.”<sup>8</sup> Equating Hinduism with secularism as well as presenting Hinduism as a way of life claims that it represents all Indian citizens, while at the same time limiting membership through religion. For Hindu nationalists, affiliation to Hinduism, and therefore to India, is defined by the concept of *punyabhoomi*, the holy land. Crucial for this vision of the nation was the territorialization of religion. In his text “Who is a Hindu?” Sarvarkar in 1923 equated “fatherland,” *pitribhoomi*, with “Holy Land,” *punyabhoomi*. All those who had their sacred sites on Indian soil, including Sikhs, Jains, and Buddhists, could be considered legitimate Indians. Christians and Muslims, whose sacred sites were not on Indian soil, were by this definition excluded from legitimate political participation. The definitions of affiliation

to India and participation in the political community were based on a territorial understanding of religion.

From the very beginning, the Indian nation was, in the eyes of the central organization of Hindu nationalism, the RSS, *Hindu Rashtra*, land of the Hindus.<sup>9</sup> “Only the Hindu has been living here as a child of this soil,” the movement’s chief ideologist Golwalkar wrote (1996, 124). He drove Sarvarkar’s definition further, referring explicitly to German National Socialism: “Germany shocked the world by purging the country of the Semitic races—the Jews. National pride at its highest has been manifested here. Germany has also shown how well-nigh impossible it is for races and cultures, having differences going to the root, to be assimilated into one united whole, a good lesson for us in Hindusthan to learn and profit by” (Golwalkar 1938, 27). The lesson to be learned was that “the non-Hindu people in Hindusthan must either adopt the Hindu-culture and language, must learn to respect and revere Hindu religion, must entertain no idea but the glorification of the Hindu nation [. . .] or may stay in the country wholly subordinated to the Hindu nation claiming nothing, deserving no privileges, far less any preferential treatment, not even citizen’s rights” (ibid., 52).

While in the late nineteenth and early twentieth centuries the disobedience of low castes, the changing role of women, and the contestation of the caste system generally were seen as a threat to the unity of Hindus (Sarkar 1997, 288), in the subsequent period internal conflicts were increasingly neglected in favor of the confrontation with Islam. Hedgewar had regarded the demands of the low castes for equality to be as threatening as those of Muslims (ibid.). But by the 1930s, in the writings of the RSS leader Sarvarkar, Islam had become the paramount threat to Hindus and Hinduism. The aggressive inclusivism of the early Hindu nationalism changed into an aggressive exclusivism directed at Muslims, which veiled the inclusivist strategy toward the unincorporated castes and sects.

7 Group rights beyond the personal statute, however, were linked not to religious groups, but to caste affiliation (Scheduled Castes [SC] and Scheduled Tribes [ST]); later quotas were established for Other Backward Castes [OBCs]). Linguistic minorities also enjoy protection.

8 *Organiser* (January 21, 1996), the mouth-piece of the *Sangh Parivar*; quoted in Cossman and Kapur 1997, 153.

9 The RSS never participated in the anti-colonial movement; its nationalism was not directed against the foreign rule. In the 1930s, Hedgewar joined Gandhi’s Satyagraha movement and was arrested temporarily. He generally disregarded the independence movement as generating unrest.

### 3. The Construction of the “Other”

The idea that the Muslims of India were “foreign” was based on the subcontinent’s conquest by the Moguls. Political history was interpreted as a religious characteristic, the aggression of Islam. The essentialization of Islam was mirrored by the essentialization of Hinduism: where Islam was essentially aggressive, Hinduism was essentially tolerant. The orientalist glorification of the spiritual (Hindu) India (Inden 1990) and the idea of Hinduism’s superiority rooted in its inherent tolerance appeared in the nationalist discourse as early as 1893, with Vivekananda’s Chicago address (Vivekananda 1996 [1893]). It has taken deep root since then: the dogma that Islam is aggression and Hinduism is tolerance is common in urban India. It is often combined with an appeal to the Hindus to defend themselves, despite their innate tolerance, against the Muslims, whose religion is aggressive, hegemonial, and intolerant. The intolerant Muslim in this conception is also the strong Muslim. The reverse side of the tolerant Hindu then becomes the weak and cowardly Hindu: the positive and the negative sides of this self-image are closely connected. The inherent tolerance of Hindus turns into a weakness which must be overcome.<sup>10</sup>

The inferiority complex that some authors have identified when analyzing Hindu violence against Muslims (e.g. Jaffrelot 2003, 12–13) shows itself to be an integral part of the ideological discourse of Hindu nationalism. The self-orientalization inherent in the construction of the Hindu as weak, feminine, or defenseless is always connected to the call to arms and a justification of violence. The Sangh Parivar’s call for violence has been seen as an attempt to construct a Hindu identity which abandons orientalist visions of the passivity and spirituality of the East (Hansen 1996b).<sup>11</sup> And yet this call reproduces the orientalist images by referring to the Hindus’ alleged essential tolerance. In this discourse, to overcome the assumed weakness of Hinduism by way of violence does not lead to the abdication of tolerance. Since tolerance is essential to Hinduism, it is dissociated from specific practices. Rithambra, a *sadhavi* (ascetic) and one of the most

militant speakers of the Sangh Parivar, said during an election campaign of the BJP in Uttar Pradesh: “We are going to build our temple there [in Ayodhya], not break anyone’s mosque. Our civilisation has never been one of destruction. Intellectuals and scholars of the world, wherever you find ruins, wherever you come upon broken monuments you will find the signature of Islam. Wherever you find creation, you discover the signature of the Hindu. We have never believed in breaking but in constructing. [. . .] We are not pulling down a monument but building one. [. . .] We have religious tolerance in our very bones” (quoted in Kakar 1995, 204–5).

This paradoxical construction, which first forms a religion’s character through a historical memory (shaped, of course, by present concerns) of conquest and violence, and then detaches these constructed characteristics from correspondence to reality and thus renders them independent of action, is typical of essentializations. Each word of an “essence” abstracts from concrete practices.

Hindu nationalist violence is further neutralized by a discourse of defense. Hedgewar had already institutionalized paramilitary drill in the Shakhas of the RSS on the pretext of defending India against Muslim attacks. Statements by BJP politicians, RSS ideologists, and VHP (Vishwa Hindu Parishad—World Hindu Council) activists concerning the Gujarat pogroms in spring 2002 without exception invoked the necessity of defense, and participants in the violence insisted that Hindus had always been subject to Muslim attacks and that it was “about time to strike back.”<sup>12</sup> Each pogrom and riot has been accompanied by justifications of this type.<sup>13</sup> “Nations which do not raise even a finger to resist, perish,” remarked Bal Thackeray, leader of the Shiv Sena, in his mouthpiece publication *Saamna* (Dec. 15, 1992). He justified the riots of 1993 in an interview with *Time* magazine: “Muslims started the riots, and my boys are retaliating. Do you expect Hindus to turn the other cheek? I want to teach Muslims a lesson. [. . .] They [the Muslims] are not prepared to accept the rules of this land. They don’t

<sup>10</sup> Even Gandhi and his principle of nonviolence embody weakness for many—and naturally most of all for Hindu nationalists. Gandhi was after all assassinated by a long-time member of the RSS.

<sup>11</sup> The Sangh Parivar (family) is the association of different Hindu nationalist organisations affiliated to the RSS.

<sup>12</sup> Interviews with the author in April 2002.

<sup>13</sup> Cf. the reports of different investigating committees, e.g. the Srikrishna Commission Report 1998.

want to accept birth control. They want to implement their Sharia in my motherland. Yes, this is the Hindus' motherland. [ . . . ] Have they [the Muslims] behaved like the Jews in Nazi Germany? If so, there is nothing wrong if they are treated as Jews were in Nazi Germany [ . . . ].”

The discourse of defense is the rhetorical figure *par excellence* for resolving the cognitive discord between tolerance and aggressiveness. One can be nonviolent in principle without renouncing the right to self-defense. In this case self-defense is collectivized and generalized: every Muslim becomes a symbol of threat, so that even an attack on individual, defenseless Muslims can be justified as self-defense; and even the smallest conflict can turn into an instance of the alleged existential threat to Hindus and Hinduism. “Hindutva is not a wave. It is a question of survival of our future generations; it is the breath of our life! If a Muslim is thrown out of any country, there are other Muslim nations where he can take refuge. Where will Hindus go? Except for our Hindu nation and neighbouring Nepal, there is no other place we can go to. That's why we have to protect our Hindu land, and if need be, sacrifice our lives to save Hindutva.”<sup>14</sup>

The generalization of the threat relies on a diversified image of the enemy: Hindustan is endangered by the mere presence of Muslims—by their supposed disloyalty and by their imputed terrorism, but also by their many children and their poverty. In such an existential conflict, any aspect of the everyday life can become a symptom of threat—the birth of a Muslim child or a Muslim beggar, Muslims voting or retreating from public engagement.

After September 11th, 2001, the discourse of defense and self-defense in India was reinforced by the global perception of a ubiquitous threat based in essential difference, in a clash of civilizations. Hindu nationalists felt affirmed in what they had long advocated, namely that “Islam is

aggression” and that it was acutely necessary to arm for self-defense against it. “As one of the world's major victims of terrorism, India clearly desires to be in the mainstream, not at the margins, of the international coalitions against terrorism,” wrote Brahma Chellaney, an Indian security expert who had called previous anti-terrorism efforts of India “soft.” He also claimed that India was “a sort of laboratory where major acts of terror are first tried out.”<sup>15</sup>

The confluence of a U.S. narrative of a clash of civilizations and its long-established Indian (or rather, Hindu nationalist) variant asserting the aggressive and intrinsically militant nature of Islam gave the latter a new status of international consensus. When these narratives seemed to be confirmed by the events, especially the attack on the Indian parliament in December 2001, they spread beyond the ideological corner of Hindu nationalism into what is frequently called the mainstream.<sup>16</sup>

In this rhetoric of defense, Hindu nationalist organizations become the sole representatives of a just order, the only advocates of the rightful claims of Hindus. The majoritarianism of Hindu nationalism defines the entity it claims to represent (Randeria 1995, 3); it defines its legitimate claims; and through the politics of enemy images it asserts the superiority of these claims over others. It then maintains it is the sole advocate of these claims and, therefore, the only legitimate political representation of the people, as defined by Hindu nationalism. The legitimate political order is equated with the majoritarian claim of ownership of India, and all other political parties and the current secular order become traitors to the Hindus.

#### 4. The Parliamentary Rise of Hindu Nationalism

The parliamentary rise of Hindu nationalism shows clearly how intricately connected the projects of ideological and political unification were. Hindu nationalist organizations' parliamentary influence and following began to expand sig-

<sup>14</sup> Bal Thackeray in a speech, quoted in Purandare 1999, 341.

<sup>15</sup> Chellaney 2001, 97–98. India immediately offered to cooperate in intelligence operations and to open its military bases and airfields to American forces

when the United States declared the “war on terror.”

<sup>16</sup> Hindu nationalist positions have never been confined to members of Hindu nationalist parties or organizations. Many of their tenets have been popular also among members of oppositional par-

ties, such as the Congress Party. Hindu nationalist stances toward the Muslim minority of India, among them the assertion of the natural aggressiveness of Islam and all Muslims, have spread so widely that they are taken as commonsense.

nificantly when, after decades of dominance, the Congress Party started to lose power. The integrational strength of the so-called “Congress system” (Kothari 1964) had always been based on the incorporation of local elites and different spheres of interests via networks of patronage (Frankel 1990). The system began to decline after Indira Gandhi centralized the party organization, which excluded local elites from active political participation (Kohli 1990, 386).

Independent political organizations, representing constituencies usually based on caste affiliation, gained political influence in the parliaments and through electoral successes. When, in 1990, V. P. Singh’s government introduced into law the recommendations of the Mandal Commission regarding quotas for “Other Backward Castes,” the BJP suddenly vastly increased its following among high-caste voters, who were formally disadvantaged by the quota policy. This support was particularly marked among the urban middle classes, who feared they would be affected by the reservation of positions in public service for lower castes. For the first time, the assertion that caste politics was threatening the unity of Hindus reached a broader public. But it also became obvious that this claim addressed very particular, urban middle-class high-caste interests.

For some time the following of the BJP remained limited to this electorate (Jaffrelot 1998a). Thus the party faced the problem of how to expand its base beyond this narrow constituency and to integrate into the project of Hindu nationalism those social groups whose independent political mobilization seemed to endanger the unity of the Hindus. The BJP directly competed with the emerging caste-based parties for “all the votes which had been let loose from the shredded net of Congress control” (Ludden 1996, b). The suggestion of an existential conflict which had been at the center of Hindu nationalist thinking became increasingly dominant in political discourse. The conflicts between castes, which were now being vociferously articulated by lower-caste politicians, were portrayed as irrelevant or at least as secondary in the face of the paramount threat of the Muslim presence in India. Rather than abandoning caste differences, Hindu nationalist rhetoric rearticulated caste relations in the form of a healthy body, with its Brahmin head, its Kshatriya arms, its Vaishwa body, and its Shudra feet.

#### 4.1 Divisions of Labor

When the BJP came to power in 1998, at the center of an alliance of various regional parties, it projected an image of efficient statesmanship and ideological moderation. Former Prime Minister Vajpayee of the BJP in particular was considered a moderate, experienced national politician. But this development did not indicate a general moderation of Hindu nationalist ideology when in positions of power. Instead, a division of labor emerged between militancy and statesmanship: the national BJP took on the role of self-confident national leadership, while some of its regional party organizations—as well as the other organizations of the Sangh Parivar, above all the VHP and its youth organization, the Bajrang Dal—continued their vociferous and militant campaign under the mantle of opposition. Disputes and conflicts within the BJP “family” arose about the rights of Hindus, the future of Ayodhya, and matters of law and order. However, in the long term this division of labor served the diverse strategies of mobilization and expansion. These conflicts ensured the fulfillment of the complementary stances of ensuring order and threatening uncompromising militancy within the same ideological fold. Militancy and order are both essential ideological ingredients of *Hindutva*: militancy in striving to realize an essentialist vision of the Hindu nation; order in the vision of a harmonious authentic society replacing a corrupt establishment—and overcoming the assertion of pluralist and antagonistic claims and related Western disorders.

This division of labor between militancy and statesmanship made possible the positioning of the national BJP’s brand of *Hindutva* as moderate, a source of order rather than disorder, harmony rather than riots. Parts of the BJP’s constituency were disturbed by the disorder caused by the communal riots that ravaged India in the wake of the BJP’s *yatras* announcing the political progress of the *Hindutva* agenda. The trading and industrialist community in particular feared disruption of the progress of liberalization and viable joint ventures. While *Hindutva* and its radical pronouncements did not lose their appeal as a thought system about political legitimacy, and possibly as a vague political model, the attendant violence was disturbing. The moderation forced upon the national BJP by its political compulsions and democratic aspirations was counterbalanced by the

militancy of the VHP and particularly its youth organization, the Bajrang Dal, as well as regional parts of the BJP and other regional Hindu nationalist parties such as the Shiv Sena. They assured their public that the upholding of law and order would not take priority over the causes of *Hindutva*. The political success of Narendra Modi, Chief Minister of Gujarat, after the pogroms in 2002 resulted from his capacity to portray himself as representative of both aspects of the Hindu-nationalist project: militant *Hindutva* as well as investor-friendly market orientation.

In 2004 the BJP was—to the surprise of all—voted out of power at the national level. The ideological construct of unity laid out in *Hindutva* was not sufficient to persuade the lower castes of a common interest with the higher castes. The “Shining India” envisioned by the BJP campaign—associated with the booming new economy, high tech and software, shopping malls and jet-set lifestyles—had evidently excluded too many, especially among those who vote.<sup>17</sup>

The national election of 2009 confirmed the Congress-led coalition, again as a surprise to all observers. However, as the victories of the BJP in regional elections showed, the appeal of *Hindutva* did not decrease. Furthermore, *Hindutva*'s conceptualization of Hinduism, along with its identification of India with Hinduism, has become commonplace beyond its organizational proponents. It has achieved currency in many facets of everyday life. In this way the Sangh Parivar has achieved its objective, even when its parliamentary goals have been thwarted.

### 5. Making Hindu Nationalist Positions Plausible

Making conflict with Islam plausible to those who are meant to be integrated into the Hindu nationalist fold by it is not an obvious process. Why should other social conflicts, which affect people on an everyday basis and determine their life chances and possibilities, become less relevant than a conflict that was relatively distant from their everyday lives? The experience of caste violence and discrimination was, and still is, much more common for many Hindus than conflicts

with Muslims (Bremner 1999). So are the socio-economic disparities of Indian society. The plausibility lies not necessarily in the conflict itself but in the specific forms of social organization associated with it, both the local networks that are activated during collective violence as well as the organization of the conflict in violent actions.

Violence in conflicts serves to define unity absolutely, because it firmly establishes group boundaries. It generates unity symbolically as it affirms the borders between the in-group and the “others” that are potential targets of violence. It forces people to submit to its categories as there is no other place for them to feel safe. Violence ignores individual hybrid, multiple, or universalist identifications, reducing classification to friends and enemies (and sometimes a third group, the audience). In Indian history, particularly during the experience of partition, communal violence has confirmed and realized the perception of an existential conflict between Hindus and Muslims. After each riot, residential areas become further segregated (YUVA 1996). Economic chains of cooperation are interrupted and entire industrial sectors are restructured (Hansen 1996c, 192; Rai 1998, 73–75; Masselos 1996, 118–21). As a result, networks of solidarity that existed in neighborhoods, trade unions, or leisure clubs disintegrate.

In many cases following communal violence, social work is taken on by religious organizations that do not engage directly in communal incitement, but do convey religious practices which are “cleansed” of the many syncretisms shaping Indian Hinduism and Indian Islam. Today, for instance, the Tabligh movement is very active on the Muslim side. Many followers attached themselves to its firmly apolitical, puritan concept of religion, particularly after the riots, because the organization's political reserve seemed to offer protection and to support the retreat into the community. But the expansion of the Tabligh movement and its puritan concept of Islam also resulted in fewer regional or religious festivals being celebrated by both groups together, with Muslims not taking part in Hindu festivals even as guests. This reduction in shared social contexts makes it easier to spread

<sup>17</sup> Voting participation has spread to the poorer sections of the Indian population, to rural voters, and to women in the last two decades (cf. e.g. Yadav 2000).

rumors and stoke fears and prejudices.<sup>18</sup> The increased segregation frequently heightens communal tension.

The actual experience of conflict is, however, not the only reason for its plausibility. Violence can also bring about unity beyond such forced affiliations, by subsuming various types of conflict under the umbrella of the friend-enemy scheme to forge new political alliances. It often succeeds in addressing all divergent interests and social and political matters to unite them into one single struggle. The singular boundary drawn between “us” and “them” integrates and homogenizes the “us” and thus transgresses conflicting boundaries within the group it defines. Propounding the paramount role of community identity it thus provides “integrated identities” (Shah 1994, 1133; Elwert 1989, 451), reinforces imagined communities (Anderson 1983) and, moreover, by devaluing the “other” it provides groups status in which even, or particularly, lower rank members of the in-group can partake (Elias and Scotson 1990).

Moreover, in violent action, established local networks are activated and reaffirmed, mutual dependencies are deepened, and obligations are entrenched (Berenschot [forthcoming]). And finally, the type of violence most common in riots—unmediated violence directly involving the perpetrators, operating with weapons at close range, with little threat of sanctions—can provide experiences of participation and power that in themselves motivate further violent action.

