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Policy brief

Rebel Governance: the cases of the LTTE and Hezbollah

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Introduction¹

This policy brief is part of the two-year research project on Rebel Governance carried out by Utrecht University and funded by the Gerda Henkel Stiftung. The findings of this policy brief are based on the research carried out over the past two years and our more elaborate findings are available in the monographs of this project, a theoretical book chapter, a conference paper and a journal article.² This project focused on an actor commonly overlooked in discussions of governance: non-state armed actors such as rebel groups engaged in governing their ‘constituents’. In this research new empirical evidence was collected on the practical dynamics of rebel governance in Sri Lanka and Lebanon. Next to assessing the governance efforts by these movements, the analysis has included interactions of these groups with the state, other non-state actors and relevant international actors. This has led to a deeper understanding of the nature of rebel governance, how it operates in real life, its sources of legitimation, and the mimicry of state institutions by rebel groups. The policy brief explores the involvement of the Liberation Tigers of Tamil Eelam (LTTE) and Hezbollah in different sectors of governance and will conclude with policy-relevant insights on non-state armed groups that are involved in governance. Based on in-depth studies in Sri Lanka and Lebanon, these findings contribute to academic and policy debates on governance in so called ‘fragile states’ and address the potential reassessment of rebel actors from ‘spoilers’ to possible developmental partners with transnational organizations and (I)NGOs.

Rebels that govern

Rebel groups that are able to hold (partial) control over a territory and a civilian population are usually involved in some form of governance, whether it is in a very minimal form or through a more comprehensive system of governance (Duyvesteyn et al. 2015: 33). Rebels may set up a legal system, a type of police force, arrangements to provide health care and education, as well as other institutions and administrations that deal with a variety of civilian concerns. They may ‘mimic’ particular functions that are usually associated with statehood. If rebel governance emerges, it usually does once the rebel group controls territory and once the group has existed for several years. They may aim to stabilize and normalize the situation in the areas under their control and attempt to induce compliance from the civilian population that resides in that territory. Through governance and legitimation strategies they may succeed to maintain or increase popular support. Popular support provides them with military strategic advantages too such as the gathering of intelligence through informants, sanctuaries among civilians and food resources (Kalyvas 2006; Staniland 2014).

The LTTE started off as a guerrilla organization without holding control over territory. However, during the early 1990s the Jaffna peninsula in the North of Sri Lanka came under full control of the LTTE and this became the first locality administered by the movement (Terpstra & Frerks 2015a: 21). When it lost its military control of the Jaffna peninsula in 1995, the institution-building efforts were relocated and extended with the

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² In the order of mentioning, see: B. Kistemaker, *Rebel Governance in Lebanon: Hezbollah, ‘the Hand that Fights, the Hand that Builds’*, Monograph for the Gerda Henkel Stiftung, Düsseldorf; N. Terpstra and G. Frerks, *Rebel Governance in Sri Lanka’s ‘Uncleared’ and Contested Territories during the 1990s and the 2000s*, Monograph for the Gerda Henkel Stiftung, Düsseldorf; I. Duyvesteyn, G. Frerks, B. Kistemaker, N. Stel and N. Terpstra, ‘Rebel Governance Reconsidered’ in *African Frontiers*, J.I. Lahai, and T. Lions (eds), Ashgate, Farnham, 2015, pp. 31-40; N. Terpstra and G. Frerks, *Rebel Governance in Sri Lanka during the 1990s and 2000s*. Conference paper, EISA conference, Italy, on 25 September 2015; N. Terpstra and G. Frerks, ‘Governance practices and symbolism: de facto sovereignty and public authority in ‘Tigerland’’, *Modern Asian Studies*, forthcoming.

LTTE's territorial expansion in the areas called the 'Vanni'³ (Ibid.: 21). The LTTE had a judicial sector, a police apparatus, and carried out bureaucratic administrative functions, whereby presenting itself as a state in the making. It was also involved in social welfare, education, health care, banking and road infrastructure, commemorations and cultural events. As explained elsewhere, the LTTE's governance system arguably met civilian needs, and was embraced by segments of the population. At the same time, coercion was an essential ingredient of the LTTE rule (Terpstra & Frerks 2015b: 6-10).

