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The Missing Concept

The civilian category and its social meaning

The last chapter leaves genocide theory with a dilemma. If we reject the definition of genocide's targets by particular types of identity, or by the criterion of real groups, we seem to be left with no common denominator other than that these groups are defined by their attackers. Yet while genocidists do indeed define the particular characters of target groups, they obviously do not define genocide in general. For a crucial commonality of both group and individual victims has been omitted from the discussion. Although people are targeted for their particular identities rather than because they are 'civilians', *all groups or populations targeted in genocide are overwhelmingly civilian in character, and it is their civilian identity that makes their targeting genocidal*. It is the fact that the perpetrators of genocide are generally armed and militarily organized, while victims are generally unarmed and militarily unorganized, that marks off this form of political violence from others. *The missing link of genocide studies is the core social distinction between combatants and civilians (or non-combatants).*[1]

Surprisingly, although this conceptual distinction has been developed in the law of war and extensively deployed in analysis and debate, it has not had a central place in the discourse on genocide. Moreover it has never been properly investigated, even in the context of war, in *sociological* theory. Here I seek to remedy these omissions. I first discuss the necessity for, and implications of, the

civilian concept in genocide theory. I then underpin the idea as a general sociological category: I examine how the concept of 'civilian' has been developed; I argue that this is not just a legal category, but one generally produced in the social relations of armed conflict; and I discuss its place in a general account of social distinctions. This in turn leads to further conclusions about genocide as social conflict.

The civilian enemy

I have argued that to appreciate the irrationality of genocide we need to grasp the idea of *the civilian enemy*. Of course, the construction of enemies is a general feature of social conflict in civil society. It is normal for social actors to see others' interests and values as opposed to their own, and to aim to increase their power *vis-à-vis* others'. It is common for rulers, governments, elites and parties to see particular social groups as obstacles to their interests and policies: they therefore tax, pass laws and take administrative action to reduce groups' social power. Social groups in turn often perceive governments as enemies, so hostility between governments and sections of society is commonplace. And yet enmities in such conflicts are normally framed - and therefore contained - by the assumption of mutual coexistence. Even where enmities are deep and historic, informed or reinforced by cultural differences, there is usually no questioning of 'hostile' groups' rights to exist. All sorts of misinterpretations and irrational beliefs may inform perceptions of difference and clashes of interest. But these are limited by some semblance of sharing a single social space and common humanity.

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[1] I am aware that there may be differences of meaning between *civilians* and *non-combatants*, but I

Yet genocide takes the construction of social groups as enemies beyond normal limits. Groups are enemies for armed power in a sense that fundamentally transcends usual social conflict: they are to be destroyed in an essentially military manner. Enemy groups' economic, social, political and cultural power is shattered by the application of concentrated power, by violence towards members of the group, and especially by killing. *For all the barbarism and irrationality of war, genocide is something more: a form of anti-war, war against particular civilian groups as such, because of the social identities ascribed to given civilian populations*.

There is, of course, a good reason why genocide’s anti-civilian character has not been foregrounded. On first inspection, taking perpetrator ideas as our guide, genocide seems to obliterate the combatant-civilian distinction. Genocidists deny the civilian idea by imposing on the target population a singular, absolute, death-justifying identity. They regard unarmed civilians as part of an aggressive, combatant enemy. They often deny the difference between fighters and civilians, treating the latter as though they are also armed enemies. Yet as we have seen genocide cannot be defined solely by the actions or beliefs of the perpetrators. Genocide involves relationships between these actors and others - conventionally described as victims and bystanders - and their perceptions also count. Certainly genocide often reinforces victims' identifications with particular attacked communities. At the same time, however, they are necessarily aware of the disparity between their own unarmed condition and their attackers’ armed character: to this extent their civilian identities are also reinforced. *Victims typically*

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argue below that the core meanings of these terms are interchangeable.

define themselves simultaneously both through their particular identities and as civilians. Likewise, bystanders such as international organizations and social scientists recognize particularistic identities, but *when we criminalize destructive actions we forefront the civilian identity of the attacked populations*.

This raises a perplexing issue. If we define genocide as conflict between armed power organizations and particular civilian groups, are we simply choosing a victim and bystander perception of civilian status over a primarily perpetrator focus on particularistic identities? In developing our structural concept, are we 'translating' only from the victim and bystander viewpoints, and simply reversing perpetrator perceptions? This might be legitimate - clearly genocide demands deconstruction as much as *verstehen* - but it flies in the face of the idea of giving initial priority to actors' subjective framing of their actions. So an important question for my 'civilian' definition is whether the idea actually figures in perpetrators' own minds. Of course, the idea that genocidists make no distinctions among the enemies they destroy is clearly too simple. The genocidal mentality generally, even obsessively, classifies. Many perpetrators define numerous social enemies - for the Nazis, not only Jews but also Gypsies, Slavs, Communists, homosexuals and more; for the Khmer Rouge, city-dwellers, Vietnamese, Cham, Buddhists, indeed virtually every recognizable 'group' in Cambodian society. Even apparently singular genocidal targets, like the Armenians for the Ottoman Turks, entwine with conventional international enemies and overlapping social categories such as Christians. Even when there is one main group target, people who do not belong to it are targeted for adjacent reasons, as in Rwanda where Hutu opposition politicians were killed before the