Thus, the social organization of the violence defining the conflict operates on several levels: it integrates diverse issues ideologically and strategically; it reaffirms and consolidates networks of mutual obligations; and it provides space for action.

### 5.1. The Shiv Sena Party

An example of the social dynamics connected with such organization of violence is the Shiv Sena, a Hindu nationalist party mainly established in the state of Maharashtra, where it had a crucial role in integrating poor and low-caste sections of the population into the project of Hindu nationalism.<sup>19</sup>

The Shiv Sena promotes a violence-oriented, violence-celebrating type of actionism, and since its founding in 1966 it has presented itself as a protest movement. The Shiv Sena aims to recapture the state on behalf of its legitimate citizens, the Hindus, and to guard it from the grasp of “foreigners” (here also including the Italian-born leader of the Congress Party, Sonia Gandhi).

The fundamental principle of organization of the Shiv Sena is its strong local base. Like the organizations within the Sangh Parivar, it establishes itself in a dense network of local associations, the Shakhhas. The Shakhhas engage in numerous cultural and welfare activities, mostly short term and ad hoc. Through these efforts the nationalist idea of Hinduism is spread, popularized, and mixed with local religious and cultural symbols. Participants are drawn to these activities not necessarily by the political message, but often because they want to celebrate a festival, or receive help, or make use of educational offers. But the interpretation patterns of the conflict are reproduced through them: religious and regional celebrations gain a communalist tone; neighborhood festivals involve territorial claims of ownership and reproduce criteria of exclusion; the numerous martial arts groups associated with many of the local branches of the party gain an aura of national defense. Because these activities are not explicitly centered on the political message, they are even more effective: They are simply part of everyday practice and leisure occupations. Local cultural activities successfully combine their political agenda with the institutions, practices, and narratives of everyday life and offer to integrate all generations into a “family.” While the organizations of the Sangh Parivar had been limited to the urban middle classes for decades, the Shiv Sena’s ability to open up participation in these social and cultural activities has been crucial in expanding Hindu nationalism to new constituencies (Eckert 2001).

The social services that the Shiv Sena organizes claim to complement the inefficient infrastructure of the state. The Shiv Sena’s members, who call themselves the soldiers (*Sainik*) of the movement, assist with minor emergencies,

<sup>18</sup> Members of the Mohalla movement made it their business to restore such everyday contexts in order to prevent the violent es-

calation of conflicts (Eckert 2003b).

<sup>19</sup> The Shiv Sena is not part of the Sangh Parivar, but since the 1980s has become one of the most successful Hindu nationalist parties.



provide ambulances, collect money for local infrastructural projects, and so on. Its local leaders and party candidates—like those of other parties or members of organized crime groups—organize for water or electricity connections in slums and pay from their own funds for public toilets or the paving of streets.<sup>20</sup> In turn they expect votes and allegiance. The Shakha thus creates mutual obligations: it offers these local services in exchange for its clients joining in the violent agitations that the party organizes (Eckert 2003a, chap. 1). Recipients of welfare or assistance are expected to enlist in the “mob” when one is called for. Every Shakha Pramukh (head of a local branch) knows that for his own career in the party, command over such dependents is vital: “If you can’t provide a mob you are a flop,” said one Pramukh in an interview conducted in Mumbai in March 1997. Thus, it is not only votes that are exchanged for civic amenities and social services (as in the case of other parties), but also muscle power and mass.

Such power is not only activated during riots. It also serves in more everyday agitations and affirms the Shiv Sena’s claim to territorial sovereignty. It is used against rival gangs, against political opponents (who might likewise command their own mobs), and against those who refuse to subject themselves to the Shakhas’ local rule. Thus, when mass violence needs to be organized, certain structures are already in place, including collaborations, lines of command, and threats against opponents. These mutual obligations are reaffirmed and strengthened during violent agitation.

This diffusion of power to the level of the Shakhas concerns a large part of the Shiv Sena’s operations. Every member is thereby integrated directly into the organizational life and participates in local power and its profits. Sudha Churi, former president of the Mahila Aghadi, has expressed this principle by presenting violence and the power obtained from it as empowerment of the Indian woman: “Bring her out of the kitchen,” she described the role of such agitations. Through the organizational structure as well as the violent agitations, women could be offered a new public role, whose ideological

embeddedness in the traditionalism of Hindu nationalism evaded violating conservative norms or family structures (Basu 1995b, 179). Women would delight in newfound power over husbands, who have to submit to the arbitrations of the Shiv Sena’s family courts or risk being beaten; but they would also take delight in organizing and arranging actions, in making decisions and carrying them through, in claiming a voice, a public role, and local power. This power is always connected to the party’s violent agitations and threats, as the local power of every single party member is at all times covered by the collective power of the organization. The collective power is in turn produced by local social and cultural activities.

At the neighborhood level of the Shakhas, the Shiv Sena’s collective power became the individual power of the Sainiks, who can demand obedience. The attraction of such a role is not specific to the Shiv Sena; but the possibilities offered by the Shiv Sena to its members are specific to its politics of direct action. The party’s internal structure gives importance and relative autonomy to the local Shakhas, produced through the institutions and positions of power which the party has formed through violent actions in the public space.

This type of politics, therefore, offers its followers not only identity constructs, but real, practical possibilities of action and power. By means of the possibilities created by direct action, the Shiv Sena fulfils some of the ethos of participation and empowerment which the (anti-colonial) democratic discourse has established as legitimation of the post-colonial state (Chatterjee 1995, 216). All the more so because its activities combine the majoritarian claim of ownership of India with criticism of the state. The Shiv Sena acts as a vigilante of the “just order” and claims to protect the legitimate order by violating the illegitimate laws of an illegitimate government with its agitations. Its militant actions integrate all conflicts and dissatisfactions with the state as well as with the Congress Party, which it tightly identifies with the state.<sup>21</sup> The Shiv Sena joins claims to participation by a rising middle class with the political discontent of poorer groups, integrating these contrasting issues and reinterpreting them as

<sup>20</sup> On the question of how these funds are generated see Eckert 2003a, 25–30.

<sup>21</sup> Similar processes can be observed in other regional contexts, for instance in Uttar Pradesh (Basu 1995; Hassan 1996).

communal conflicts. Each conflict that involved a Congress politician, or the potential electorate of a Congress politician, was turned into a conflict in which the Congress Party and its representatives became symbols of the state, and the Shiv Sena became the advocate of the rights of the people—that is, of the Hindus. Through this binary scheme, the movement offered new alliances and coalitions to different parties. These different parties in turn were strengthened by these alliances in their opposition to the Congress Party (or to a party associated with Congress). Communal agitation, therefore, served the expansion of Hindu nationalism by freshly articulating caste and class relations and creating electoral alliances that could be used to counter the structures of incorporation of the Congress system (Hansen 1996c, 206).

The Shiv Sena's local electoral successes, which were founded on offers of social services as well as on communal mobilizations, facilitated the rise of persons from social groups who used to be largely excluded from the political sphere. In Maharashtra, political mobility had for a long time been blocked by the Congress Party's monopoly on political posts and career opportunities. The "Congress system", in which a few influential families of the Maratha caste had dominated in Maharashtra (Lele 1990), was effectively dismantled by the Shiv Sena's expansion. The party's offers to political newcomers were essential to integrating the opposition to the Congress Party. Under the broad umbrella of Hindu nationalism, the Shiv Sena became the vehicle of various oppositions to the Congress Party. Its criticism of an inefficient and corrupt polity thus became the legitimization of majoritarian claims, which supersede not only the state, but also its norms of legality and legitimacy.

These violent actions and the form in which they were justified and organized resulted in the expansion of Hindu nationalism and the spread of Hindu nationalist organizations. First, violence organized through the enemy image communalized local social conflicts and subsumed them under the "conflict of religion." Second, violence integrated different and frequently contrasting discontents with the Indian state as well as communalized criticism of the state. And third, violence offered participation and emancipation, and opened up new opportunities for action, which parliamentary forms of politics could not.

The integration of the discontents of different social groups and their reinterpretation in the Hindu nationalist frame have extended the majoritarian concept of the Indian polity beyond its initial constituency. Hindu nationalist mobilization and the omnipresence of majoritarian patterns of legitimation have brought about a sustained shift in the criteria of political legitimacy, standards of normality, and the right to plural and particular claims. They have not superseded other forms of political articulation and have not unified the Hindu population as much as they desired. However, they have normalized perceptions of a conflict with Muslims and the perception of India as ultimately a Hindu state. They have substituted the republican idea of the state with a religiously encoded majoritarianism, and have successfully advanced the canonization of Hinduism (Thapar 1985).

## 6. Epilogue

There has been much debate in India about whether communal violence is an expression of a Hindu mass movement, or whether it is cleverly manipulated and orchestrated by Hindu nationalist organizations (Basu 1995a, 35–78). Both are true: Hindu nationalism and its twin, communal violence, are mass movement and orchestration at the same time. The link between the two consists in the role of violence.

To describe violent actions simply as orchestrated misses the way such orchestration actually operates, how it convinces those that follow its call, and how it manages to entrench itself in the social relations and social imagination of the participants. And to describe communal violence simply as "troubles," or to confine it to a matter of two religious groups' mutual hatred, would deny the striking asymmetry between the groups—in the number of victims, but chiefly in the support of state authorities—as well as the systematic nature of the riots.

Pogroms like the ones in Gujarat in 2002 or those in Mumbai in 1993 do not happen because sentiments of hate suddenly break out. Close examination of a pogrom or riot quickly makes clear how crucial organization is. In a recent publication of the small news agency Tehelka, numerous members of Hindu nationalist organizations brag about their role in the riots. While expressing sentiments of

revenge, they speak of the planned nature of the assaults on members of religious minorities. The attackers, who arrived in lorries and were armed with petrol cans and weapons, had computerized lists of the residents that labeled their religious affiliations (Jaffrelot 2003, 12). Gujarat's VHP president admitted to having drawn up such a list on the morning of February 28. The Shiv Sena had similar lists in Bombay in 1993. VHP chief Jaideep Patel declared after the confiscation of swords and tridents in Gujarat: "We've been distributing these weapons since 1985. [. . .] Nobody has objected, not even the police."<sup>22</sup> It is obvious that implicit or open support by the government is decisive for the course of such riots (Engineer 1996, 130). "No riot can last longer than 24 hours if the state does not want it to," Police Inspector Vibhuti N. Rai insisted.<sup>23</sup> Rioters report that the police surrendered, indeed handed over Muslims—men, women, and children—to the attackers.<sup>24</sup> Police officers recount orders not to interfere against the violence;<sup>25</sup> judges explain how they managed to let off the few rioters who were charged.<sup>26</sup>

The involvement of state authorities, particularly the police, and the BJP government's refusal to end the pogroms as well as its explicit expressions of approval of the violence further manifested the claim of ownership of India, the majoritarian prerogative, and the "illegitimacy" of Muslims. The authorities' actions show clearly how far this claim of ownership has spread already, and how self-evident it has become for diverse sections of the Indian population.<sup>27</sup> "The

violence in Gujarat reflects the dissemination of hatred of the Other that had never before reached such intensity [. . .] or had ever been so widespread," writes Christophe Jaffrelot, agreeing with Ashis Nandy that this violence marked the beginning of a new phase in Indian politics (Jaffrelot 2003, 17). This new phase is characterized by the normalization of those Hindu nationalist claims that justify violence such as that perpetrated in Gujarat in 2002.

The characterization of the Muslim not only as foreign but also as aggressive—and in this respect fundamentally different from the Hindu—is pivotal for the construction of Hindu nationalism and the justification of violence. The conflict continues to be portrayed as an essential one, a "clash of civilizations," and as a question of the survival of Hindus and Hinduism. If enmity is an essential characteristic of the relationship between two groups, or if it is made out to be the characteristic of one culture as in the case of Islam, it becomes possible to continually reformulate the conflict, to adapt it to local and current opportunities, and ultimately to keep on re-enacting it. Ayodhya is only one symbol of the allegedly essential and therefore non-negotiable conflict between Hinduism and Islam. Such symbols are potentially infinite in number: Hindu nationalist organizations have another three thousand mosques on their list, and they no doubt will find still other symbols for the conflict.

<sup>22</sup> Patel in an interview with Indian Express, April 10, 2002.

<sup>23</sup> Vibhuti N. Rai in an interview published in *Combat Communalism* 2 (6), February 1995.

<sup>24</sup> See the transcripts of the interviews on [www.tehelka.com](http://www.tehelka.com).

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> The reports from Gujarat note the participation of broad sections of the population on a new scale. Even the middle classes, it was said, had taken part in the pogroms, the arson attacks, and the hunt for Muslims. It was never entirely true

that communal violence was only the *lumpenproletariat's* doing, as is often claimed by these same middle classes. It was among the middle classes that the views of Hindu nationalism first found a sympathetic ear and the BJP was able to recruit its voters. The Hindu nationalist organizations are made up mainly of middle-class members.

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# **Pastoralists at War: Violence and Security in the Kenya-Sudan-Uganda Border Region**

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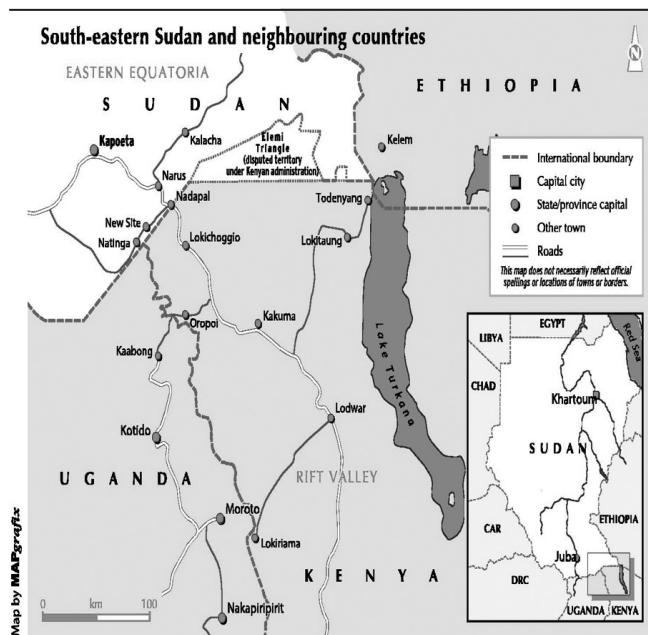
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# Pastoralists at War: Violence and Security in the Kenya-Sudan-Uganda Border Region

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The majority of those living in the border region of Kenya, Sudan, and Uganda are pastoralists, whose livelihoods are dictated by the upkeep and size of their herds. Harsh environmental conditions force pastoralists to migrate in search of water and pasturelands during the dry season. With limited access to water and competing rights to land, inter-tribal conflict arises when pastoralists from one tribe enter the territory of another. The increased availability of small arms in the region from past wars increasingly makes ordinary clashes fatal. Governments in the region have responded with heavy-handed coercive disarmament operations. These have led to distrust and subsequent violent clashes between communities and security providers. This report reviews the scale, consequences of, and responses to the many pastoral conflicts, utilizing methodological tools such as key informant interviews, retrospective analysis, and a thorough review of available literature.

Map 1



Source: Small Arms Survey 2007.

## 1. Introduction

The border lands connecting Kenya, Sudan, and Uganda form a large portion of the East Africa drylands. The pastoral ethnic groups living in this part of the continent—northern Uganda, northwestern Kenya, southeastern Sudan, and southwestern Ethiopia—share a common language, culture, and geographical location. The majority of those living in this arid and semi-arid area are pastoralists, whose social and economic life is structured around the maintenance and well-being of their livestock. For pastoralists, livestock serves as the primary asset and source of sustenance (Jacobs 1965; Silberman 1959). Their way of life has been dictated by severe weather patterns characterized by a climate where temperatures often exceed 40 degrees centigrade with little annual rainfall (Mburu 1999). During the dry season or times of drought, pastoralists are forced to relocate their cattle in search of water and pasturelands for grazing. Temporary cattle camps, or “kraals,” are assembled to keep livestock from wandering off and to protect them from potential raids by neighboring tribes.

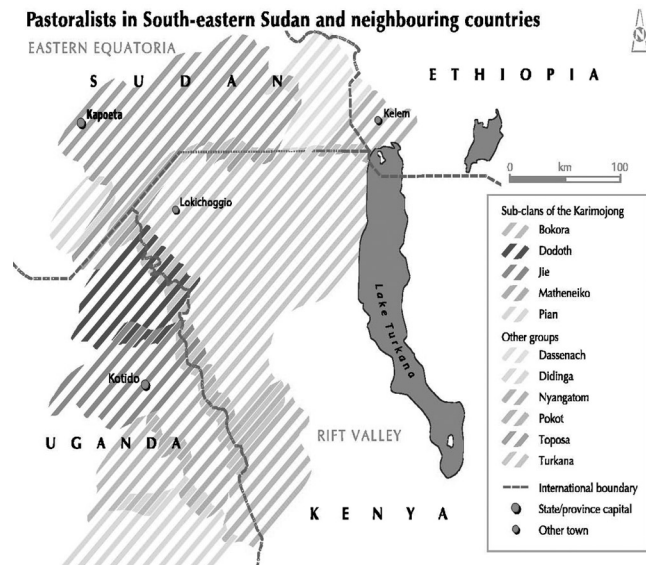
Jonah Leff is currently a member of the UN Panel of Experts on the Sudan, monitoring and reporting on the UN arms embargo in Darfur.

<sup>1</sup> “Kraal” is an African word for a roughly circular fenced enclosure for cattle or other livestock, located within a homestead or village.

With limited access to water and competing rights to land, inter-tribal conflict arises when pastoralists from one tribe enter the territory of another. This phenomenon occurs among tribes within borders as well as with those across the border in neighboring countries. The pastoralist conflict has remained low-profile (if visible at all), against a backdrop of insurgencies and wars that have afflicted the region. Conventional wisdom has underestimated the direct and indirect impacts of pastoralist conflict, in many cases writing it off as a primitive cultural practice. The spillover effects of wars in southern Sudan and Uganda—including the proliferation of high-powered assault rifles—have transformed otherwise low-intensity tensions into full-scale massacres (Mburu 1999). These pastoral clashes go largely under-reported.

This report reviews the scale, consequences of, and responses to the many pastoral conflicts in Sudan, Uganda, and Kenya. Inter-tribal clashes frequently erupt among the Turkana and Pokot (Kenya), Toposa (Sudan), and Karimojong (Uganda) (see map 2). At one time managed locally through customary mechanisms, these conflicts are increasingly fatal. The consequences are far-reaching: ranging from widespread fatalities (including women and children), protracted displacement of families, and severe depletion of livestock. State responses in Uganda, Kenya, and Sudan have typically been coercive and repressive, a function of comparatively deeply-rooted repressive attitudes toward non-sedentary populations. It is vital that international and domestic actors recognize the dynamics of these pastoral conflicts if arms control and disarmament activities are to generate meaningful outcomes for human security.

Map 2



Source: Small Arms Survey 2007.

## 2. Methodology

The methodologies employed in this study use multiple tools, which were designed to triangulate with one another for maximum data reliability. They include the following:

### 2.1. Key Informant Interviews

Key informant interviews were conducted in Eastern Equatoria (Sudan) and in the Lokichoggio and Oropoi divisions of northern Kenya. The interview questions were mostly open-ended, allowing the respondent to give anecdotal evidence to support his/her opinions. Interviews were conducted with a variety of actors, including government and military officials, CBO representatives, UN officials, chiefs, and elders.