From the beginning, Hezbollah was first and foremost a resistance organization opposing the Israeli occupation of Lebanon (Qassem 2005: 79-80; Kistemaker 2015: 19). It employed a military strategy including guerrilla warfare to achieve this objective. It sought popular support from its constituency which required a larger socio-political strategy (Kistemaker 2015). Hezbollah's activities as a militia have always coincided with a broader movement that built on Islamic mobilization to develop social welfare networks and institutions in Shi'a majority areas of the Lebanon (Kistemaker 2015: 31-32). Hezbollah has been involved in the provision of basic services such as security, health care, education, energy supplies, water management, electricity, agricultural and waste management and urban planning/reconstruction. This service provision mainly focused on marginalized and government-neglected areas, originating in the Bekaa and expanding to Southern Beirut and South Lebanon, mainly targeting the Shi'a communities (Kistemaker 2015: 31). Although Hezbollah is probably the most significant, they are not an exception in this regard; public service provision in Lebanon has been institutionalized by both state and non-state actors into existing patterns of political sectarianism since the country's independence in 1943 (Kistemaker 2015: 26). Virtually all political players (including religious groups and secular NGOs) offer public services in one way or another (Mackreath 2013).

In other words, where groups like the LTTE and Hezbollah were able to obtain (partial) influence or control over a population and/or geographical territory, the provision of basic services emerged and over time developed into a more comprehensive and complex system of service provision. What the findings of both cases further indicate was the strategic objective of the involvement in governance. It helped these movements to build up their relationship with the community, creating opportunities to gather intelligence, to gain active or latent support for their military-political struggles and to ensure compliance with the rules and order set by these movements.

How they govern

In areas under their full control the groups studied monopolized the security and judicial apparatus. The Sri Lankan government was not allowed to function in the security and judicial sectors in areas under full control of the LTTE as the LTTE aimed to create law and order in the areas under its control on their own terms and conditions (Terpstra & Frerks 2015b: 6-10). In Lebanon in general, security has been outsourced or appropriated by non-state actors (Kistemaker 2015: 37). In the current situation security is provided on the basis of sectarian affiliation. In other words, Hezbollah chooses the areas and community it wants to secure by its own means. Through a type of elite pact the armed capacity of Hezbollah as a non-state actor is of such strength that the Lebanese state *de facto* does not possess a monopoly on the use of force throughout its territory (van Veen 2015: 39).⁴

The provision of these governance services is largely coordinated by these movements themselves, but also takes place in networks with other types of organizations, even in coordination with opposing parties in the respective violent conflict. Our studies have indicated that hybrid governance emerged both in Sri Lanka and in Lebanon. The Sri Lankan

³ 'Vanni' is sometimes spelled as 'Wanni' and is used as a term for the mainland districts of the Northern Province, namely Kilinochchi, Mannar, Mullaitivu and Vavuniya. The other district of the Northern Province, Jaffna, is a peninsula. The term is often used (in interviews and in contemporary literature) with reference to the LTTE-controlled areas in the Northern Province, excluding the Jaffna peninsula.

⁴ It is debated what Hezbollah's military capabilities exactly are, but according to the International Crisis Group (2015: 3) its fighting force is unrivalled domestically, in manpower, training, dedication and armament.

government provided services in health care and education in the areas under LTTE control resulting into practical arrangements in which the warring parties coordinated their efforts in those governance sectors (Terpstra & Frerks 2015b: 13-17). In Lebanon a variety of non-state (armed) actors have been involved in governance, partly in networked arrangements of different actors - state and non-state. Formal state activities work in tandem with irregular non-state 'interference', which produces a blurred picture of governance (Kistemaker 2015: 26-31). Though this could be considered a sign of state weakness, it is as much a conscious strategy. Hezbollah has, for example, transformed into a political party that has entered the formal political system, whereas at the same time it continues to function as a militia at the margins of the Lebanese state.