mass attack on the Tutsi population, or in Bosnia where cosmopolitan urban centres were attacked at the same time as Muslims. Moreover there is copious evidence that genocidists distinguish *among* their group enemies: they treat men differently from women, the young and old differently from the working-age, the wealthy and educated differently from the poor and uneducated, and so on. Remember that ethnicity is the ideological form, not the entire substance, of genocidal violence.

Once we examine their practice, it is clear that *genocidists are well aware of the difference between a civilian enemy and a conventional armed enemy*. The paradox involved in defining civilian groups as 'enemies' in an essentially military sense and waging 'war' upon them is evident not only to victims and bystanders, but also to perpetrators. They know the difference generally because it is recognized by all major traditions of belief and thought, all discourses of war, all cultures and societies. They are aware of the distinction because of how armed power is institutionalized in all modern societies, and how the distinction also works between them and their 'own' society. However *the most striking evidence for civilian recognition is the way that genocidists actually organize genocide*. They understand the big difference between 'destroying' an armed enemy and 'destroying' a civilian group. Much more limited violence, with much more basic weapons, will intimidate and kill unarmed civilians. There is no technological or tactical rivalry, no arms-racing or strategic contest, and no need to constantly establish superiority in these senses. The challenges, for genocidists, are political, logistical and administrative, and if gruesome new technologies of extermination are devised to answer these, these are of a different order from the technologies of

destruction in even the most degenerate modern war. In organizing genocide, leaders and policy-makers comprehensively recognize the civilian character of the population that they attack, choosing different methods from those they deploy against armed enemies. Of course civilian recognition is nearly always implicit. For public consumption, at least, perpetrators simultaneously represent their victims as linked in nefarious ways to armed enemies, and conceal or deny their own violence. *Universal denial is however key confirmation that genocidists are generally aware at some level that their targets can be considered civilians* - often through the related idea of 'women and children'. Whatever novel ideology they have concocted to justify their barbarism, they are not so far removed from the historic norms of their societies - or from widely diffused understandings of the legitimate scope of war - as to be able to block out all understanding of the distinction between combatants and civilians.

For all these reasons, scholars of genocide should insist on the centrality of the civilian status of its targets. Certainly, genocidists never proclaim their determination to destroy 'civilians' as such. Evidently, they identify particular nationalities, ethnicities, classes, political groups, religions and other social categories as their enemies. However the process of genocide is never simply defined by these particular categories. In an extreme case of multiple targeting, SS *Einsatzgruppen* reports in the wake of the invasion of the Soviet Union identified no fewer than 44 overlapping 'target groups': these included, Mann aptly commented, 'some ethnic, some political, some vague'.[2] When an *Einsatzgruppen* killer pulled his trigger, could victims always tell - or care - whether they were

[2] R. Headland cited by Mann, *The Dark Side*, p. 187.

killed as Slavs, as Communists or as Jews, even if the perpetrators later produced grisly reports claiming to itemize the numbers of victims in different categories? Can we, historians and sociologists many decades later, make these distinctions with certainty? Instead *we should focus on what all genocidal campaigns have in common: not the destruction of a particular group type (the groups attacked very greatly between cases) but the civilian character of the attacked population*. It is important to understand this character in a double sense. Not only are attacked 'groups' generally civilian, but so too are the vast majority of individual victims, who may not actually regard themselves as belonging to any particular group that is being targeted, or whose killing may not always be linked to the membership of a particular group. As Mann noted of the SS killings with their overlapping targets, 'almost all victims were harmless civilians, neither armed nor even Communist.'[3] Although victims are targeted for their supposed particular identities, the civilian character - not a particular identity type - is the *common* feature of both group targets and individual victims across *all* genocidal episodes. The focus on civilian enemies demarcates genocide from war and defines its comprehensive immorality and illegality. Thus the concept of 'civilian' is central to the understanding of genocide.