### 2.2. Retrospective Analysis

Lexis Nexis was used to construct a timeline of news articles that describe violent events that have occurred throughout the pastoralist region. By accumulating news articles from the region, it is possible to gain a nuanced view of violent events. In addition, articles were used to map patterns of violence as well as community and governmental responses to such events. These articles were also used to fact-check the information gleaned through key informant interviews.



### 3. Pastoral Conflict: An Escalating Problem

Pastoralists make up a considerable proportion of the population of the Greater Horn of Africa, and are the dominant grouping within the Kenya-Sudan-Uganda border region. These pastoralists face a harsh existence with cattle rearing, migration, and self-defense forming the basic cornerstones of their livelihoods. Conflicts over common resources are instituted features of inter- and intra-communal relations. But the influence of past wars—including an abundance of high-powered assault rifles—has intensified what were once minor clashes. The commercialized trade in small arms, controlled in part by local elites, has intensified the conflict, leading to widespread indiscriminate fatalities (mostly women and children), displacement of families, and depletion of livestock (Mkutu 2003; Osamba 2000). A 2008 Small Arms Survey study in Eastern Equatoria State (Sudan) and Turkana North (Kenya) reveals that nearly half of all respondents (45.7 per cent, n=238, N=521) had witnessed a violent event in their lifetime (McEvoy and Murray 2008).<sup>2</sup> Moreover, between 1994 and 2005, pastoralist districts in Uganda and Kenya lost an estimated 460,000 livestock, worth over US\$75 million, and as of 2003, a total of 164,457 people had been displaced by conflict in northern Kenya (Pkalya, Adan, and Masinde 2003). Similar patterns are prevalent among pastoralist communities in neighboring countries.

Violent confrontations involving the Toposa of Southern Sudan and Turkana of Northern Kenya are reported weekly.<sup>3</sup> In 2004, just a few kilometers from Narus, Sudan, a group of over one hundred Turkana warriors from Kenya crossed the border to attack a Toposa kraal on the outskirts of Narus. In the clash, over thirty people were reported killed, and more than one hundred cattle, worth over US\$22,000, were stolen. The government of Southern Sudan (GoSS) compensated the families with livestock after efforts to settle with the Kenyan authorities failed.<sup>4</sup> Between 2004 and 2008, local peace deals reduced the

frequency and intensity of tribal raids. In May 2008, however, Toposa raiders crossed into the Lokichoggio Division of northern Kenya, resulting in an estimated forty-three deaths, the majority Toposa (McEvoy and Murray 2008).

Likewise, in May 2007, 54 people were reported killed and 11 injured when Toposa tribesmen attacked Didinga villagers while they were cultivating their crops, just outside of Kapoeta, Sudan. Among the 54 victims, 48 were women and children. Sources claim that this was a well-coordinated attack and involved heavy and general-purpose machine guns, RPGs, 60mm mortars, and AKM assault rifles. In addition to the killings, the Toposa made away with a total of 800 cattle and goats.<sup>5</sup> In response, Michael Losike Lokeruia, a Toposa member of the Southern Sudan Legislative Assembly called for simultaneous disarmament in Eastern Equatoria, but cautioned that such an initiative would only be successful if neighboring communities in Kenya and Uganda were disarmed as well (*Sudan Tribune*, July 23, 2007).

Research conducted in Eastern Equatoria suggests that armed violence of this magnitude is commonplace,<sup>6</sup> but with limited media attention to the region, combined with poor communications infrastructure, even large events such as this may well go unreported. Clearly, pastoral conflict is not limited exclusively to border areas. It is common among neighboring tribes within Sudan as well as in neighboring countries. Although UNMIS peacekeepers are present in Southern Sudan, their deployment to Eastern Equatoria is limited to Torit. Moreover, their mandate is only to “protect civilians under imminent threat of physical violence” in the context of the Comprehensive Peace Agreement rather than disarming them (UNMIS 2005). With the near absence of state-led security providers, most pastoral communities have little-to-no protection against the threat of violence.

<sup>2</sup> A total of 324 questionnaires were administered in the following counties in Sudan: Ikotos, Kapoeta East, Kapoeta North, Kapoeta South, Lafon, and Torit. A total of 194 questionnaires were administered in the following divisions in Kenya: Lokichoggio and Oropoi.

<sup>3</sup> Discussions with local leaders in Eastern Equatoria (Sudan) and Lokichoggio Division (Kenya) in May/June 2007.

<sup>4</sup> Interview with Albert Locheria, Coordinator of the Kapoeta East Native Development Association (KENDA), June 4, 2007.

<sup>5</sup> E-mail correspondence with UNMIS official, July 13, 2007.

<sup>6</sup> Interviews in Sudan May/June 2007.

#### 4. Factors Contributing to the Conflict

##### 4.1. Environmental Factors

Unfavorable climatic conditions play a critical role and often precipitate the need for pastoralists to migrate in search of pasturelands and water. During the dry season, sources of water become desiccated and lands turn arid. This forces young pastoralists to leave villages with their livestock in search of water and grazing lands. It is during these times that pastoralists engage in conflict over herding territory and replenishment of lost cattle. When conditions are made worse by extended periods of drought, conflicts become more intensified and frequent.

In the past few decades, drought-related emergencies have risen sharply. Oxfam (2006), for instance, reports that from 1975 to 2006 the number of people affected by drought rose from 16,000 to an estimated three million. This calculation does not take into account that the population has also grown significantly, but not nearly as exponentially as those impacted by the recurrent droughts. The Turkana have been faced with a persistent drought problem since 1999. They call this event “Kichutanak,” which means “it has swept away everything, even animals.” In some areas of Turkana District, 70 percent of people’s livestock were lost. In financial terms, this is equivalent to losing 70 percent of one’s savings. Not surprisingly, prolonged drought and the cattle deaths associated with it brought escalating levels of violence in the region.

In March 2006, over 600 Turkana families from Oropoi village, Kenya, left their homes and crossed the border into Uganda with their livestock in search of water. This became their only option when the sole water pump within a radius of 50 km dried up (*Africa News*, March 28, 2006). Inevitably, the neighboring Dodoth tribe in northern Uganda attacked the fleeing Turkana.

In the past, pastoralists had strategies for coping with the impacts of drought. However, more severe weather pat-

terns resulting from climate change, coupled with colonial and post-colonial policies that constrain the movement of pastoralists, makes inter- and intra-tribal rivalries more commonplace.

##### 4.2. Colonial and Post-Colonial Policies

Cattle raiding among pastoralists is a phenomenon that stretches back centuries. Traditionally, cattle rustling, often involving some violence, was redistributive and only involved the theft of cattle to replenish herds after death from drought or to pay out as bride price. When tribe members were killed, cattle were offered as compensation and the culprits were subjected to intense cleansing rituals. Prior to the system of hierarchical government, councils of elders, traditional courts, and peer groups were at the center of authority among tribes. As such, they governed raids to ensure that they did not spiral out of control, and when disputes arose, traditional mechanisms were employed to settle them (Mkutu 2003). Typically, there was some loss of life from raiding, but on a much smaller scale.

Colonial rulers disrupted the pastoralist social order, replacing it with a system of provincial government appointees within newly established borders that limited the free movement of pastoralists. Traditionally, land belonging to families was passed down from one generation to the next, but alienation of pastoralists from their land, combined with discriminatory land reforms eroded this custom (Kandagor 2005). In addition, pastoral communities were isolated from other areas that enjoyed the benefits of colonial security and development (Mburu 1999). The apparent crackdown on cattle raiding is emblematic of an overall attack on pastoralism itself, on the grounds that it was a primitive and thus inhumane way of life. The weakening of traditional governance has undermined pastoralists’ authority and ability to settle disputes. Without adequate alternatives to replace traditional structures of governance and security, pastoralists operate in an anarchic environment (Mkutu 2003).

7 [http://www.oxfam.org.uk/what\\_we\\_do/issues/climate\\_change/story\\_turkana.htm](http://www.oxfam.org.uk/what_we_do/issues/climate_change/story_turkana.htm).

8 It is pastoralist tradition for the groom to present a number of animals to the family of the bride. The number of livestock given to the bride’s family depends on the economic status of the groom’s family. Wealthy families give dowries of up to 300 animals worth roughly US\$25,000. Many young warriors will

raid cattle camps in order to provide large numbers of cattle to their bride. As cattle has increasingly become a commercial commodity, brides and their families have begun to put large demands on bride-price. Information from interviews with chiefs from Lokichoggio, Kenya, on June 1, 2007

Today, with a colonial attitude that has persisted in the post-colonial era,<sup>9</sup> the spread of land privatization, and government policies favoring sedentary groups and large-scale agriculture over nomadic livelihoods, competition over grazing areas has grown increasingly fierce. Pastoralists are also heavily underrepresented in parliament and civil service posts. Furthermore, Duffield argues that neo-liberal policies that embrace a market economy polarize rich and poor, resulting in a new generation of youth that disregard the authority of elders by obtaining wealth through militia formation and banditry (1997). Local business and political elites use cattle rustling as a means for commercial profit, capitalizing on the breakdown of traditional lines of authority.

#### 4.3. Commercialization of Cattle Raiding

The emergence of local elites that aim to profit from cattle rustling is a fairly new phenomenon that has changed the scope of the conflict by creating economic incentives that did not previously exist. This has exacerbated the brutality associated with raiding and has created links between the illicit trades in stolen cattle and small arms. Mkutu writes that commercialization in cattle rustling is “leading to major changes in economic, social and political structures in the border area” (2003). Local businessmen and even politicians reportedly fund raids in order to sell cattle on the black market to places as far away as South Africa and Saudi Arabia (Mkutu 2003). Stolen cattle are also used to supply large towns, which have grown in population through rural-to-urban migration. Whereas small-scale raiding does not deplete entire stocks, commercialized raids with elaborate planning and logistical know-how can render entire communities destitute. Buchanan-Smith and Lind (2005) suggest that there are typically five large raids in Southern Turkana in a given year. Large infrequent raids, coupled with repeated small-scale incidents create an environment of insecurity and financial hardship.

The commercialization of cattle raiding has had devastating effects on the pastoralist economy. Whereas cattle

traditionally circulated within the pastoralist region, they are now being sold outside without any revenue to speak of. In many instances, warriors conducting large commercial raids outnumber security forces. There is also evidence that many local security providers are in collusion with the profiteers of raids (Mkutu 2003). The lack of state control in the pastoralist region has made way for, what Osamba calls “the emergence of cattle warlords with armed militia” (2000). Without proper security provision, a small number of entrepreneurs will continue to benefit at the expense of a great number of people.

#### 4.4. Lack of State Security Provision

As part of a political campaign that favors sedentary communities over non-sedentary groups, governments have neglected to invest a great deal in infrastructure and public services in the pastoralist border areas, thus exacerbating the lack of state security in the region. Without sufficient roads, accessible lines of communication, and a large qualified security presence, pastoralists have had no choice but to take up arms in order to protect their families and livestock. Moreover, cross-border raiders are immune from prosecution, because governments lack the capacity or infrastructure required to prosecute those involved in acts taking place in other jurisdictions.<sup>10</sup> The Small Arms Survey reports that nearly 60 percent of residents living along the Kenya-Sudan border are dissatisfied with security provisions in their communities (McEvoy and Murray 2008).

In Kenya and Uganda, where the military’s role is restricted to responding to large-scale incidents and carrying out community disarmament programs, governments have armed local defense units to provide security at the local level. These comprise civilians who are given a registered firearm and ammunition without any training or remuneration. In Kenya, for instance, the Kenyan Police Reservists (KPR), armed with Kalashnikov-pattern and G3 assault rifles, function as a community task force mandated to respond to local crime and disputes. While the KPR are

<sup>9</sup> The policies, first implemented during the colonial era, that viewed nomadic culture as backward and primitive have persisted. The Kenyan government has continued to marginal-

ize pastoralist communities by limiting their rights to land and through under-representation in government (Mkutu 2003, 2006).

<sup>10</sup> Confidential interviews conducted in Sudan in May/June 2007.

sometimes effective in defending communities against cattle raids, they are known to lend out their weapons to warriors for raiding purposes, undermining the very security they are supposed to protect. Moreover, a 2008 ammunition study in Kenya found that the majority of illicit civilian-held ammunition was Kenyan-manufactured, revealing that it had either been stolen from weakly guarded stockpiles or sold by corrupt officials (Bevan 2008a).

The Sudan People's Liberation Army (SPLA) in Southern Sudan has also been accused of corruption and poor response to violent incidents. There is a growing police force in Southern Sudan, but it lacks training, is poorly funded, and due to insufficient transportation and communications, cannot respond in time to violent events.<sup>12</sup> Between the border town of Nadapal (Sudan) and Lokichoggio (Kenya), a disputed 25-kilometer road connects the two countries. Without any security posts on the road, Turkana warriors from the hills are able to ambush the many cars that travel up and down this road daily. The SPLA Commander of Nadapal confirmed that banditry on the border road results in fatalities on a weekly basis.<sup>13</sup>

Deficits in the government security sector are compounded by the common practice of governments and security forces arming paramilitary groups for political advantage against opponents, notably in Uganda and Sudan. This, among other things, sustains the circulation and widespread availability of small arms.

#### 4.5. Proliferation of Small Arms

Pastoralists living in the border region provide a large market for small arms. Traditionally, pastoralists practiced cattle rustling using bows and arrows. Today, with the availability of cheap and easy-to-use high-powered assault rifles, namely the AK-47, the conflict has taken on epidemic proportions with increased fatalities and indiscriminate killing during raids. A 2008 study in Karamoja, Uganda, found that 88 percent of respondents recalled a small arm

being used in the last violent attack on their community (see figure 1) (Bevan 2008b). Likewise, the Small Arms Survey suggests that small arms are used in 96.9 per cent of cattle rustling events in the Kenya-Sudan border region (McEvoy and Murray 2008). While it is difficult to estimate the exact number of small arms in circulation in the region, experts estimate that it is well over 300,000 (Regional Program of Action for Peace and Security 2006). Pastoralist communities arm themselves for several reasons. First, they need to protect their family and livestock from warriors of other tribes and bandits. Second, guns are used to raid livestock from other communities. Lastly, guns are an investment that can be traded for livestock and other commercial goods.<sup>14</sup>

Small arms have been present throughout the region since the early twentieth century. However, past wars in Uganda, Sudan, and Ethiopia left a surplus of weapons in circulation. One event, in particular, that is often recalled is the 1979 raid on the Moroto arms depot in Uganda, following the collapse of the Idi Amin regime. The Matheniko Karimjong sub-tribe were successful in acquiring large quantities of weapons and ammunition during the raid (Mkutu 2007). A similar event took place in Kapoeta, Southern Sudan, in 2002, during the North-South war. After the SPLA captured Kapoeta, which at the time was a military stronghold of the north, security at arms stores was lax or non-existent, and as a result, Taposa tribesmen (who live around Kapoeta) were able to seize thousands of weapons (Bevan 2008a).<sup>15</sup> Compounding the situation, the SPLA laid off several hundred troops after the war, offering them small arms as part of their retirement package. Not surprisingly, many of the officers sold them to gun markets in Sudan, Uganda, and Kenya (Mkutu 2006).

Furthermore, it is widely believed that the government of Sudan in Khartoum provides arms to pastoralist communities in the South in order to destabilize the government of Southern Sudan's power base, and to challenge the authority of the SPLA.<sup>16</sup> These weapons inevitably leak out of communities into the greater arms trade routes of the region. Events

<sup>11</sup> Confidential interview with a knowledgeable source, Lokichoggio, Kenya, June 1, 2007.

<sup>12</sup> Interviews with SPLA Commander of Nadapal, Sudan, June 4, 2007, and Alphonse Ireng, Senior Inspector Local Govern-

ment, Narus, Sudan, June 5, 2007.

<sup>13</sup> Interview with SPLA Commander of Nadapal, Sudan, June 4, 2007.

<sup>14</sup> Interviews in Kenya and Sudan in May/June 2007.

<sup>15</sup> Confidential interviews conducted in Sudan in May/June 2007.

<sup>16</sup> Interview with Marko Lokorae, Commissioner of Kapoeta East County, Sudan, June 5, 2007.

of this magnitude along with smaller raids of insecure stockpiles and sales from corrupt officials have contributed remarkably to the proliferation of small arms in the region.

**Map 3: Cross-Border Arms Flows**



Source: Mkutu 2003.

Mkutu reports there are four main trade routes for small arms in the border region (2006, see map 3). The primary route, he believes, is from Southern Sudan to the Karamoja region of Uganda. From Kotido district arms are trafficked into Pokot and Samburu districts of Kenya. Others are taken south to Moroto and Nakapiripirit districts in Uganda. The second is the “north-eastern route” into Kenya from Somalia. From Somalia, these arms move through the Merille area of Ethiopia and on to the Karamoja region in Uganda. From there, they move east into the Pokot and Turkana areas of Kenya. Due to the many areas of transit, this route is very costly. It is also believed that arms come in from Somalia from the south, but according to the local Turkana, most of these weapons are dropped off to Somali arms dealers to be sold in Nairobi, Kenya.<sup>17</sup> The third route flows from Southern Sudan into Lokichoggio, Kenya. It is estimated that roughly 11,000 guns per year make their way over the border along this trade route (IGAD 2004). The

Turkana take some of these arms into Uganda for resale. The fourth route is the Karenga-Lopoch-Kotido direction. This is the primary route for providing the sub-clans of the Kari-mojong with weapons. The Jie tribe is said to be the principle supplier of small arms to other groups of the Karimojong, and possibly the Turkana in Kenya (Mkutu 2006).

Over the past few decades, the price of small arms has dropped dramatically. During the 1990s, an AK-47 cost between 20 and 30 cows (US\$3,000–3,500) (Mkutu 2006). Today, an AK-47 sells for as little as three cows (US\$300–350). Conversely, ammunition, which used to be sold by the bucket, has increased in price. This leaves one to wonder why the price of small arms has not increased following the many aggressive state-led disarmament initiatives. The decrease in weapons after disarmament should have caused a price rise unless demand also decreased. Due to the resistance and conflict that has resulted from disarmament programs in the region, it is quite unlikely that this phenomenon can be explained by a decrease in demand. One reasonable explanation is that the excess in weapons carried into the region by military forces has contributed to the overall number in circulation. Soldiers who are dissatisfied or looking for extra cash may sell the weapons they collect back into the civilian population. This type of corruption among security providers undermines the effectiveness and legitimacy of disarmament campaigns.

### 5. Implications of Disarmament

The internationally prescribed and favored course of action for governments in response to conflict of this nature has been civilian disarmament programs. Particularly in the Horn of Africa, where pastoralists have been marginalized and perceived as continuing a historical conflict based on backward customs and ideals, governments have implemented heavy-handed coercive disarmament programs.<sup>19</sup> Such crackdown operations often intensify insecurity for disarmed groups, in some cases prompting raids from neighboring tribes who seek to take advantage of their neighbors’ temporary weakness.

<sup>17</sup> Confidential interviews conducted in Kenya in May/June 2007.

<sup>18</sup> Interviews with local leaders in Kenya and Sudan in May/June 2007.