In other words, governance may emerge in an arrangement that is completely anti-state or in competition with the state, or in a degree of collaboration or mediation with the formal nation-state and other actors. Given that Hezbollah primarily emerged as fighting force against the Israeli occupation and not the Lebanese state, mutual dependencies between the state and the non-state in terms of security seem possible, whereas this in the case of Sri Lanka – primarily an anti-state insurgency – would have been unthinkable. Hence, governance maybe be co-opted in some sectors, while completely anti-state in other sectors.

Governing whom?

Both in the case of the LTTE and Hezbollah the governance system targets a specific socio-political group in society, although this was more exclusive in the LTTE's service provisions. Processes of inclusion and exclusion define who belongs to the governance project and who does not. In the case of the LTTE, the separatist struggle had an ethno-nationalist character with the political inclusion of the Tamil-speaking community (Muslims, Hindus and Christians), until a forceful expulsion of the Tamil-speaking Muslims from the Jaffna peninsula in 1990 (Terpstra & Frerks 2015a: 37-38). In other words, from that moment until the end of the war a 'tacit social contract' emerged between the LTTE and the Hindu and Christian Tamils living under (partial) territorial control of the LTTE. The service provision of Hezbollah focuses on a particular in-group, the Shi'a communities and particularly on active supporters of Hezbollah, but also on a wider community as marginalized Sunnis and Christians in Hezbollah territories receive certain services too (Kistemaker 2015: 31-34). Core supporters however do receive their services on more favourable terms. Core supporters and families of fighters for example receive a better treatment at hospitals, clinics and schools (Cammatt 2014: 154-157). Both for the LTTE and Hezbollah it becomes clear that particularly the families of active supporters, fighters and 'martyrs' are treated differently. Both movements set up special support programmes for martyrs' families (Flanigan & Abdel-Samad 2009; Terpstra & Frerks *forthcoming*).

In other words, groups like the LTTE and Hezbollah directed their services in such a way that it aligned with their search for support from a particular constituency. In both cases there was a type of reciprocity between the civilian population and the movement, or what may be referred to as a 'social contract' with their constituency.

Projections of legitimacy

Some literature on rebel governance tends to link social contracts mainly to the pragmatic benefits of taxation with a reciprocal supply of public goods (Weinstein 2007; Beardsley & McQuinn 2009; Olson 1993). However, in the cases of the LTTE and Hezbollah economic arguments are only part of the explanation. The LTTE and Hezbollah actively sought legitimacy through their actions (Kistemaker 2015; Terpstra & Frerks 2015a; 2015b). As Schlichte and Schneckener (2016) point out there are particular performances and symbols that may legitimize a group's existence, its struggle and its involvement in governance towards their constituency. Rebel groups address audiences at different levels, including those residing in territories under their control, in contested control, other regions within the country, various diaspora groups, other national governments, international coalitions,

international organizations, (I)NGOs and humanitarian organizations (Duyvesteyn et al. 2015; Schlichte & Schneckener 2016). Through the use of symbols and performances, such as flags, songs, references to tradition, ethnicity and performances of ‘statehood’ groups like the LTTE and Hezbollah portray their authority and legitimize their rule towards these various audiences (Duyvesteyn et al. 2015: 35-37; Kistemaker 2015; Terpstra & Frerks 2015a). The meaning of these symbols and performances however, are not intrinsic to it, they are collectively created, changed and maintained (Stone 2012; Terpstra & Frerks 2015a: 42).

The LTTE built its support base on historical narratives surrounding the earlier Tamil Kingdoms and the derived notion of a Tamil homeland, and the strong grievances that existed among the Tamil population against the Sinhalese-dominated governments of Sri Lanka. The LTTE projections of legitimacy also involved a political programme outlining the transformations envisaged under Eelam statehood (LTTE 2004). Through state ‘mimicry’ and state-like performances the LTTE could show the people that it was able to effectively rule the territories under their control. Another important element in the symbolic dimension of LTTE rule entailed the elevation of the struggle and the heroic status of LTTE cadres fighting - and dying in the fight - against the government (Terpstra & Frerks 2015a: 42-44). Cemeteries, commemorations of the ‘heroes’, flags and other national symbols were the visible inscriptions of the struggle and the sacrifices made were widely respected within the Tamil community. The various symbols were not only physically present in the public space, but were also disseminated through the media and propaganda (Terpstra & Frerks 2015a: 44). Through the symbolic legitimation of its struggle, the LTTE implicitly and explicitly attempted to legitimize its rule over the Tamil population and the nascent statehood of its projected Tamil Eelam.