<sup>19</sup> Coercive disarmament is often pursued as part of crime reduction, peacekeeping, or peace support operations. It is usually conducted exclusively by security structures,

and carries the threat of punitive measures for non-compliance.

### 5.1. Disarmament in Karamoja, Uganda

Uganda has long experimented with coercive disarmament of its pastoral populations, particularly in the Karamoja region. At least eight disarmament campaigns have been undertaken since 1945. More recent campaigns in 2001 and 2002 led to the recovery of at least 10,000 weapons, though many (8,000) were subsequently re-issued to warriors who were recruited into Local Defense Units and Anti-Stock-Theft coalitions (Uganda 2005). By 2006, many of the latter were considered obsolete, with a great deal of their weapons and ammunition in circulation. Beginning in April 2006, the Uganda People's Defense Force (UPDF) launched aggressive "cordon and search" disarmament interventions. Preliminary assessments suggest that these activities generated widespread distrust and fear among the local population and a concomitant increase in demand for weapons (Bevan 2008b).

The UPDF adopted a heavy-handed approach to disarmament in 2006 and 2007. Forces used mounted machine guns, assault rifles, and grenades against civilians during offensives in the Karamoja region. The casualties included many (unarmed) women and children. Predictably, anti-government/UPDF sentiments flared amongst the Karimojong, resulting in a number of reprisal attacks. For example, in mid-October 2006 during retaliation against cordon and search operations launched near Kotido town, Jie warriors shot dead 16 soldiers including the commanding officer of the UPDF 67th battalion (Bevan 2008b). Moreover, UPDF-initiated disarmament campaigns leave Karamoja communities vulnerable to raids from tribal groups in other areas of Uganda, Kenya and Sudan. Unable to defend themselves, the Karimojong are rapidly rearming.

### 5.2. Disarmament in the North Rift Region of Kenya

The government of Kenya also launched a series of military-led disarmament programs in seven districts of the North Rift region in mid-2006. The process proceeded in three phases: (1) Operation *Dumisha Amani* (maintain peace), a voluntary weapons collection that promised increased

security and amnesty from prosecution, where no force was used; (2) Operation *Okota I* (collect 1), a forceful disarmament of communities that had not cooperated with phase one of the program; and (3) *Okota II* (collect 2), a development component designed to improve economic conditions in previously armed areas so as to reduce incentives for arms possession (Riam Riam 2007).

The disarmament campaign returned approximately 1,710 firearms and 5,700 rounds of ammunition from Turkana District. Disarmament, however, came at a price, especially for those in Turkana South, where neighboring tribes repeatedly attacked disarmed communities (Riam Riam 2007). During the exercise, the Pokot of Turkana South were able to flee into Uganda to avoid having their weapons confiscated. The Turkana, on the other hand, were unable to relocate, which left them exposed to returning Pokot warriors from Uganda. Allegations also surfaced that a number of Kenyan military personnel tortured and abused civilians when they refused to voluntarily surrender their weapons or divulge information concerning armed community members.<sup>20</sup>

Although well intentioned, the program lacked clear objectives and genuine consent from community leaders and populations. The campaign was rushed and failed to sensitize participants. Furthermore, civilian populations rapidly lost confidence when they discovered that they were not going to be compensated for their surrendered weapons. Pastoral populations, long used to repressive interventions from the state, interpreted the disarmament process as yet another offensive intended to undermine their overall development and freedom of movement.

When the news from Turkana South reached Turkana North, chiefs and community leaders requested that the government conduct disarmament on a voluntary basis. As an alternative to giving up their arms, weapon holders were recruited as KPR, exchanging their weapons for registered government-issued ones.<sup>21</sup> This unorthodox approach to

<sup>20</sup> Phone interview with Alex Losikiria, Coordinator of APEDI, July 3, 2007, and phone interview with John Mark Edaan, Coordinator of Riam Riam, July 5, 2007.

<sup>21</sup> Phone interview with Alex Losikiria, Coordinator of APEDI, July 3, 2007.

disarmament maintained security without damaging civilian and military relations. This method, however, does not

address the negative implications of arming untrained and unpaid civilians, as discussed above.

### Disarmament Gone Wrong in Jonglei State, Sudan

South Sudan has also experienced disarmament with mixed results. Between December 2005 and May 2006, the SPLA conducted a disarmament campaign in northern Jonglei State, Sudan. This initiative faced resistance from the Lou Nuer faction of the White Army (a loosely organized collection of armed young men that received arms from the Khartoum government in the north, and from local tribes in the area).<sup>22</sup> In terms of weapons collected, the northern Jonglei disarmament initiative was a success, with estimates of weapons collected ranging between 3,300 and 3,701. However, the human costs associated with this program were remarkably high. By the time it was over, the campaign resulted in an estimated 1,200 White Army and 400 SPLA soldier deaths—approximately one death for every two weapons seized. Officials reported over 213 civilian deaths as well as looting and burning of houses in roughly 15 villages suspected of hosting cadres of resistance (Small Arms Survey 2006). The Jonglei exercise, ad hoc in nature, was poorly planned and lacked buy-in from local chiefs and community members. Disguised as civilian disarmament, the operation was politically motivated and aimed at crushing dissent. Finally, in February 2007, in response to previously failed efforts, the GoSS produced principles and guidelines for future initiatives (GoSS 2007). However, despite these developments, there is no institution mandated to oversee civilian disarmament in South Sudan.

Although disarmament was not fully realized, the perception among White Army members was that they were weakened,

in an insecure environment, with fewer guns to protect their villages. While many subsequently joined the SPLA, those who chose not to found themselves living in fear of attack by rival Murle and Dinka tribesmen who remained armed. Although the SPLA promised buffer zones to protect disarmed communities, these never materialized. Following the campaign, it has become extremely difficult to purchase guns due to the harsh punishment attached to arms sales and possession. While this may, at first glance, appear to be a positive byproduct of the disarmament program, it ultimately undermined the ability of villagers to guard against the threat of raids from neighboring tribes (Garfield 2007).

A range of disarmament efforts continue in Jonglei State. A UN-backed campaign in Akobo yielded an estimated 1,400 rifles, machine guns, rocket-propelled grenades, and mortars from Murle militia by July 2006. Most recently, UNMIS supported a voluntary disarmament campaign in Pibor County, targeting the Murle tribe, which ended in May 2007. Approximately 1,126 weapons and 79 rounds of ammunition were collected. The surprisingly small amount of ammunition collected raises the possibility that civilians remain in possession of arms for which they require ammunition. Disarmament efforts were later expanded to Boma, an isolated region of Pibor County, but temporarily postponed owing to the onset of the rainy season and the lack of security provision by the SPLA.<sup>24</sup>

<sup>22</sup> Members of the White Army are dispersed throughout several communities, and act as defense forces at the local level, but sometimes team up for particular causes.

<sup>23</sup> There is suspicion, however, that many of these armed youth that had fled during the dry season have returned to villages with the start of the wet season.

<sup>24</sup> E-mail correspondence with UNMIS official, July 13, 2007.

The poorly planned coercive measures applied in Jonglei, Karamoja, and Turkana are indicative of the neglectful attitude of governments toward the pastoralist regions. It is clear from these cases that disarmament schemes that ignore the root causes of demand for small arms, while simultaneously putting communities on the defensive without proper state-led security provision may result in an array of unintended consequences. A 2008 Small Arms Survey report from the Sudan-Kenya border region reports that more than 60 percent of respondents believe that civilian disarmament would decrease security in their villages (McEvoy and Murray 2008). When locals were asked how disarmament in Jonglei and Turkana South affected the security of those areas, the majority of respondents claimed that it had decreased security. Not surprisingly, when asked how a potential disarmament program in the community would change the level of security, most said it would decrease security a lot.

Whereas civilian disarmament has yielded mixed results, a number of local conflict resolution initiatives have brought some hope to the situation.

### 6. Alternative Conflict Resolution Mechanisms

The effectiveness of coercive disarmament is open to dispute. Few evidence-based studies have been undertaken to assess the extent to which such interventions yield comparatively high weapons returns or meaningful improvements in safety and security. There is, however, a growing body of evidence demonstrating that more modest initiatives advanced by credible civil society organizations (CSO) are delivering encouraging returns with fewer human costs.

A number of CSOs are currently conducting cross-border conflict prevention and mediation interventions aimed at improving communication through peacebuilding workshops and negotiating the safe return of cattle. These CSOs attempt to reinstate and utilize traditional lines of authority that have been weakened since the colonial era.<sup>25</sup> In other words, vil-

lage elders, who once oversaw the practice of raiding, play a central role, and are given authority throughout the mitigation process. These initiatives, coupled with a more robust and better-trained state security presence may be the catalyst necessary for successful voluntary disarmament.<sup>27</sup>

#### 6.1 Dodoth-Turkana Cross-Border Conflict Mitigation Initiative

USAID, through its contracted agent (Development Alternatives, Inc.) and local partners (Riam Riam in Kenya and Kotido Peace Initiative (KOPEIN) in Uganda) funded a project in response to skirmishes involving Dodoth (Uganda) and Turkana (Kenya) that had taken place in March 2004. There had been expectations on the ground that a reprisal attack was set to take place in early 2005. That such an attack did not occur was attributed to the cross-border peace process implemented by Development Alternatives, Inc., and its partners.

Outputs of the project include:

- The Provisional Peace Agreement between Dodoth and Turkana tribal leaderships in December 2005. This is an all-inclusive accord that most importantly involved the participation of youth.
- Peaceful sharing of resources on both sides of the border.
- Negotiated return by the Dodoth of an abducted 14-year old Turkana boy to his family.
- A cross-border conflict prevention, mitigation, and response network of local organizations with mechanisms for sharing natural resources between communities.
- Cultural transformation from “readiness to raid and revenge” to “report [to local authorities] and wait for action.”
- Partnership with government strengthened. Both the Kenyan and Ugandan governments have begun working more closely with civil society in resolving cross-border disputes.
- Sustainable culture of peace and sharing in the region.

<sup>25</sup> Interviews in Kenya and Sudan in May/June 2007.

<sup>26</sup> The status and decision-making power of elders have been stripped by business elites and wealthy warriors that benefit from large-scale theft and excessively violent forms of cattle raiding.

<sup>27</sup> In discussions with government officials in Eastern Equatoria and northern Kenya, many called for an increase in properly trained security personnel. Until that is accomplished, civilians will not have an incentive to give up their arms, which in many cases serve as people’s only form of defense.



Within the framework of the USAID-funded conflict prevention, mitigation, and response strategy, the Peace in East and Central Africa (PEACE) program run by Development Alternatives, Inc., currently lends support to a host of local NGOs, CSOs, and CBOs that operate at the district level on either side of the border. Currently, there are a total of five cross-border conflict mitigation initiatives, like the Dodoth-Turkana project, currently under way in Ethiopia, Kenya, Somalia, and Uganda (USAID 2006).

As a result of the project, the two local partner CSOs, Riam Riam and KOPEIN, have built their capacity and continue conflict mitigation and peacebuilding in the border region. Riam Riam was brought into the disarmament process by the Kenyan government, and has acted as an intermediary between communities, government, and military leaders. Their objective is to represent the interests and security needs of pastoralists in order to avoid a replay of the events experienced in Turkana South. Similarly, KOPEIN conducts public awareness campaigns and sensitization workshops and works in close collaboration with the Ugandan police, UPDF, Ugandan Human Rights Commission, local government and community leaders, and NGOs (Oxfam and SNV) to promote dialogue and reconciliation between tribes in Karamoja, Uganda, and neighboring tribes in Kenya and Sudan.

This multi-layered initiative has inspired a culture of trust and respect for local conflict response mechanisms. Furthermore, through improved communication, pastoralists can resolve differences with rival tribes, and are also less likely to carry out raids knowing that there are systematic mechanisms for responding to such hostilities.

Likewise, the Adakar Peace and Development Initiatives (APEDI) were created to promote peace and security in the Turkana and Toposa regions of Kenya and Southern Sudan. When Operation Lifeline Sudan, which provided humanitarian assistance to Southern Sudan during the North-South conflict, was terminated, the International Committee of the Red Cross, whose base was located in Lokichoggio, donated its fixed assets to local CSOs and government and selected APEDI as the chief recipient. APEDI conducts its peace-building by addressing people's grievances at the local level and by targeting the kraals (adakar in the Turkana language) for dialogue and strategies of conflict resolution. Utilizing a combination of traditional and modern structures of authority, APEDI brokers peace settlements between clashing tribes before initial raids and attacks escalate into protracted armed violence. Typically, APEDI, with the backing of local government, elders, and chiefs, responds to raids by contacting the local government and CSOs in Narus, just over the border in Sudan.<sup>28</sup> The leaders from both communities negotiate for the safe return of cattle and compensation for lives lost.

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<sup>28</sup> The Toposa Development Association (TDA) and the Kapoeta East Native Development Association (KENDA) are conducting similar conflict mitigation programs in Eastern Equatoria, Sudan.

### APEDI in Action: Negotiating Peace

Following an attack that claimed the lives of two prominent Turkana warriors and resulted in the theft of their rifles and 215 goats and sheep, APEDI mobilized its first intervention in February 2005. Joined by Turkana chiefs, elders, and a peace committee comprised of local leaders, APEDI paid a visit to Toposa chiefs and elders in Sudan. During this meeting, they negotiated the safe return of the two rifles and livestock and designed the framework for a sensitization campaign for peace that would employ traditional lines of authority in their

respective communities. This intervention brought about an eighteen-month cease-fire that, for the first time in years, allowed Turkana and Toposa to safely walk with their livestock across the border. However, the cease-fire came to an abrupt end in January 2007 following an attack by Toposa raiders almost 50 kilometers outside Lokichoggio. APEDI nevertheless responded with cross-border negotiations and continues to play an instrumental role in the settlement of small-scale subsequent reprisals by both sides.<sup>29</sup>

Contrary to disarmament initiatives in the region that apply top-down blanket solutions to complex sets of circumstances, local initiatives that embrace both customary and current practices of governance are producing results. The emergence of CSO response mechanisms provides a potential deterrence effect for identifying communities whose members have engaged in raiding. Although these local organizations have brought rewards to the region, in most cases they lack the capacity and budget to produce results large enough to grab the attention of the international and donor community.

#### 7. Regional Initiatives

In response to the vast failings of coercive disarmament, multilateral and bilateral agencies are exploring alternative approaches to mitigating pastoral conflicts. Regional bodies, host governments and donors are becoming increasingly more aware of the spillover effects of the pastoralist conflict. Consequently, peacebuilding initiatives are gaining more attention and resources from governments than in the past.

Due to the cross-border challenges presented by warring groups, certain countries in the Horn of Africa formed the

Nairobi Secretariat, which later became the Regional Center on Small Arms and Light Weapons (RECSA).<sup>30</sup> RECSA was expected to enhance the capacity of states to meet the commitments enshrined in the Nairobi Protocol.<sup>31</sup> RECSA also acts as a forum for cooperation among National Focal Points and other relevant agencies to prevent, combat, and eradicate stockpiling and illicit trafficking in small arms and light weapons in the Great Lakes Region and the Horn of Africa.

In a parallel initiative, the Eastern Africa Police Chiefs Cooperation Organization (EAPCCO) works closely with government and CSOs to develop, strengthen and enforce legislation aimed at reducing cattle rustling and associated armed violence. In 2005, EAPCCO introduced the Protocol on the Prevention, Combating, and Eradication of Cattle Rustling in Eastern Africa.<sup>32</sup> Eleven East African countries signed the protocol in August 2008 (EAPCCO 2008).<sup>33</sup>

Finally, the Intergovernmental Authority on Development (IGAD) established the Conflict Early Warning and Response Mechanism (CEWARN) in 2002 in order to enhance awareness of pastoral conflicts in Ethiopia, Kenya, and Uganda. With field monitors reporting from each of the

<sup>29</sup> Phone interview with Alex Losikiria, Coordinator of APEDI, July 3, 2007.

<sup>30</sup> RECSA has twelve members, namely Burundi, Democratic Republic of Congo, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Seychelles, Somalia, Sudan, Tanzania, and Uganda.

<sup>31</sup> The Nairobi Protocol (2004) sets minimum standards to govern the manufacture, possession, marking, import, export, transit, transfer, and stockpiling of small arms and light weapons.

It also outlines provisions regarding disarmament, security providers, and awareness-raising.

<sup>32</sup> The objectives of the Protocol are to: "1) Prevent, combat and eradicate cattle rustling and related criminal activities in the Eastern Africa region; 2) Systematically and comprehensively address cattle rustling in the region in order to ensure that its negative social and economic consequences are eradicated and that peoples' livelihoods are secured; 3) Enhance regional co-operation, joint

operations, capacity-building and exchange of information and; 4) Promote peace, human security and development in the region."

<sup>33</sup> Signatories include Republic of Burundi, Republic of Djibouti, State of Eritrea, Federal Democratic Republic of Ethiopia, Republic of Kenya, Republic of Rwanda, Republic of Seychelles, Republic of Somalia, Republic of Sudan, United Republic of Tanzania, and Republic of Uganda.

countries, CEWARN is able to track and report on violent incidents in order to equip governments with knowledge regarding trends on and factors behind pastoral violence. The recent growth in regional initiatives lends credence to the idea that the pastoralist conflict has become an issue worth addressing. Governments, in cooperation with CSOs, have brought greater attention to the issue and created a regional legislative framework. Nevertheless, despite these encouraging developments, states still have a predisposition to disarm communities, often coercively. This has not only resulted in outbreaks of violence but, in many cases, increased demand for weapons.

## 8. Recommendations

### 8.1. Improved Security and Peacebuilding

- Governments need to install adequate law enforcement in the pastoralist regions. They need to offer sizeable incentives so that security forces will not resort to corruption as a way of supplementing their income. Security posts should be positioned on borders and at violence hotspots where tribes are known to clash.
- Governments and international organizations should support and build the capacity of local CSOs that are working locally to mitigate conflict and sensitize communities with workshops and peacebuilding campaigns. This includes, but is not limited to, supplying vehicles and CB radios so that CSOs can effectively contact authorities for early response.
- A regional body of CSOs should be formed to enable local organizations to share knowledge, form partnerships, and work cooperatively toward peace.
- Build feeder roads connecting main roads to small villages so that authorities can quickly reach affected areas. Knowing that security providers have access to villages and kraals would act as a deterrent to raiding warriors. Improved road transport would also enable pastoralists to partake in local commerce.

### 8.2. Sustainable Development

- Governments and donors must continue to build water wells so that villages can sustain their livestock during the dry season. This would also reduce the amount of time women and girls spend fetching water from pumps that are sometimes hours away by foot.

- Establish cooperatives and inter-tribal commerce of local goods and livestock in order to build partnerships and economic development through trade. This would, in the long-term, undermine the illicit commercial practices of livestock traders in the area.
- Plant Napier grass in grazing areas. Napier grass grows very quickly and is tolerant of drought conditions.