Hezbollah’s legitimation of its existence as an organization and the projection of legitimacy of their rule rests on: the alliance with Iran; the resistance against Israel; its commitment to the liberation of Palestine; the representative as a religious party of the Shiite community in Lebanon (Kistemaker 2015: 53). Their provision of services enables a type of ‘delivery-based legitimation’; similar to other political players in Lebanon Hezbollah provides services to project its legitimacy towards their constituency (Kistemaker 2015: 26-27). Important here also is their shift to enter the formal political arena as an official political party, representing the Shi’a communities (Cammatt 2014: 70-84). As such, Hezbollah’s presence over the years has grown from an aggressive representation and vocalization of moral norms to a more institutionalized authority. Their portrayal of martyrs remains an element of legitimacy, with the Martyrs’ Foundation and the Foundation for the Wounded that exclusively supports the families of fighters who have died or were injured in combat (Flanigan & Abdel-Samad 2009: 124-126). Additionally, Hezbollah created a narrative that subsides. The use of culture and art combined with symbols – i.e. the creation of (police) flags and use of uniforms in large demonstrations – have created a ‘community as a living testament’ to the Resistance. Hezbollah is actively producing and negotiating governable spaces for its constituents. These governing initiatives are intended to be a foundational element of the resistance. Due to a lack of alternatives and citizenship rights to call upon however, constituents are forced to comply with Party policies to receive access to services.

In the past four years, Hezbollah’s position has however shifted along with its intervention in the Syrian conflict. Sectarian polarisation between the Shi’a and Sunni communities has increased whereas the legitimacy that Hezbollah used to derive from embodying the broad-based resistance against Israel has weakened (ICG 2015).

In other words, the LTTE and Hezbollah use symbols and performances to legitimize their rule. In some aspects this was more successful than in others. Although being fairly successful in building their political communities, the LTTE faced legitimacy problems in 2006-2009 when military pressure increased significantly. Their increased forced (child) recruitment made them increasingly unpopular. Hezbollah currently sees its support base changing due to their involvement in the Syrian conflict and the consequences this has for their constituency in Lebanon.

International engagements

International engagement with the LTTE and Hezbollah can be observed in various forms. Just as much as they have different audiences towards whom they project their legitimacy, they have various actors they interact with in terms of governance, basic service provision and flows of funding. This includes amongst others, the diaspora, international organizations, INGOs, religious organisations, and other national governments.

In the earlier phases of their insurgency the LTTE had received arms, funding and training from India, the ANC and Libya. In addition, the LTTE had strong links with the Tamil diaspora in countries like England, Norway, Australia and Canada. In the diaspora funds were collected (voluntarily and by extortion) that served the movement in Sri Lanka itself. Despite the lack of official recognition of the LTTE and terrorist listings by various countries, LTTE governance took shape in co-optation with international actors, such as humanitarian organizations and NGOs, particularly also during the aftermath of the Tsunami in 2004 (Terpstra & Frerks 2015a; Frerks & Klem 2011). Partially these interactions were mediated through organizations such as the Tamils Rehabilitation Organization (TRO) (Stokke 2006).⁵ Aid and development workers coordinated their projects with LTTE officials in the Vanni and LTTE-controlled territory in the East. Hence, despite official condemnations, various NGOs and international organizations became intertwined in the rebel governance structures (Terpstra & Frerks 2015a: 49-50).

Although from a different order, Hezbollah has had strong political and financial connections with amongst others the regimes in Iran and Syria. Events in Lebanon in the 1980s resulted in opportunities for international actors to gain influence in Lebanon. Geopolitical consequences of the war against Israel led for radically different states, namely Islamic fundamentalist Iran and secular Syria, to join forces and enlist Hezbollah as a foreign policy proxy (Harik 2004: 31). Based initially in Baalbek, a city in the Bekaa area with a large Shi'a population, its founders first established and trained a militia force with support from Iran and Syria (Cammett 2014: 70). Hezbollah's financial situation however outperforms those of other non-state providers. Hezbollah often states its capacity comes from social strength and strong ties with the Shi'a community and its broader network of supporters, claiming it mainly gets its money from yearly 'zakat' donations, in which Muslims donate 2.5 per cent of their wealth to the needy, but more substantial donations come from the diaspora community and foreign governments. It is well-known that Iran and Syria have strong ties to Hezbollah through which these different political actors mutually attempt to defend their strategic interests in the region.