### 8.3 Disarmament

- Once proper security provisions have been established, traditional disarmament practices should be reformed. Coordinated voluntary disarmament programs should be implemented that disarm neighboring tribes simultaneously.
- For those surrendering weapons, some kind of compensation should be offered. In order to avoid solely rewarding those with weapons, “weapons for development” programs should be implemented. Whole villages are rewarded with improved infrastructure and social services after a certain number of weapons have been collected.
- Communities must be sensitized to and informed about disarmament exercises before they commence. Furthermore, community members should play an active role in the disarmament process to give them ownership over the security of their communities.
- Disarmament, demobilization, and reintegration campaigns must be introduced for paramilitary groups in Sudan and Uganda. Particular attention should be given to the reintegration phase that trains ex-combatants for employment, so that they do not return to a life of violence.
- The Kenya/Uganda Joint Security Program that was established in 2005, but has yet to be implemented, should begin operations as outlined in its program of action:
  - Simultaneous and coordinated disarmament operations
  - Mobilization, sensitization, and deployment
  - Establishment of law and order in areas of operation
  - Branding of livestock
  - Provision and reconstruction of social and physical infrastructure
  - Rewards and recognition
  - Support the development of alternative livelihoods

### 9. Conclusion

The factors contributing to the pastoralist conflict are multidimensional, and have ramifications that affect livelihoods within and across borders. Governments have failed to invest sufficient human and financial capital in abating the conflict and the underlying underdevelopment in the pastoral regions. Responding to this conflict with uncoordinated top-down “disarmament for disarmament’s sake” initiatives clearly mask the root causes, and in a number of cases destabilizes communities. Given the poor disarmament record of governments and the fact that they lack the capacity to conduct simultaneous cross-border disarmament programs, disarmament does not appear to be a palatable option until there has been a full overhaul of the security sector supported by policies to address the demand for small arms.

The efforts of local conflict mitigation organizations have proved to be an effective alternative to the recent destabilizing disarmament initiatives. As a result, a culture of pastoralism is emerging that relies more heavily on local instruments of conflict response, and their respective consequences, as opposed to confidence-eroding disarmament programs that prematurely disarm insecure communities. When communities no longer face threats from neighboring tribes and inadequate security providers, weapons will lose their utility and worth and voluntary disarmament will be an appropriate answer to the small arms dilemma in this pastoralist region.

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## Abbreviations

APEDI	Adakar Peace and Development Initiatives
CBO	Community-based Organization
CEWARN	Conflict Early Warning and Response Mechanism
CSO	Civil Society Organization
EAPCCO	East African Police Chiefs Co-operation Organization
GoSS	Government of Southern Sudan
KENDA	Kapoeta East Native Development Association
KOPEIN	Kotido Peace Initiative
KPR	Kenyan Police Reservists
PEACE	Peace in East and Central Africa
RECSA	Regional Center on Small Arms and Light Weapons
SPLA	Sudan People's Liberation Army
UNMIS	United Nations Mission in Sudan
UPDF	Uganda People's Defense Force
USAID	United States Agency for International Development

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# Clausewitz's "Wondrous Trinity" as a Coordinate System of War and Violent Conflict

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# Clausewitz's "Wondrous Trinity" as a Coordinate System of War and Violent Conflict

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Rather than discarding Clausewitz's theory of war in response to the revolutionary changes in modern warfare, this article articulates a broader theory of war based on his concept of the "wondrous trinity," identifying it as his true legacy. The author shows that the concept of trinitarian war attributed to Clausewitz by his critics, which seems to be applicable only to wars between states, is a caricature of Clausewitz's theory. He goes on to develop Clausewitz's theory that war is composed of the three tendencies of violence/force, fighting, and the affiliation of the combatants to a warring community. Each war can be analyzed as being composed of these three tendencies and their opposites.

Since the 1990s various influential authors have argued that Clausewitz's theory of war is no longer applicable, both in relation to contemporary conflicts and in general (see the discussion in Nooy 1997). Some have suggested that it is harmful (van Crevelde 1991, 1998) and even self-destructive (Keegan 1993, 1995) to continue to use this theory as the basis for understanding current warfare and as a guide to political action, given the revolutionary changes in war and violent action occurring in the world's communities.<sup>1</sup> Clausewitz, it is proposed, was concerned only with war between states employing regular armies, whereas conflict today mainly involves non-state actors.

Both claims are overdrawn, however, with respect both to the core of Clausewitz's theory (Strachan 2007) and the unique characteristics of today's "new wars" (Kaldor 1999).<sup>2</sup> With the exception of much of Africa and some very old conflicts at the fringes of the former empires, existing states, along with hierarchically organized political-religious groups like Hezbollah and Hamas, are still the decisive, if

no longer the sole, actors in war. Additionally, Clausewitz has much more to say about contemporary forms of warfare than the highly selective interpretations by his modern critics might suggest (Howard 2002; Lonsdale 2004; Angstrom and Duyvesteyn 2003; Duyvesteyn 2005). However, the criticisms by Clausewitz's newest detractors are both provocative and constructive (Strachan 2007), in that they force us to read Clausewitz more exactly (Heuser 2002, 2005; Smith 2005) and to extract aspects of his work that were previously underexposed. The attempt to develop a non-linear theory of warfare following Clausewitz's conception of friction (Beyerchen 1992), the updating of his concept of strategy (Heuser 2002, 2005), and the adaptation of Clausewitz for the information age (Lonsdale 2005) are worth noting.<sup>3</sup>

A series of authors (Bassford and Villacres 1992; Echevarria 1995a, 1995b, 2003; Handel 2001; Herberg-Rothe 2001a, 2007) have attempted to foreground the "wondrous trinity" that Clausewitz himself describes as his own "Consequences for Theory" (Clausewitz 1984, 89). Here he indirectly

<sup>1</sup> On Keegan's criticisms, see Herberg-Rothe 2001b; on van Crevelde see Herberg-Rothe 2001a.

<sup>2</sup> For a more sophisticated view than that of Kaldor, see Munkler 2004.

<sup>3</sup> All of these contributions were presented at the conference on "Clausewitz in the Twenty-first Century," Oxford, March 2005, and can be found in Strachan and Herberg-Rothe 2007.

repeats his renowned adage that war is “merely the continuation of policy by other means” (87), while at the same time identifying it as only one of three principal tendencies of which each war is composed.

The significance of the “wondrous trinity” as the starting point of Clausewitz’s theory of war is indirectly acknowledged by his present critics, who impute to Clausewitz the concept of the “trinitarian war.” Strictly speaking, the concept of the “trinitarian war” does not stem from Clausewitz, as it fundamentally contradicts the concept of the “wondrous trinity.” The former term actually comes from Harry G. Summers, Jr., who, in the early 1980s (as a U.S. Army colonel), wrote a most influential book in which he analyzed the mistakes made in the Vietnam War by drawing on the example Clausewitz mentions in the “wondrous trinity” while flipping Clausewitz’s central point on its head in the process (Summers 1982; Heuser 2005, 66–69).

The critique of Clausewitz reduces his whole theory to one sentence: war is the continuation of policy. Keegan and van Creveld, his most eminent critics, often quote only half of the famous phrase: Whereas Clausewitz emphasized a dialectical tension in his formula (war is a continuation of policy, but using means other than those of policy itself) they usually suppress the second part of this inherent tension in their interpretations and often even in their quotations. This caricature of Clausewitz, which is obviously inadequate as a theory to address current developments, is used to construct an unbridgeable gap between “new” and “old” wars as well as to call into question the primacy of politics. Additionally, much of the criticism of Clausewitz contains hidden paradigms which are controversial and problematic in their own right, and would require discussion if they were not contrasted with the caricature of Clausewitz’s theory. I will first discuss the criticisms highlighted by Martin van Creveld as a prominent example of such an approach, before introducing the “wondrous trinity” and explaining why it

must be regarded as Clausewitz’s actual legacy (Aron 1980, 1986; Herberg-Rothe 1998, 2007). Following this I will methodologically interpret the “wondrous trinity” as a uniform, comprehensive concept from Clausewitz’s different and in part contradictory definitions, terms, and formulas, and try to develop this concept into a general theory of violent conflict.

### 1. A Fundamental Paradigm Change

Expectations of a largely peaceful and development-led twenty-first century that were widespread in the early 1990s have been dashed by the brutal wars in Chechnya, Bosnia, and Kosovo, the numerous wars in sub-Saharan Africa, the threat of terrorism, and finally the Iraq war. In response, theorists have attempted to bring about a fundamental paradigm change in the political theory of war, from Clausewitz to Nietzsche—the two names representing two contradictory discourses. Martin van Creveld’s anti-Clausewitzian approach is of course “pure Nietzsche,” as he himself emphasized (van Creveld 2000).

At first sight Clausewitz’s discourse would seem not to offer an adequate basis for understanding the development of current types of warfare, or the shift from war between states to war that is globalized but basically domestic. The key problem, however, is not the changes in global war and violence, but the assessment of this process. In parts of the discourse in political theory, the indisputable changes serve as arbitrary examples, as a way of bringing about a more fundamental shift from the primacy of politics and civil society—via the military—to the primacy of violent fighting.<sup>4</sup>

Van Creveld’s acknowledgment of his debt to Nietzsche helps to elucidate his theoretical approach—without getting into a separate Nietzsche discussion, which would be a different debate. Sentences from van Creveld’s work, like his statement that it is violent fighting which gives meaning to

<sup>4</sup> In German, Clausewitz always uses the term *Kampf*, which can be translated by “struggle,” “fight,” or even “combat,” depending on context. I have chosen to use “fighting” or “fight” as best expressing Clausewitz’s concept. A similar problem arises with Clausewitz’s term *Gewalt*, which can

be translated as either “force” or “violence.” Here I choose “violence,” which in most cases should be understood as violent action. Rather than searching for a single translation for every term, I recognize that Clausewitz’s terms articulate tensions within the concepts they denote. In

some cases I have tried to mark these tensions by using more than one possible translation, for example: “fight/struggle” or “violence/force.”



human life, no longer appear just as an incomprehensible accompaniment to a basically correct analysis of current changes, but reveal the fundamental premises of this non-Clausewitzian theoretical approach. Following Nietzsche, with his statement that war was not the continuation of politics, but politics the continuation of war by other means, Michel Foucault seemed to bring this counter-program to Clausewitz to the heart of the debate (Foucault 2003).<sup>5</sup>

This giving primacy to violent fighting has overturned the original intentions in some of the civil war discussion of the 1990s. Trutz von Trotha's attempt to shed light on the tendency of every war to be a social action in itself and to become independent of any purpose from outside led to a problematic conclusion that seems to be a reversal of his original intentions: with respect to civil wars, Trutz von Trotha predicted a development for Europe similar to the one that can currently be observed in sub-Saharan Africa. Von Trotha argues that in world-historical terms, the idea of the primacy of the public good in the state and public space, that heritage of the Greek *polis*, can only be considered as "exotic." The western world would now return slowly to historical normality, which has always been the reality in Africa: to the concentric order in which the priority of the primary, special relationship applies—the commitment to whoever is nearest to us. According to von Trotha, sub-Saharan Africa foretells the future of the western world.<sup>6</sup>

On the one hand this perspective seems to constitute a warning of seemingly endless wars, and even genocide, that would not be limited to sub-Saharan Africa. Von Trotha states, however, that this is also the "future," which realizes what the West has always attributed to the modern age: movement, experimentation, and the invention of new ways of exercising political power, a remarkable individualism

of risk and power. Developing this position, von Trotha argues that civilization is reverting to "Bellum omnium contra omnes" in the "classic Hobbesian sense" *because* the modern war of the state not only condemns man to a life that is "solitary, poor, nasty, brutish, and short," but also is able to put an end to it (Trotha 1999, 92–94). When even the horrors of war and violence in Africa are seen in relative terms, with reference to an exemplary individualism of risk and might, the questionable consequences of this kind of discourse become obvious.

This change in priorities with its emphasis on violent fighting, including the inversion of Clausewitz's formula, has become established outside the civil war discussion. Samuel P. Huntington's "clash of civilizations" is a prominent example of this paradigm change (even though Huntington's expositions are clearly more sophisticated). According to Huntington, people use politics not only to claim their interests, but also to define their own identity: "We know who we are only when we know who we are not and often only when we know whom we are against" (Huntington 1997, 21). In this way, Huntington formulates a significant aspect of the non-Clausewitzian paradigm, the rejection of an instrumental view of war and violence, and replaces it with the view that war relates to identity.

I should emphasize that the current critics of Clausewitz go beyond questioning whether his concept of the relation of policy or politics to war is still adequate to address the current changes in warfare. More important, they reduce his complex theory of dynamic relations to a single formula, in order to contrast this seemingly inadequate approach with their own concepts.

<sup>5</sup> It has to be acknowledged that despite this apparent claim, such statements must not always be interpreted in a generalized sense (Lemke 2008), but also be considered with respect to the context of the proposition itself as well as the context in which Foucault made the statement. For example, Foucault was correct concerning the understanding of politics during and between the two world wars. In the case of Clausewitz, Foucault later reversed his statement by acknowledging that Clausewitz's

proposition was correct within a particular context: Clausewitz's formula would have merit concerning the period of the institutionalization of the military, and the perpetuation of the military as an institution would not indicate the presence of warfare in times of peace, but of diplomacy within a broader concept of politics. (Foucault 2007, 305–306). In my opinion Foucault's proposition can be a useful tool for analyzing some historical developments and thus has some merit. Nevertheless, as a general

proposition this statement would not only be wrong, but would have problematic consequences. In my view it is nearly impossible to distinguish in Foucault's writings between statements which are only valid within a particular context and those which could be regarded as propositions in general.

<sup>6</sup> Trotha (2000) simply adopts some aspects of the approach of Robert Kaplan (1994) and overemphasizes them.

## 2. The "Wondrous Trinity"

Clausewitz's "wondrous trinity" is found at the end of the first chapter of Book I of his *On War* under the heading "Consequences for Theory." He states: "War is more than a true chameleon that slightly adapts its characteristics to the given case. As a total phenomenon its dominant tendencies always make war a paradoxical trinity—composed of primordial violence, hatred, and enmity, which are to be regarded as a blind natural force; of the play of chance and probability within which the creative spirit is free to roam; and of its element of subordination, as an instrument of policy, which makes it subject" to pure reason (Clausewitz 1984, 88–89; 1980, 213).<sup>7</sup>

What is immediately apparent about the wondrous trinity is that it reiterates the primacy of policy, but as only one of three tendencies. Moreover it must be stressed that at least two of these tendencies are extreme contrasts: primordial violence in conjunction with hatred and enmity "which are to be regarded as a blind natural force," on the one hand, and the subordinated nature of war as a political tool "which makes it subject to pure reason," on the other.

In the paragraph on the wondrous trinity Clausewitz writes that the first of these tendencies "mainly" (*mehr*) concerns the people, the second mainly the general and his army, and the third mainly the government. It cannot be inferred from this qualifier "mainly" that this "second trinity" (Heuser 2002) is actually Clausewitz's true concept, as Summers has claimed. This second trinity in the form of "trinitarian war" of People/Population/Nation, Army/General, and Government is used by Clausewitz as a practical example, while the wondrous trinity through its three tendencies—the primordial violence of war, the play of chance and probability, and the subordinating nature of war—is defined as a political tool. A fundamental difference between Clausewitz's wondrous trinity and the concept of trinitarian war as originally developed by Summers and van Creveld is that the three elements are ordered into a hierarchical structure

with People/Population/Nation as its base, Army/General above, and Government at the top (as explicitly expressed by Peter Waldmann in the preface to van Creveld 1998). This hierarchical construction of the trinitarian war is historically explicable, and in certain instances a meaningful explanatory model. However, it does not correspond with Clausewitz's formulation and even conflicts with it to some extent.

Clausewitz stresses that "[t]hese three tendencies are like three different codes of law, deep-rooted in their subject and yet variable in their relationship to one another" (Clausewitz 1984, 89; Clausewitz 1980, 213). This means nothing more than that these three tendencies, although common to all wars, can, in their respective limited socio-historic instances, have a different meaning and influence—although without leaving out any one of them. In contrast, establishing a hierarchy between the three tendencies asserts an established relationship, which directly contradicts Clausewitz's formulation.

## 3. The Riddle of the First Chapter

Clausewitz's work contains a crucial passage that was evidently inserted very late as a result of his analyses of Napoleon's campaigns and which may explain the overall structure of the first chapter, with all its internal contradictions. Clausewitz writes: "Once again we must remind the reader that, in order to lend clarity, distinction, and emphasis to our ideas, only perfect contrasts, the extremes of the spectrum, have been included in our observations. As an actual occurrence, war generally falls somewhere in between, and is influenced by these extremes only to the extent to which it approaches them" (Clausewitz 1984, 517; 1980, 859). Clausewitz's contemporary Hegel, whose lectures in Berlin were probably known to Clausewitz, maintained that truth could not be spoken in a single sentence; for him, as for Clausewitz, every statement requires a counter-statement.<sup>8</sup> The statements and counter-statements made by Clausewitz "are like weights and counterweights, and one

<sup>7</sup> Clausewitz's phrase *wunderliche Dreifaltigkeit* has been variously translated as a "paradoxical", or "strange" trinity, among other formulations. When citing from other works, I follow their

authors' translations. Nonetheless I am convinced that the original meaning is best translated by "wondrous trinity," which Clausewitz chose to express something that astonished him: the floating

balance of conflicting tendencies within war.

<sup>8</sup> On the relationship between Clausewitz and Hegel, see Herberg-Rothe 2000.

could say that through their play and interplay the scales of truth are brought into balance."<sup>9</sup>

From this methodological point of view, Clausewitz's formulation of opposing, apparently contradictory definitions of war, even within the first chapter of Book I, is explicable. Of additional importance is that, in this first chapter, Clausewitz often interrupts his discussion to directly bring up the respective counter-statement to a given idea. For example, he explains the transition of the three interactions to the extreme to the three tendencies of limited war with reference to the opposition of idea and reality: in theory each war tends to the absolute, but in reality it is limited. (Clausewitz 1984, 75–78; 1980, 192–99; for more details, see Herberg-Rothe 2001a and 2007). What is decisive, however, is the very sudden transition from one pole to its opposite. Similarly, Clausewitz argues that, among all human activities, war is most closely related to a game of cards, in order to stress uncertainty of the outcome, and then immediately breaks off to insist that war remains "nonetheless a serious means to a serious end" (Clausewitz 1984, 85–86; 1980, 207–209). Apparently the pursuit of only one pole in an opposing pair indeed leads at the beginning of an argument to a true statement, although it does not determine the whole war so that, in Clausewitz's view, the respective counter-statement must be formed from scratch.

What is actually problematic is that within the first chapter Clausewitz articulated the respective "extreme opposites" in conjunction with the categories "Definition," "Concept," and "Result for Theory," as well as in an apparently simple formula. Until now it has remained unexplained if there is a contemporary or systematic derivation of Definition, Concept, and Theory<sup>10</sup> that Clausewitz is referring to, or if he kept these categories unreflective. It must also be noted that the connection of some poles of

these opposites with the categories of Definition, Concept, and Theory had partially catastrophic consequences—for instance, the "destruction principle" and the extreme of the three interactions, viewed in isolation, could be taken as Clausewitz's actual concept of war and universalized (the historical consequences of this interpretation are explored in Heuser 2002).<sup>11</sup>

But if we take seriously Clausewitz's claim that the wondrous trinity is the summation of his analysis in his first chapter, we can bring what he called "unity and clarity" to our examination. Clausewitz identifies the three tendencies of the wondrous trinity as the primordial violence of war, the play of probability and chance in war, and the subordinated nature of war as a political tool (Clausewitz 1984, 89; 1980, 212–13). However, he uses a very broad political term here that refers not exclusively to state action, but to any purposeful action by organized communities.