The formal terrorist listings of the LTTE at the time and Hezbollah at the present pose serious difficulties for foreign governments to be openly in contact with these movements or supply financial support for reconstruction or social welfare. In Sri Lanka it became the empirical state of affairs that these international organizations negotiated (whether publicly or under the radar) with the LTTE leadership over (humanitarian) access to LTTE territory. In that sense movements like the LTTE and Hezbollah also function as gatekeepers for international organizations that want to provide aid or want to implement NGO projects in areas under rebel control. Reaching civilians has to be mediated and negotiated.

⁵ The TRO was however cut off from the international development revenue streams in 2007, due to alleged connections between the TRO and the LTTE.

Conclusion

Our study has shown that rebel groups are involved in various governance sectors. Through the relationship that they build with the civilian population, a type of 'tacit social contract' may emerge. They provide basic services for a targeted constituency on the local, national and international level, or control the provision of those services. These governance arrangements usually develop into more sophisticated forms over time. With the possession of territorial control, institutionalization processes can develop. Our study shows that a simple state vs. non-state binary fails to grasp the practical dynamics of rebel governance. Governance may indeed emerge independently from the formal state, while it may also develop in overlapping arrangements with the state and other types of actors such as religious organizations, NGOs and other public authorities.

Our study also indicates that this governance arrangement is usually directed at a particular political community. In-group and out-group boundaries are defined by the rebel leadership in different degrees and at different levels. Some civilians are treated as more 'active' supporters than others and are treated differently in terms of services provision and certain privileges under the rebel rule. Some groups in society are deliberately excluded from the governance arrangements as they are seen as 'traitors', opponents, or their identity is simply seen as irrelevant or to be excluded on the basis of particular ethnic, clan and or religious/sectarian lines.

Hezbollah and the LTTE took pains to project their legitimacy towards their direct constituency and international audiences. Through performances and symbols of, for example, nationhood, sacrifice, charismatic leadership, traditional authority, they attempted to legitimize their rule. Uniforms, flags, songs, commemorations and other symbolic and cultural expressions were employed to legitimize their rule and to increase popular support. Martyrdom for example has been a large source of legitimacy both for the LTTE and Hezbollah. The symbolic dimension of LTTE rule consisted of a special appreciation for the heroic status of LTTE cadres fighting against the government. The LTTE had built special cemeteries for the fallen 'heroes' and commemorated them annually. The discursive side of rebel governance and the various sources of legitimacy indicate that rebel governance is not simply about a cost-benefit relationship of taxation and the provision of public goods. As the case of the LTTE indicates, the Sri Lankan government was not able to gain support from the Tamil population on the basis of their continuing service provision in the Vanni. Instead, it was the LTTE who was able to take the credit for it. So rebel groups may project their legitimacy towards local, national, regional and/or international audiences by the use of the symbolic repertoire of the nation-state, but rebel governance does not equate state governance in every aspect. Elements of martyrdom or certain mythical rituals used to legitimize rebel rule do not necessarily emulate the specific repertoire of the nation-state only.

A clear difference between the LTTE and Hezbollah is the different type of enemy they are fighting against. Hezbollah primarily exists as a movement to fight Israeli occupation, while being geographically based in Lebanon within the formal boundaries of the Lebanese state. The LTTE was geographically based in the formal territory of its main enemy: the Sri Lankan government. As such, the relation to the state differs in the sense that the Lebanese state does not embody Hezbollah's main enemy. Furthermore, Hezbollah has essentially been a religiously driven organization, whereas the LTTE was a secular movement only using certain rituals surrounding their martyrs and perhaps Prabhakaran's leadership. The LTTE fought for its own independent state, whereas Hezbollah mainly fights for independence from Israeli occupation, and not necessarily for a separate state.

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