The second of Clausewitz's three tendencies is the play of chance and probability, which relates to the unknown outcome of the fight (Herberg-Rothe 2001a, chap. 6; 2007, chap. 4). At the beginning of Book II he states: "Essentially war is fighting, for fighting is the only effective principle in the manifold activities generally designated as war" (Clausewitz 1984, 127; 1980, 269). In addition, although Clausewitz stresses (at the beginning of the second chapter of Book I) how varied are the forms of fighting in war, how far it may be removed from the brute discharge of hatred and enmity in a physical encounter, and how many variables come into play that are not themselves fighting, it would nevertheless be inherent in the very concept of war that all effects must originally derive from fighting (Clausewitz 1984, 95; 1980, 222). It must be emphasized, finally, that although fighting is inherent within each war, it is only one tendency of

<sup>9</sup> Karl Linnebach, cited by Werner Hahlweg in an appendix to the German edition of *On War* (Clausewitz 1980, p. 1361).

<sup>10</sup> J. G. C. Kiesewetter, a pupil of Kant's and the author of *Outline of a General Logic* following Kantian Principles (Berlin, 1795), should most probably be considered here. Clausewitz attended some of Kiesewetter's lectures. The beginning of Clause-

witz's first chapter, with the three reciprocal actions as concept of war, may correspond with Hegel's transition from reciprocal actions to the concept (see Herberg-Rothe 2000). However, the drift between the opposites in the wondrous trinity, as well as the methodological passage mentioned above, are instead related to Kiesewetter's conception of conflict (this reference I owe to Antulio Echevarria). Clausewitz's concept of attack and defense nevertheless

shows that he adopted to some extent a middle way between Kant and Hegel: he stresses Hegelian ideas of reciprocal transition between opposites, but these remain drifting between the contrasts. For references to this interpretation and its utilization for general philosophical problems, see Herberg-Rothe 2005.

<sup>11</sup> This interpretation also takes the form of an ideal type in Max Weber's sense; see Kleemeier 2002.

the whole of war in Clausewitz's concept of the wondrous trinity.<sup>12</sup>

If we generalize the second tendency in this sense and consider Clausewitz's very general conception of politics (*Politik*), then the wondrous trinity states that war is composed of the tendencies of its primordial violence, the imponderability of fighting, and its subordinated nature as purposive collective action—in short, violence, fighting, and the membership of the combatants in a community. Even more briefly put: War is the violent fighting of communities. If we differentiate each of these three aspects and investigate their interaction, the inner structure of the first chapter as a guide for Clausewitz's entire work and as starting point for a theory of war is revealed. Whether this corresponds totally to Clausewitz's own thought processes or whether it represents mainly my own creation may remain in dispute.

#### 4. Clausewitz's Concept of the Political

While, according to his critics, Clausewitz is outdated because his theory refers primarily to inter-state war,<sup>13</sup> his proponents emphasize the continued utility and relevance of his work. Antulio Echevarria writes, Clausewitz's "conception of war, his remarkable trinity, and his grasp of the relationship between politics and war will remain valid as long as states, drug lords, warrior clans, and terrorist groups have mind to wage it." The starting point for this position is a differentiation and expansion of Clausewitz's conception of politics. It has long been known by Clausewitz scholars that he often articulated completely different dimensions of the political, without making sufficient distinctions (Echevarria 1995a; Diner 1980; Aron 1980, 1986). Thus Aron distinguishes between two dimensions: first, objective politics as the whole of the socio-political condition, and second,

subjective policy as "guiding intelligence" (Clausewitz 1984, 607; 1980, 993).<sup>14</sup>

Similarly, Dan Diner explicitly distinguishes two forms of Clausewitz's concept of politics. The first form of the term is understood as a purposive-rational goal-oriented organized use of force. This purposive rationality refers to every martial action. In contrast, Clausewitz's concept of *Politik* can also be understood as action-relevant expression of social conditions, which precede the use of force and are not arbitrarily manipulated by its actions. The political in this sense is a willful steering concept of means and purpose-extracted substance, which similarly goes along with the prevailing social traffic (Diner 1980, 447–48; Aron 1980, 389). It is worth mentioning that Clausewitz used this second conception mainly in analyzing the influence of the French Revolution on warfare as well as the final defeat of Napoleon at Waterloo, whereas the first concept is more related to the failures of the Prussian leadership and of other European powers to recognize the revolutionary changes in warfare and act appropriately.

An even broader interpretation of Clausewitz's idea of politics is evident in Echevarria's argument that "Clausewitz used *Politik* as an historically causative force, providing an explanatory pattern or framework viewing war's various manifestations over time" (Echevarria 1995a). This interpretation relies on a chapter which researchers have insufficiently considered, in which Clausewitz tries to clarify the connection between "political aim" (Clausewitz 1984, 586; 1980, 961) and the concrete process of warfare, while at the same time using a very general concept of politics.<sup>15</sup> Here Clausewitz determines that historical wars are dependent not on deliberate decisions or political relations in the nar-

<sup>12</sup> Paret and Howard translate the German term *Kampf* in this paragraph as "combat." For the purpose of generalizing Clausewitz's concept I'm using the term "fighting," in accordance with their own translation of the term at the beginning of Book II: "Essentially war is fighting" (Clausewitz 1984, 127; 1980, 269).

<sup>13</sup> Paradoxically, Clausewitz's most famous critics consider his work to be outdated for completely different and indeed contradictory reasons. For Keegan (1993), Clausewitz is the fundamental theoretician of boundless and "modern" war, from whom humanity must turn away in order not to perish, while van Creveld (1991) argues that Clausewitz propagates limited warfare, with such a limited starting point that no war can be won against opponents who are fighting for their very existence and identity.

<sup>14</sup> Clausewitz also uses the term "intelligence of

the personified state" to justify that limited and unlimited forms of warfare are equally determined by policy (Clausewitz 1984, 88; 1980, 212). The status of the term "intelligence" is thus not entirely unequivocal. I use this term to express the subjective autonomy of political actions.

<sup>15</sup> Related to Part B of the third chapter of Book VIII (Clausewitz 1984, 585–94; 1980, 960–74).

rower sense, but on the political attitude of communities as well as states. His recounting includes “semi-barbarous Tartars, the republics of antiquity, the feudal lords and trading cities of the Middle Ages, eighteenth-century kings and the rulers and peoples of the nineteenth century.” All these communities conducted war “in their own particular way, using different methods and pursuing different aims” (Clausewitz 1984, 586; 1980, 962). Despite this variability, Clausewitz stresses that war is also in these cases a continuation of their politics by other means.

In this manner Clausewitz's apparently clear statements relativize themselves: war is merely a continuation of state politics only if we apply a restrictive modern understanding of the state. By the term “state” Clausewitz evidently means, at least in Book VIII and in his historical studies, the political and social orientation of a community. In the modern state, this orientation a relative independence from the respective social relations; where the Tartars and other forms of non-state warfare are concerned, the independence of political decisions is limited and they correspond more to the societal attitude to the ways and means of warfare.<sup>16</sup> However, it is questionable whether it is meaningful today to adopt such a general sense of politics—meaning the political-social or even the culturally caused attitude of a community—in order to apply Clausewitz's formula of war as continuation of policy by other means to all forms of war (as Duyvesteyn [2005] is doing). The danger here is that a modern political concept is being applied to other social relations and by doing so the actual dynamics of these social relations are missed.

It could be worthwhile to replace Clausewitz's term “state” with the concept of “community,” which may be a political society, social community, or religious or otherwise oriented community (or, of course, a modern state). Such an inclusive concept corresponds far more closely to his understanding of “state policy” than the more modern understanding. In the case of modern states, war is composed of

violence, fighting, and the policy of the state; in the case of other communities it is also composed of violence, fighting, and actions derived from the orientation of this community and its purposes, goals or identity.<sup>17</sup>

### 5. Violence and Fighting

At first glance, war is distinguished from other human actions by the massive use of force; it is a violent action, and force is based on the asymmetrical relationship between active power and suffering. With the use of force arises the fundamental problem of its becoming independent of its rational purpose, a problem to which Wolfgang Sofsky referred when he wrote that force and violence are self-escalating (Sofsky 1996, 62). Clausewitz described this “act of independence” of force thus: “war is an act of violence, and there is no logical limit to the application of that force” (Clausewitz 1984, 77; 1980, 194). Without denying the tendency for violence to become independent of any rational purpose in war, especially in direct combat, nonetheless violence in war is not an end in itself but a means of expressing the interests, values, and culture of a community. Uncontrolled violence, for Clausewitz, is dysfunctional in principle and even self-destructive, as he learned in his analysis of Napoleon's defeat at Waterloo (Herberg-Rothe 2001a, 44ff; 2007).

How is war different from other forms of mass violence? Genocides are very often accompanied by war—for instance, the genocide of the Armenians before the First World War and the murder of Jews in the Second World War—but even these cases are described as genocide and not war between nations (*Völkerkrieg*). In addition to the aspect of mass violence, war needs a minimum of real fighting or struggle—otherwise it would be a massacre, mass destruction, or mass murder (Waldmann 1998, 16ff). The occupation of Czechoslovakia by the German armed forces, for example, was not a war, but rather an annexation. Clausewitz brought this problem to a head in noting that war actually begins with defense, not with attack. Only

<sup>16</sup> I develop this distinction from my critique of John Keegan; Herberg-Rothe 2001b.

<sup>17</sup> Hans Delbrück made the connection between war and the social order of the community into the pivotal point of his monumental work, *Geschichte der Kriegskunst im Rahmen der politischen*

*Geschichte* (rev. ed., 2000); Clausewitz himself clarified this connection specifically in his writing on “Agitation” (Clausewitz 1992, 335–68).

when one party defends itself against a massive use of force does a real fighting, and thus a real war, arise: "Essentially, the concept of war does not originate with the attack, because the ultimate object of attack is not fighting; rather it is possession. The idea of war originates with the defense, which does have fighting as its immediate object" (Clausewitz 1984, 377; 1980, 644).

How are violence and force differentiated from fighting? Force and violence are marked by the aforementioned asymmetrical relationship between action and suffering. Fighting, in contrast, requires a minimum of symmetry between the combatants—Clausewitz's term for this is the duel (Clausewitz 1984, 75; 1980, 191). To sustain this minimum of symmetry between warring parties, in the course of the development of war combatants established conventions: war is bound by rules about the purpose and means of fighting, and about who may be allowed to do the killing and who may be killed. Without such admittedly limited conventions, every warring community or society would internally disintegrate. The outward exercise of violence would no longer have any boundaries that could protect the inner community.

In war, *communities* "stand against" each other. Clausewitz stressed that combat in war is not a fight (*Kampf*) of individuals against individuals, but rather of armed forces, that is, an "armed people": "Everything that occurs in war results from the existence of armed forces" (Clausewitz 1984, 95; 1980, 222).<sup>18</sup> Because they deploy weapons as instruments for killing other human beings, armed forces must have a minimum of organizing structures and principles, in order to distinguish between "friend and foe" (Carl Schmitt); these organizing structures of the armed forces themselves create or are related to a community, which is "superior" to the armed forces themselves. Fighting communities can take various forms: religious, ethnic, or cultural units, clans, heterogeneous communities under warlords, or states. Affiliation to one of these communities determines

not only the fight's goal and purpose, but also the ways and means of warfare. Thomas Hobbes's famous reference to a "war of all against all" is not really war, but rather the rule of naked, pure violence.

A fight between two or more opponents can concern the acquisition of goods and advantages of power, or the preservation of one's own existence and identity. There are certainly combinations of these objectives and cases in which they cannot unequivocally be differentiated. The goal of preserving one's own identity and existence as an ethnic group, nation, or tribe can lead straight to the conquest of opposing areas and the destruction of one's opponents. The violent exclusion of minorities, a significant characteristic of the twentieth century, was based on this make-believe defense and the retention of ethnic or national identity.<sup>19</sup>

In many cases the opponent is coerced through violence to do our will (Clausewitz 1984, 75; 1980, 191). But this can be achieved in two different ways. The first is by causing the opponent the greatest possible damage. Pre-modern forms of warfare often did not involve battles between opposing armies, but rather took the form of devastation of the opponent's territories. The aim of such destructive measures was the same as the aim of a decisive battle, to force the opponent to obey the attacker's will; but the means was the infliction of the most damage. Some examples are the wars of the Cossacks and the invasions that ended the Roman Empire. Throughout most of history wars at the edges of great civilizations took this form. The raids of plundering tribes created havoc and destruction, forcing the empires to pay subsidies to the plunderers to stop such raids (Munkler 2007).

In contrast to this last kind of war, warfare in Europe from the end of the Thirty Years' War until the First World War was to a large extent characterized by the avoidance of indiscriminate, socially extensive destruction within Europe. The lamentable experiences of the Thirty Years'

<sup>18</sup> In German, Clausewitz uses, as always, the term *Kampf*, which Howard and Paret translate as "combat" but which I prefer to translate as "fighting" (Clausewitz 1984, 95; 1980, 22–23).

<sup>19</sup> For the distinction between instrumental warfare and essential warfare, and their importance in history, see Munkler 1992, 92ff.

War, in which approximately one third of Europe's population perished either directly from war or indirectly from its consequences, led to a historically unique containment of war. Unlike wars at the borders of the great empires (Rome, Byzantium, China) the destruction in the 'Thirty Years' War could not be limited to the periphery or to lesser allied nations (*Hilfsvölker*); instead, destruction ravaged the heart of Europe.<sup>20</sup> The crucial innovation of the new containment of warfare after the 'Thirty Years' War was that a military defeat no longer jeopardized the defeated party's existence or led automatically to widespread destruction of territories and persecution of populations. Battles were fought mainly outside the towns and decisions were sought on the battlefield in order to shorten the war. Even Napoleon, whose armies conquered almost the whole of Europe, and who determined its rulers by his own political will, did not wage war against specific populations. This European *Sonderweg* in warfare was a direct reaction to the devastation of the 'Thirty Years' War.

But the history of war is characterized by paradoxes. On one hand, the focus on decisive battles between regular armies served to protect the European civilian population. On the other hand, the advent of industrialized war with machine guns, armored vehicles, aircraft, virtually unlimited production of weaponry, and the shortening of supply routes through a developed rail system, meant that clinging to a strategy of decisive battles led to catastrophic loss of life in the First World War. In order to force a decision, whole armies and nations were bled dry. Finally, in the Second World War the civilian population once again became a military target. The limitation of warfare in Europe since the 'Thirty Years' War is not separable from its consequences in the catastrophes of the First and Second World Wars.

The limitation of warfare within Europe is also not separable from the contrasting experience in the colonies, where the same armies that showed a maximum of restraint against European opponents often led destructive cam-

paigns against native populations. In 1898 British troops in Egypt mowed down thousands of rebel Mahdi fighters with only six Maxim guns. This was no clash between armies, but rather a massacre. The Mahdi fighters simply could not comprehend the firepower of this new weapon and kept on charging at the British position (Diner 2000). The European armies themselves also learned little from this experience: in the First World War their own infantry and cavalry charged without any cover, at first with heroic songs on their lips, into the fire of the machine guns.

The "new wars" (Munkler 2004) we are witnessing today are nothing fundamentally new in the historical development of war. What is new, however, are the intermixed fields, in which different forms of war are no longer spatially separate from one another, but rather overlap (Munkler 2004). For a long time, the European state-centered form of war was recognized as the norm, while non-state forms of violence were characterized as primitive throwbacks or as expressions of irregular violence. This perspective is not useful, as it is unable to comprehend contemporary developments; but it would be equally inadequate to view inter-state war merely as a historical exception to the rule. War is therefore understood here as a phenomenon which is composed of opposite tendencies: violence/force, fighting, and the affiliation of the fighters to a community. Throughout history, there have always been phases in which one of these three aspects seems to have determined the war as a whole. Nevertheless, following Clausewitz, each war is composed of all three tendencies, whose meaning and influence varies due to aspects such as the development of weapons, societal-historical circumstances, and relations among the warring communities as well as their internal characteristics.

#### 6. The Wondrous Trinity as a Differentiated Coordinate System

Clausewitz divides each of the three tendencies of the wondrous trinity further into additional oppositions, in which his various definitions of war arise as "moments." Each war can be located within these opposites, depending on histori-

<sup>20</sup> Some scholars nevertheless argue that the limitations of warfare after the 'Thirty Years' War resulted from the socialization of violence (*Verstaatlichung*) and depended on the control that the state was now

able to exercise (Foucault 2003). That is surely an aspect of historical development, but I think that a political input was additionally needed, such as the experience of endless suffering during the Thirty

Years' War, just as after the World War II, though in contrast to developments after World War I.

cal, social, political, and cultural conditions. These oppositions are typical of every war, and each is influenced by socio-historic circumstances. These opposing tendencies are like "different codes of law, deep-rooted in their subject and yet variable in their relationship to one another. A theory that ignores any one of them would conflict with reality to such an extent that for this reason alone", it would immediately become involved in such a contradiction with the reality that it might be regarded as destroyed at once by that alone, Clausewitz emphasizes (Clausewitz 1984, 89; 1980, 213). I will lay out four oppositions within the three concept-fields (*Begriffsfelder*) of "violence/force," "fighting," and the fighters' "community" in order to explain the various aspects of the coordinate system introduced in this article. The basic thesis is very simple: that every real war is in part similarly but also differently composed of these tendencies.<sup>21</sup>

### 5.1 *Gewalt*: Violence/Force

- (a) The crucial opposition within Clausewitz's concept of violence or force (*Gewalt*) is that of violence as instrumentality versus violence's assuming an independent existence (*Verselbständigung*). The instrumental pole of this pair of opposites is found in Clausewitz's definition (75) and in the world-renowned formula (87), as well as in the third tendency of the wondrous trinity (89). Clausewitz discussed the problem of violence's becoming absolute and therefore an end in itself in the three interactions to the extreme (75–78), directly before the formula (87), as well as in the primordial violence of war in the first of the three tendencies of war's wondrous trinity (89).
- (b) A significant contrast, which Clausewitz implicitly and repeatedly brings up, is whether the combatants are amateurs or specialists in violence. He did not formulate this opposition explicitly, but invoked it in his explanation of the success of the French Revolution's troops over those of the ancien régime.<sup>22</sup> The politically, ideologically, and/or religiously defined motivation of combatants opposes a knightly code of honor.<sup>23</sup>

- (c) Clausewitz also brings up the fundamental opposition between distance and proximity in the use of force. Distance makes a relative rationality possible, while bringing the problem of impersonal killing—in which the humanity of the opponent is effaced by large separations of time, space, or social distance (Bauman 1989, 1991). Using force or violence "face to face" with an opponent calls on different characteristics; for example, aggressiveness and hate can lead to an increasingly independent use of force, but at the same time still make it possible to perceive the opponent as human.
- (d) A further criterion is the means of force and violence. This problem is not separately posed by Clausewitz and must be supplemented here. A significant factor is the financing of combatants' weapons. The risk of losing very expensive weapons systems and highly trained combatants can lead to a certain limitation of war (as was the case in the eighteenth century). In contrast, wars waged with inexpensive weaponry and fighters are more likely to escalate.

### 5.2 *Kampf*: Fight

- (a) The necessity of escalation in war in order not to be defeated is found in Clausewitz's three interactions to the extreme (75–78), whereas the game of chance and probability is discussed in the second of the three tendencies of the wondrous trinity (89) as well as in the respective sections of the first chapter concerning war as a gamble (85–86), and finally in the section about friction (119).
- (b) The condition of symmetry or asymmetry between combatants (so often discussed today), in their strategy as well as the social composition of their armed forces, is discussed by Clausewitz in the first chapter, with reference to the opposition of attack and defense (82–84), in detail throughout Book VI about defense, and generalized in the second chapter of Book I (93–94).
- (c) A crucial distinction within the first chapter is whether combat in war is directed against the opposing will (as

<sup>21</sup> I have tried to use this coordinate system to outline a general social history of war in Herberg-Rothe 2003. For better readability in the following discussion, page references refer only to Clausewitz 1984.

<sup>22</sup> For the meaning of this distinction, see Herberg-Rothe 2003, in particular the typology of combatants, pp. 60–83.

<sup>23</sup> This opposite is most clearly emphasized by John Keegan (1993), and in a more sophisticated manner by Michael Ignatieff (1998); see also Herberg-Rothe 2003.



in Clausewitz's definition of war, p. 75) or if it is directed toward the destruction of the opposing armed forces. Clausewitz understands the latter as reducing them to such a condition that they can no longer continue to fight (90). But the original and lasting opposition between these two aims is merely repeated in Clausewitz's differentiation of the principle of destruction (90–94).<sup>24</sup>

(d) For a long time, Clausewitz favored Napoleon's strategy, in which the armed forces of the opponent are directly attacked. Clausewitz's critics, however, favor an indirect strategy (see Heuser 2002). For a general theory of war, Clausewitz thus needs to be supplemented, so that in addition to considering a direct strategy against the opposing armed forces, we start from the assumption that every war is a combination of direct and indirect tendencies, which are differently composed in each different instance.

### 5.3 Warring Communities

(a) It is first necessary to discern whether warring communities are relatively new or long-existing groups. In newly constructed communities, violence plays a more constitutive role, while in long-existing societies, more aspects contribute to the war.<sup>25</sup> Thus Clausewitz argues that the length of time a group has existed reduces the

tendency to escalation in the interactions to the extreme, as other factors must be included that may affect the course of the war. Clausewitz emphasizes that war is never an isolated act: it does not consist of a single short blow and its result is never final (78–81).

- (b) A further opposition concerns whether the war serves the self-preservation of a community or society or, especially in revolutionary situations, whether it leads to the formation of new ones (Münkler 1992).
- (c) Yet another opposition concerns whether war is subordinated to the following of "interests" or the spreading of the values, norms, or ideals of the related community. Herfried Münkler juxtaposes both contrasts (b) and (c), noting the opposition between the "instrumental" compositions of war of the later Clausewitz against the "existentialism" of the early Clausewitz (Münkler 1992).
- (d) Closely related to this, although not exactly congruent, is the question of whether the purpose of war lies outside of or within the fight of warring cultures. The social composition of each society, like those of the combatants (regular armies, conscription armies, pistoleros, etc.), plays an important role here.<sup>26</sup>

If we summarize these fundamental differences, the following coordinate system of war and violent conflict emerges.

<sup>24</sup> Compare only the beginning of the first chapter of Book VIII, in which it is retrospectively summarized as "and we concluded that the grand objective of all military action is to overthrow the enemy—which means destroying his armed forces" (577) with "We can see now that in war many roads lead to success, and that they do not all involve the opponent's outright defeat" (94).

<sup>25</sup> I do not wish to assert that all communities are constituted by force and violence, as one could interpret the theory of Carl Schmitt. Here I'm only emphasizing the difference between newly constituted communities and long-existing ones and their different practices of violence. Nevertheless the so-called "new wars" could be better described in terms of Carl Schmitt than those of Thomas Hobbes; see Herberg-Rothe 2004 and Herberg-Rothe 2006. This difference for example played a most important

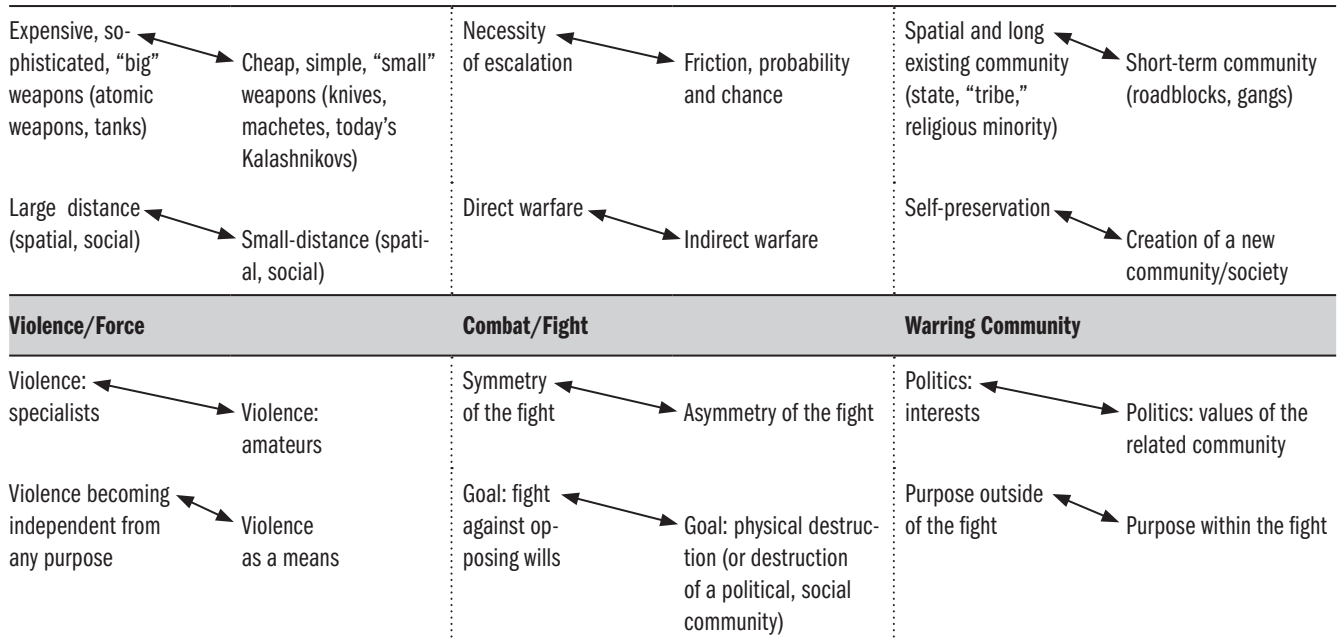
role in the misunderstanding of Hezbollah by the Israel Defense Forces in the last Lebanon war. Obviously Hezbollah was seen as something like a "warlord system," which consequently would break down after a short blow against its infrastructure. In retrospect one could even argue that the war strengthened the militia and its social cohesion.

<sup>26</sup> Here I explicitly do not differentiate among culture, society, and community, in order to emphasize the difference between internal and external influences on the conduct of war. In different circumstances these influences from outside may be determined by culture, society, or the political community. Perhaps there is a misunderstanding by German and English readers concerning the translation of the German terms *Gemeinwesen* and *Gemeinschaft*. In English I use the term "community," which does not have the burden of the German discourse

about *Gemeinschaft* derived from the sociologist Tönnies. In my view, the English term "polity" might best translate *Gemeinwesen*—but this term in turn would evoke a mainly political community.

6. The Coordinate System

Clausewitz's wondrous trinity as coordinate system of war and violent conflict



Every war is accordingly defined in terms of the three tendencies of violence/force, fight, and the affiliation of the combatants with a community, since in war there are always communities that fight against one another (although the weapon carriers can act on behalf of the community or constitute it). Moreover, these three tendencies within the wondrous trinity are further differentiated into additional opposites from which every war is composed, in different ways. Thus every war has symmetrical and asymmetrical tendencies, even when it may appear in certain situations as if only one of these tendencies comes to the fore.

The paradoxical aspect of criticism of Clausewitz is that Clausewitz himself is well equipped to respond to it. Keegan is obviously criticizing the early Clausewitz, the supporter of Napoleon's strategy and of the destruction principle as a military method. Van Creveld, by contrast, is attacking the late Clausewitz, who emphasized the antithesis between

limited and unlimited warfare, which became the critical point of his planned revision of the whole work (Clausewitz only managed to revise the first chapter of the first book).<sup>27</sup> In this respect, Keegan's criticism could be answered by the later Clausewitz, while the early Clausewitz can respond to van Creveld's criticism.

But, most important, both critiques show how current attempts to develop a non-Clausewitzian theory of war take place within a field of antitheses whose bounds were set out by the early and later Clausewitz himself. Although the early Clausewitz was oriented toward the Napoleonic strategy of unconditional offensive and the destruction of the enemy (i.e. beyond the enemy's military defeat), the position of the later Clausewitz was defined by other priorities resulting from Napoleon's failures in the Russian campaign and his defeats at Leipzig and especially Waterloo. In this later period, the difference between limited and unlimited

<sup>27</sup> See Clausewitz's note from July 1827; Clausewitz 1984, 69–70.

warfare and the insight into the necessity of war's limitation became the focal points of Clausewitz's thinking.

In accordance with the contrasting propositions of the early and the late Clausewitz, my coordinate system concentrates on the transitions between opposites as well as on their respective internal logic, rather than on action maxims derived from only one of these poles, as has so often prevailed in the history of warfare. Such a transition between opposites can be observed when an irregular partisan army, having gained a certain degree of military strength, moves from an asymmetrical strategy to a symmetrical fight; it also characterizes the transformation of the highly asymmetrical ideological conflict between the former superpowers and their alliance systems in the Cold War into a symmetrical effort by both sides to avoid atomic war (Herberg-Rothe 2003).

### 7. A General Theory of War?

Finally, we have to answer the question: to what extent does this coordinate system, based on my interpretation of Clausewitz's wondrous trinity, enables in principle (with further differentiations) a general theory of war and violent conflict? In my opinion, other competing approaches derive their theories from only one of these conflicting tendencies, all of which contribute to every war. For example, Marx's analysis is based on the assumption that war depends on the economically or socially determined interests of the warring parties. Despite their differences with respect to other aspects, Panajotis Kondylis (Kondylis 1988) as well as Martin van Creveld concentrate only on the concept of violent fighting. Additionally, Kondylis as well as Keegan substitute Clausewitz's concept of politics—or at least their reduction-

istic interpretation of it through the concept of culture. To give another example, Sun Tzu, Clausewitz's greatest opponent in the current discourse about war (although they have been dead for millennia and centuries, respectively), concentrates on the concept of struggle as a universal principle by neglecting particular political dimensions. Even the "war of interpretation" in the German discourse between *Gewalt-Innovateure* and so called traditionalists could be framed as a dispute about whether Clausewitz's first or the third of his three conflicting tendencies of war and violent conflict is put at the center of the interpretation (Trotha 1997).

In contrast to these single-cause approaches, in my interpretation Clausewitz's theory of war is based on dialectic opposites which together constitute war as a whole: he describes violence as both an independent force and an instrumental tool with which communities preserve their identities and pursue their interests. In contrast to all other approaches, Clausewitz's theory is based on three conflicting tendencies. These tendencies are the borders within which war happens. As long as communities wage war in order to preserve their identities as well as pursue their interests, Clausewitz's theory is the appropriate tool for analyzing war and violent conflict.<sup>28</sup>

In summary, I would define war as the violent fight of communities. This definition articulates three different as well as conflicting tendencies: at first violence/force, then fight/struggle, and finally the nature of the warring communities. One could further differentiate each of these tendencies to develop a systematically as well as historically informed general theory of war and violent conflict.

<sup>28</sup> Instead of adding a necessarily too short analysis of a current conflict as a demonstration of the usefulness of my coordinate system, I would like to refer to the discussions in which I have already used it as a guiding principle: my critique of the so called "new wars," the estimation of a re-politicization of war and violent conflict, the concept

of a new containment of war and violent conflict, and finally the notion of a democratic warrior: see Herberg-Rothe 2006, 2007, 2008, 2009; Herberg-Rothe and Honig 2007. I outline the problems of supplementing Clausewitz through a particular understanding of Sun Tzu with respect to the Iraq war in the preface to Herberg-Rothe 2007.

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# Reconstructing the Narrative of Rape in the Kibbutz by the Israeli Press

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# Reconstructing the Narrative of Rape in the Kibbutz by the Israeli Press

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The author proposes that national press coverage of sex crimes in Israeli kibbutzim is intended to restructure the public's perception by showing that such crimes are a symptom of broader social problems. Articles about a rape incident in Kibbutz Shomrat published during 1991–1995 in the local kibbutz press are compared with a sample of articles dealing with the same subject in two of the largest daily Israeli newspapers during the same period. Coverage by both sources of a later story of rape in another kibbutz from 2005 is also examined. The author demonstrates that the national press used the rape incident to invalidate the presumed moral superiority of the kibbutz movement and presented the crime as a symptom of the broad ideological and social crisis faced by the kibbutz movement. The local kibbutz press used a “defensive attribution” mechanism to construct their narrative, allowing kibbutz members to distance themselves, and the values their community professes, from the rape case.

A gang rape perpetrated in Kibbutz Shomrat in the 1990s reverberated throughout the media in Israel. This article examines the different techniques used by Israeli newspapers to construct public perception about such cases. When a crime like rape occurs within a kibbutz, where the social meta-narrative is based on concepts of camaraderie, friendship, mutual responsibility, gender equality, and universal fundamental respect for fellow humans, it can serve as a powerful instrument in the hands of those who wish to challenge the moral and ethical superiority of the kibbutz community.

Deviant behavior is usually perceived by the general public as part of a comprehensively deviant lifestyle. John Lofland defined the process of matching the act to the perpetrator's character or lifestyle as a “consistency ritual” (Lofland 1969). This correlation between the act and its perpetrator enables the observers to retain their preconceptions about which people in a given society are dangerous. The process helps to preserve a sense of living in a well-defined and orderly world, one in which it is possible to predict who is likely to commit a criminal act (see Shoham 2006). Criminal behavior by members of segregated communities, particularly

those perceived as elitist and morally superior such as the kibbutz or the ultra-orthodox communities, challenges this consistency process. Such behavior requires restructuring of the narrative in order to generate consistency and reconcile the act with the lifestyle attributed to the specific community. Without this restructuring, explanations of the deviation would conflict with the social and cultural concepts that constitute the frame of reference in which the recipient of the explanations responds to the deviation (Cohen 1985; Goode 2002).

When the deviations involve sexual and moral transgressions, the lack of correlation between the lifestyle attributed to a closed community and the crime itself is all the more significant. This may explain why behaviors such as violent sexual assaults, which are not uncommon in Israeli society, generate far more mass media interest when they occur within a social environment such as a kibbutz (see Korn and Efrat 2004; Lemish 2002; Soothill and Walbi 1991). For many years, the kibbutz has been perceived both by its members and by Israeli society as an ideological, egalitarian social group that manifests almost no criminal or violent behavior (Shoham 2006).

This article argues that the coverage by the largest daily newspaper of sex crime in the kibbutz is intended to restructure the public's perception by showing that such crimes were neither exceptional nor isolated incidents, but rather a symptom of a much broader social problem (see Lemish 2002). We assume that the general press in Israel will frequently refer to cases of rape in the kibbutz, and will elect to present such incidents as indicative of conditions within the community. On the other hand, the local kibbutz press will minimize its coverage of rapes, choosing to present such incidents as anomalous and out of the ordinary.

### 1. The Narrative of Rape

The constructionist approach (Almog 2000; Brooks 1996; Goode 2002; Yoval 2002) regards the rhetoric used to describe a given deviant act as a system of deliberate conscious and unconscious choices that serve to structure a certain perception regarding the deviant act, the participants, and the circumstances under which it occurred. The structuring of such a narrative is intended to forge a certain emotional and cognitive attitude toward those involved and, not least, to justify and legitimize the social reactions toward the participants in the incident, or alternatively to portray those reactions as inappropriate and irrelevant.

A narrative about rape in the kibbutz may serve as a pretext for a far more extensive public debate that would question the existing social assumptions and re-examine the moral superiority, status, role or actual need for kibbutzim within Israeli society toward the end of the twentieth century. The political changes during the 1970s along with the economic crises in the kibbutz during the 1980s have gradually led the kibbutz society to assume a defensive position as it found itself the target of ideological and cultural attacks (see Avrahami 1992; Ben Rafael 1996).

Choosing to present the rape episode as an example of deviant behavior that indicates a perverted lifestyle is not coincidental. According to the more radical approaches in criminology (Negbi 2009; Rady 2001; Saba 1992), rape results from the imbalance of power between men and women in society. Kibbutz society is built on a foundation of equality between its members, in which there is no difference between the status of men and women. The occurrence of

rape in a society supposedly based on equality can be seen to invalidate one of the founding principles underlying the kibbutz, which in turn questions all the ideological premises that differentiate the kibbutz from the rest of society.

Another “advantage” to choosing the rape narrative in order to structure a specific narrative about kibbutz society is that the rape occurs without an audience and relies on proving the validity of one person's version of events over the other. When relating details of the rape incident a reporter can select elements of the rape narrative and the particular perspective that will help nudge the reader toward reaching a specific conclusion (Jermyn 2001; Jordan 2005; Negbi 2009).

The “legal realism” approach leads to a somewhat subversive reading of the implicit and explicit messages meant to generate perceptions and interpretations regarding those involved in the rape incident (Koren and Efrat 2004; Yoval 2002; Ward 1995; White 1990). The way the media choose to narrate the rape incident is based on a set of rhetorical choices as well as on the inclusion of certain elements and the exclusion of others, thereby allowing the story to be used to make a broader statement about the society in which the incident occurred (see Brooks 1996; Ewick and Silbey 1995; Hollander 1996).

Creating public awareness of a deviant act or acts by increasing media attention on the subject is part of a process known as a spiral of amplification (Cohen 1973; Cohen 1994; Good 2002). This amplification of the increased threat level that the public associates with criminal behavior does not necessarily result from actual changes in the behavior itself, but is rather the outcome of increased public attention to this subject. This attention is primarily linked to the inner struggles for cultural dominance within the society in a given time.

In contrast to increased mass media attention to subjects such as the occurrence of rape in a kibbutz, we expect that media coverage originating in the kibbutzim in general and the particular kibbutz in the case will significantly play down this topic. Furthermore, it is expected that accounts will find ways to clearly differentiate participants in the criminal act from typical kibbutz society or even question the very existence of the criminal act.



## 2. Crime Coverage in the Kibbutz Press

Throughout the years of its existence, members of kibbutz society believed that it was inconceivable that criminal behavior such as burglary, rape, or murder would occur within its bounds and consequently could find no reason to establish the mechanisms required to fight such types of behavior (Shoham 1995). During the 1990s, several cases of rape involving young people born and living on kibbutzim were publicized, the most notable among them being the gang rape that took place on Kibbutz Shomrat. In the mid-1990s, a 14-year-old girl from kibbutz Shomrat filed a complaint with the police that accused seven teenage boys of forcing her to engage in sexual relations with them against her will. The prosecution delayed submission of the indictment for a number of years because the rape victim's emotional state prevented her from giving evidence in court. According to the indictment submitted by the prosecution, the acts were perpetrated in cars, in the fields, and in the victim's room. The seven boys, who were acquitted in the District Court, were convicted in the Supreme Court and sentenced to two to three years in prison (Shoham 2006).

These incidents forced kibbutz members to respond to a reality that they perceived as diametrically opposed to the social and value-based reality that they had built throughout their lives. According to Ester Eilam (1995) one of the techniques aimed at bridging this discrepancy was to adopt a combination of avoidance, denial, and rationalization mechanisms. These mechanisms helped the kibbutz to avoid dealing with social issues which inherently contradict the basis of the kibbutz ideology. The adoption of denial and the lack of conceptualizing terms regarding rape exempt the members of the community, and in particular its leaders, from the need to change the public discourse about sexual violence in the kibbutz. The desire to avoid dealing with deviations such as sexual assaults through institutional or public channels within the kibbutz contributed to reinforcing kibbutz members' perception that despite publicity surrounding these types of events, the kibbutz is actually immune to criminal behavior (Shoham 2006).

This perception is facilitated by a mechanism known as "defensive attribution," a response by individuals or a group of people who perceive that their lifestyle or belief system is facing a potential threat (Shaver 1970). Defensive attribution

finds a causative explanation for the deviant behavior by attributing the deviation to unique characteristics pertaining to the victim, the perpetrator, or the situation of the crime (Shoham and Regev 2000). Mervin Lerner (1980), for example, claims that defensive attribution enables the person making the explanation to meet important emotional needs such as prediction and stability, avoiding a sense of guilt, maintaining a high and stable level of self-esteem, and self-justification. According to Lerner, the individual has a need to believe that events are logically sequential and predictable. According to Shaver, defensive attribution arises in situations in which an individual perceives him- or herself as similar to the deviant "other." Defensive attribution enables such an individual to avoid potential accusations and to preempt damaging his or her personal and social self-perception. Lerner (1980) adds that defensive attribution is based on a belief that each individual is rewarded or punished for his or her actions or behavior. This belief reinforces the concept that the world is a just place, and leads to the tendency to blame victims for bringing the violent behavior upon themselves by their actions or personalities (Dexter et al. 1997; Mason, Riger, and Foley 2004). Portrayal of the victim or the criminal as significantly different from the other members of the group helps to reduce the potential social threat to the group (Shoham 2006; see also Levy 2006; Whatly 1996).

Because rape is perceived as completely contradicting the values and lifestyle of the kibbutz, another way of structuring the rape narrative is to question whether a criminal act of rape actually occurred. In order for such an act to be regarded as a crime, it is necessary to show that the act was indeed congruent with the rape prototype as conceived by the audience of the narration (Bogosh and Don Yihyeh 1999; Benedict 1992; Koren 2008).

Whether a story of rape is perceived as "true" by the listeners is linked to preconceptions that create a prototype of the act (Cuklanz 2000; Carter 1998; Koren 2008). This prototype enables the listener to differentiate between events that are not perceived as rape, events that are perceived as rape, and those that are perceived as a grave and horrifying case of rape (Jermyn 2001; Negbi 2009). Categorization is based on the disparity or the resemblance between a given nar-

rative and the prototype in the observer's mind. Elements such as whether the victim is acquainted with the attacker, the victim's sexual history, normative characteristics of the attacker versus non-normative characteristics of the victim, the lack of violence, or the fact that the victim did not seek help are all perceived as distancing the specific narrative from a "real" rape story—thereby raising the question, in the story at hand, whether the attackers or the victim were actually party to a rape at all (see Jordan 2004).

### 3. National and Local Press Coverage of Rape Cases in the Kibbutz

Our assumption was that the local kibbutz newspaper, which was keen to prevent potential accusations against its members, would focus on denial, minimalization, or specific explanations for the occurrence of criminal behavior in its community. Furthermore, it would link the rape to the specific characteristics of the teenaged perpetrators or of the victim. By contrast, we expected that the daily national newspapers would use the rape incident in an attempt to invalidate the presumed moral superiority of the kibbutz movement, and would present the rape as a symptom of the broad ideological and societal crisis it faces.

In order to validate these assumptions, we examined all articles published during 1991–1995 in the local newspaper (*The Kibbutz*, hereafter cited as *K*) that referred to rape incidents occurring in Kibbutz Shomrat. We compared these articles with a sample of articles dealing with the same subject in two of the largest daily national newspapers (*Maariv* and *Yediot Aharonot*, cited as *M* and *YA* respectively) during the same period of time. Religious press was not included. Data were collected according to the principles of qualitative research (see Creswell 1998; Shakedi 2004), and divided into four general categories: the presentation of the victim in the local kibbutz press; the presentation of the victim in the national press; the image of the perpetrators in the national press; and the image of the perpetrators in the local kibbutz press.

As we had assumed, the kibbutz newspaper rarely wrote about cases of rape. We therefore included all eight articles that were published about the rape in Kibbutz Shomrat. The two largest national daily newspapers, on the other hand, covered this topic much more frequently; therefore, a random sample of ten articles published on that subject

was examined. We also examined whether the coverage of another gang rape in a kibbutz ten years later, known as the story of Kibbutz Ein-Dor, manifested different perceptions regarding rape in a kibbutz.

## 4. Findings and Discussion

### 4.1 The Image of the Victim in the Kibbutz Press

The kibbutz press coverage constantly referred to the victim's personal and family background as a means of understanding the incident. The articles that followed the rape in Kibbutz Shomrat reported numerous family and personal problems of the victim's, presenting the rape as one more chapter in a life full of difficulties and marked by trouble acclimating to the kibbutz lifestyle (*K*, Nov. 18, 1992). The kibbutz newspaper dwelled on the girl's previous sexual experience, raising explicit and implicit questions about her responsibility for what was done to her body, and thus questioned whether the events that occurred did indeed meet the definition of rape (*K*, Nov. 11, 1992). The articles portray a young girl whose deep unhappiness, lifestyle, behavior, and marginal status in the kibbutz made her likely to be victimized. The kibbutz newspapers did not show a great deal of sympathy for the girl, who had caused the kibbutz to become embroiled in this notorious situation. The girl also aroused a lot of indirect anger because her cause was taken up by women's organizations, and this was perceived by the kibbutz as being at the expense of its own good name (*K*, Dec. 15, 1993). The focus on the girl's past, on her family's failure to integrate into the community after joining the kibbutz, and on the girl's social difficulties contributed to creating a negative backdrop and making the victim's behavior a key element in the interpretation of the incident (Koren and Efrat 2004).

Such focus on the victim's personal and family background is an example of the previously mentioned technique of the consistency ritual (Lofland 1969). Adjusting the personal biography of the victim by focusing on the negative elements created a situation in which her victimization almost became a given, and shifted accountability for her victim's status primarily to her own sad life story (see Cuklanz 2000; Lerner 1980; Negbi 2009; Koren 2008).

In the Kibbutz Shomrat case, articles in the kibbutz press did not describe the girl as a rape victim. Instead of the

word “victim,” they used terms such as “the poor girl” or “the young woman.” In describing other cases they used terms such as “the unfortunate girl” (*K*, Aug. 30, 1994, and Feb. 5, 1996), an expression that enabled them to explain how such an incident could occur in their community. According to the kibbutz viewpoint, an unfortunate girl who could not find her place within the community went looking for love and attention, and thus drew the boys into a sexual relationship with her (*K*, Aug. 23, 1994). Rhetorical questions were also used to make readers doubt whether a genuine rape had actually occurred (*K*, Dec. 15, 1993). To a large extent, accounts in the kibbutz press refuted the rape narrative by presenting an alternative narrative, featuring a girl who went astray looking for what almost all teenagers seek, particularly those in a kibbutz—acceptance by her peers (see Brooks 1996; Yoval 2002; Negbi 2009).

Unlike the national newspapers, which embraced the victim’s narrative, none of the kibbutz newspapers published a single article presenting events from the girl’s point of view, thereby further reinforcing doubts about whether the incident constituted a real rape. According to Rina Bogosh and Rachel Don Yihiyeh (1999), “subversive reading” of rape cases presents the reader with criteria that form the prototype of a genuine case of rape. This prototype both cognitively and emotionally lays out the boundaries between a “genuine” case of rape and one which, although it might include the factual elements of rape, is not perceived or interpreted by the observer as a “true” rape.

#### 4.2 The Image of the Victim in the National Press

Although the local kibbutz newspapers focused on the victim’s social and emotional difficulties prior to the rape, the majority of the coverage by the national daily press recounted the victim’s difficulties once the rape was made public. The kibbutz was described as a strong and well-protected organization, whereas the victim was portrayed as weak and helpless. The analogy of David and Goliath was repeated in a considerable number of these articles (*M*, June 6, 1991, Dec. 10 and 15, 1993; *YA*, Sep. 11, 1991, Nov. 11, 1993, and Dec. 17, 1993).

The national press took on the role of the girl’s defender against the kibbutz, which “discarded” her and closed ranks to protect itself and its reputation. The kibbutz was

portrayed as a smug and protected society concerned more with its public image than with the well-being of the unfortunate girl. Many articles tried to create an image of a genuine victim by presenting the events from the vantage point of the girl herself.

#### 4.3 The Image of the Perpetrators in the National Press

The national daily press tended not to distinguish between the male kibbutz teenagers who were party to the rape and the other male teens on the kibbutz. They were all described as members of a confused society, in which boundaries between what was permitted and what was forbidden were not clearly defined, leading the kibbutz community to turn a blind eye to or forgive transgressions (*M*, Nov. 10, 1992, Dec. 15, 1993; *YA*, Nov. 10, 1993; Dec. 17, 1993).

The perpetrators were portrayed as unsurprising, albeit regrettable, products of a failed value-based educational system (*YA*, Sep. 11, 1992; Nov. 10, 1993; June 22, 1994). A number of newspaper articles went even further, describing the rape as evidence of destructive processes affecting the entire kibbutz movement. Furthermore, the kibbutz community was described as an underdeveloped sector of society that grew “spoiled fruit” in the form of rapists (*M*, Feb. 10, 1992).

The national daily press often described the teenagers convicted of the rape as ordinary young men who were positive and well-integrated and did not have any personal or social problems (*YA*, Sep. 11, 1992, Nov. 21, 1992). Consequently, their deviant behavior was not an expression of character traits peculiar to these particular boys, but rather the product of a much broader social system and its values.

The national press also focused on questions of status and the unequal distribution of resources in the kibbutz, in particular the difference in resources made available by the kibbutz for the girl’s defense as compared to those provided for the boys’. Terms such as “marginal” and “central,” “new” and “old,” “fits in” and “does not fit in” repeatedly appeared in these articles (*YA*, Nov. 10 and 21, 1992). The use of these terms was intended to invalidate the premise that equality is the underpinning principle of kibbutz ideology. It contributed to the portrayal of kibbutz society as one that is no longer based on equality or fairness.

#### 4.4 The Image of the Perpetrators in the Kibbutz Press

By contrast, articles in the kibbutz press defended the boys as individuals, portraying them as the victims of drawn-out legal proceedings or of the media's manipulations. They repeatedly claimed that the boys from the kibbutz played only a relatively small part in the affair, and that most of the participants in the incident did not belong to the kibbutz at all (K, Nov. 11, 1992, Dec. 15, 1993, June 22, 1994).

Portrayal of the teenage perpetrators as normal boys by the local press was intended to serve the opposite purpose of doing so in the national press. Here, the normality of the boys and the social divide between them and the girl reinforced doubts about viewing this incident as a rape. The kibbutz press not only portrayed these teenage boys as ordinary and positive people, but also sought to reduce the option of portraying them as a symptom of a larger process in the community.

The main strategy of the local press coverage was to refrain from addressing the rape incident itself and instead to concentrate on attacking commentators who used the incident as a pretext for attacking the kibbutz. This technique of neutralizing guilt combined denial of responsibility on one hand and the search for a seemingly rational explanation on the other (see Scott and Lyman 1968). This combination enabled the kibbutz to retain its positive image and to avoid feelings of responsibility or guilt, despite the factual basis of the incident. The “attack the attackers” technique also diverted attention from the rape itself, and from the rapists and the victim, and focused instead on the accusations against kibbutz society being made by women's organizations, the national press, and the Supreme Court.

One should also admit the possibility that the differences regarding the portrayal of the victim and the perpetrators are also partly due to different styles of journalism, and not just to the different social goals of the national daily press as opposed to the kibbutz local press.

#### 5. Changes in the Kibbutz Discourse about a Later Rape Case

In *The Closed Yard* (2006), I describe how during the following decade most kibbutz members had become aware of various types of criminal behavior that occurred within

their community. This awareness, however, did not necessarily produce an active response to crimes, one that would compromise the reputation of the kibbutz, particularly if the behavior bore a stigma, such as rape. In practice, when a case of rape arose among Kibbutz members, it was still handled in the traditional manner: closing ranks, attacking the attackers, keeping silent outwardly and often inwardly as well, and attributing the cause of the crime to the victim's personality traits (see Benedict 1992; Koren 2008).

In early 2005, the local kibbutz press published the story of a young woman from a kibbutz who had been a victim of incest as a young girl and was later sexually assaulted by teenage boys, her peers on the kibbutz. The story of this young woman, who committed suicide at the age of 21 while studying at university, once again raised questions about the existence of sexual abuse in the kibbutz and, more importantly, about the manner in which the kibbutz chooses to deal with sexual assault. In this particular case, the kibbutz secretariat did encourage the young woman to file a complaint with the police, but the investigation was later suspended because she refused to give the names of her rapists (M, Feb. 4, 2005).

A review of the very few articles in *The Kibbutz* newspaper during 2005 addressing this case (K, Feb. 5, 2005) indicates that although the kibbutz movement has become increasingly aware that this type of behavior does indeed exist in kibbutzim, the community continues to close ranks and explain the deviant behavior by trying to pin the blame on the psychological makeup and other characteristics of the victim (see Jermyn 2001; Larcombe 2002).

When he was interviewed for a newspaper article, the general secretary of the kibbutz did acknowledge the shattered feeling of the kibbutz members who had expected the kibbutz to protect their safety and security. However, in the same breath, he denied the possibility that incest could occur within the kibbutz, attributed the allegations to the “fantasies” of a young woman who was in an emotionally fragile state of mind. He asserted that “one cannot rely on the story of the rape in the national press, it is shallow and tendentious.” Members who chose to be interviewed anonymously for that article also adopted the official kibbutz line,

attributing the sexual assaults to “what was going on in the mind of the young woman” (*M*, Feb. 4, 2005).

The national daily paper, *Maariv*, reported that the majority of kibbutz members refused to be interviewed and that those who did speak continued to defend the reputation of their community: “The public got the wrong impression of the Kibbutz; it is very difficult for us to defend ourselves because of the prejudice against the kibbutz society,” claimed a Kibbutz member (*M*, March 1, 2005). Those interviewed reiterated the “import model” (Cromer 1995) explanation of the incident, which lays responsibility for deviant behavior at the feet of outsiders who have made inroads into kibbutz society (*K*, Feb. 5, 2005).

The local kibbutz press coverage of the 2005 case reversed its tactics from the coverage of the previous incident. This time, portrayal of the victim’s positive character traits served to cast doubt on the feasibility of the sexual assault narrative. The cultural expectation is that sexual assault will occur between strangers, or will be perpetrated against girls who do not “fit in,” or who are promiscuous (see Benedict 1992; Koren and Efrat 2004). In this case, the girl’s claim that she had been sexually abused by a family member contradicted such cultural expectations, thus underscoring doubts as to whether her account was true and a rape incident had actually occurred.

In this case too, as can be seen in many rape reports (see Bogosh and Don Yihyeh 1999; Ewick and Silbey 1996; Jordan 2004; Negbi 2009), the local kibbutz press often employed rhetorical remarks along with terminology to cast doubt on the validity of the report. Kibbutz members who were interviewed for the kibbutz paper repeatedly used words such as “according to her allegations” (*K*, Feb. 5, 2005). The use of these words indicate that, while recognizing that this case was truly tragic, the kibbutz members were very suspicious regarding the true nature of the story: “it was very important to remember that it does not necessarily represent a genuine sexual assault but rather the claims made by the girl which have not yet been verified” (*K*, March 1, 2005). Disbelief in the rape victim’s narrative combined with an “attack on the attackers” from the surrounding society helped to defend the reputation of

the kibbutz, even at the expense of blaming the victim and denying the role of her assailants.

To sum up, the use of the defensive attribution mechanism allowed kibbutz members to construct a narrative that distanced themselves, and the world of values in which they believe, from the rape case. The deviant act was ascribed to actors on the social or cultural margins of the group. By distancing the act, the kibbutz exempts itself from the need to submit its social environment to a painful and perhaps even threatening self-examination. The use of defensive attribution helps to maintain the propriety and righteousness of the members’ existing world of cultural symbols. Furthermore, it reinforces an overall sense of control and thus avoids assigning blame or recognizing possible victimization.

In the cases discussed in the kibbutz newspaper, the social standing of the two rape victims was very different. Yet in both cases the kibbutz members drew on social status as the basis for denying the existence of a victim. In the first case, it was argued that the victim’s low and marginal social status within her peer group, and her inability to fit in, led to the incident because by behaving the way she did, the girl brought the rape upon herself.

In the second case, kibbutz members portrayed the young woman as a successful, well-regarded leader. It was precisely her higher social status that was used to corroborate the claim that the rape story was largely the fruit of the young woman’s imagination. After all, claimed the kibbutz members and teachers in the kibbutz, “it is unlikely that a young woman who is such a key figure would fall prey to a rapist” without the kibbutz knowing (see Koren 2008; Negbi 2009). The social status of the rape victim, whether low or high, continues to be a major factor in determining to what extent the kibbutz will trust the story of the rape victim.

By contrast, the national press coverage of cases of rape in the kibbutz was supported by preconceived social attitudes toward sex, gender, and normative behavior in the kibbutz. Myths about sexual permissiveness—as conveyed most notably by the stories about shared showers, the minimal clothes worn by kibbutz members, the casual manners,

shared sleeping quarters for the children, and the identical treatment of boys and girls until a relatively late stage— contributed to creating an image of a permissive society that lacked limits. This image led other sectors in Israeli society, particularly traditional or religious groups, to attribute cases of rape to the permissive lifestyle, the absence of limits, and even the licentiousness that allegedly prevail in the kibbutz (see Cromer 1998).

The increased mass media attention focused on a specific crime such as rape in the kibbutz acts according to Dafna Lemish (1992) as a two-edged sword. It helps to reinforce the feeling among the general public that this type of behavior is occurring with increasing frequency and severity. Increased public awareness leads to increased media and research attention, which consequently further reinforces the impression that this social phenomenon is becoming a routine occurrence. The deviant behavior underwent a normalizing and banalizing process through the portrayal of the rapists as ordinary, run-of-the-mill teenage kibbutzniks.

This allowed the general public a glimpse of a world that despite its outside appearance was plagued by the same ailments that afflicted society at large.

Comparing the coverage of the later rape with the earlier incident, we see that minimization is still the principle technique used by the local kibbutz press in its attempts to protect the image of the kibbutz society as ideological and elitist. This technique diverts attention from social processes and focuses it on the search for the perpetrator's or the victim's individual character traits. The national daily press, by contrast, focuses on these crimes to show that such acts were neither exceptional nor isolated incidents, but rather symptoms of a broader social problem. Media interest in sex crimes in the kibbutz goes beyond the voyeurism or curiosity that would usually be associated with this type of crime. It contributes to claims that communities such as the kibbutz are not necessarily as ethically and morally superior as they present themselves in public discourse with other cultural sectors in Israeli society.

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