Civilians in international law

Nevertheless, the suspicion may linger that civilians and combatants are legal rather than sociological categories: formal ideas of significance to lawyers and

[3] Mann, *The Dark Side*, p. 187. In most cases, a minority of the victims take up arms to defend the civilian population that is attacked, although they have thereby abandoned their own civilian status.

human rights campaigners rather than articulations of real cleavages in social relations. Certainly it is international law that we find most guidance as to their meaning: again we need to evaluate legal ideas before we can sociologically reformulate the civilian concept. ‘Civilians’ and ‘belligerents’ are, Karma Nabulsi has argued, 'the two most commonly used categories’ in the normative order of international humanitarian law.'[4] A broad consensus now exists around these terms, yet, Hugo Slim contended, 'what these terms meant in the past, when the laws were originally created, is still poorly understood.’[5] Although the origins of civilian immunity go back to the Tenth Century (in the Thirteenth, Pope Gregory IX had given it a 'clear statement' with eight classes of protected non-combatants), the modern legal development of the distinction between combatants and non-combatants was only weakly influenced by concerns about civilian protection. If this body of law is seen today 'as a set of rules to mitigate the excesses of war and as the correct means of introducing humanitarian protection for civilians caught up in its devastation'[6], these categories originally meant something rather different.

Historical and ideological context ‘is therefore crucial for understanding these concepts.[7] As Geoffrey Best commented,

> The concept of "the civilian" as someone essentially other than the combatant, invented by the European founders of the international law of war in the course of the seventeenth and eighteenth centuries, has ever since then held a fixed lodging in all thought and writing about war,

[4] Karma Nabulsi, 'Evolving Conceptions of Civilians and Belligerents, p. 9. Nabulsi uses the acronym IHL for international humanitarian law in some of the further quotations below.
[5] Hugo Slim, 'Why protect civilians?', p. 495.
[6] Nabulsi, 'Evolving Conceptions', p. 9.

> especially in what is thought and written about the ethics and the international law of war. But times change, and the meanings of words change with them. We go on using the same words, but they may not mean what they once did.[8]

As recently as the early twentieth century, the main focus of international law was not humanitarian. When the modern laws of war were defined at The Hague in 1907, '[t]he central problem engaging the lawmakers … was most emphatically *not* the protection of civilians but defining what types of combatants the laws were to cover.'[9] The drafters were conservatives, even reactionaries: 'Central to their position was a desire to limit the rights of belligerency to a particular class of participant - the soldier - and to exclude all others from the right to become actively involved in war.'[10] Civilians were originally a residual category, those with no place in fighting: 'A key principle underpinning the entire system of the laws of war was the distinction between lawful and unlawful combatant. This norm criminalized civilian participation (political or military) in resistance to military occupation.'[11]

The 'humanitarian' interpretation only really came into its own with the Fourth Geneva Convention, the 'Civilians Convention', of 1949. Mid-twentieth century jurists 'had a far different view' from their predecessors: 'Civilians were now seen as a distinct category under international law'.[12] '[T]he most significant development at Geneva', Kabulsi pointed out, '… was the outright banning of

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[7] Ibid., p. 10.
[8] Geoffrey Best, *Civilians in Contemporary Wars* (no page numbers can be given for this online publication).
[9] Nabulsi, 'Evolving Conceptions', p. 12.
[10] Ibid., p. 15.
[11] Ibid., p. 16.

most of the traditional tools used by occupying armies to punish civilian resistance.'[13] The inspiration was the desire to prevent repeats of the unprecedented attacks on civilians by the Axis occupiers - the same motive that propelled Lemkin to define genocide. It was no coincidence that the Geneva Conventions followed within months of the adoption of the Genocide Convention and the Universal Declaration of Human Rights: all reflected the same imperative to protect unarmed populations from excesses of organized, armed power. These transformations 'confirmed this postwar era as the beginning of "international humanitarian law" rather than that of "the laws and customs of war" as at The Hague.'[14] The Geneva Conventions

> explicitly endorse the principle of distinction "between the civilian population and combatants and between civilian objects and military objectives." They also require the protection of civilian livelihoods, and respect for essential human rights and humane treatment. In defining civilians, they also seek to remove as much ambiguity as possible by requiring that "in case of doubt whether a person is a civilian, that person be considered a civilian", and that "the presence within the civilian population of individuals who do not come within the definition of civilians does not deprive the population of its civilian character".[15]

Central to the civilian conception is the idea of 'innocence', deriving, Slim pointed out, from the Latin *nocens*, to harm, and meaning that 'the innocent are the non-

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[12] Ibid., p. 19.
[13] Ibid., p. 19.
[14] Ibid., p. 18.
[15] Slim, 'Why protect civilians?', p. 495.

harming.'[16] Thus 'ideas of distinction, restraint, non-combatance and innocence are … the key ingredients in the construction of the civilian idea.'[17] This idea of the civilian became a universal, or 'superordinate' social identity - 'a belief that all of us, no matter what side we are on, have a greater common identity as human beings than the particular identities that war bestows on us as "enemies" or "allies".'[18] Yet the civilian category has been highly contested in both law and military practice. Although mostly the difference between a person who fought and one who didn't was clear, several developments compromised the distinction and 'blurred' civilian identity. Total war was based on mass armies composed of men conscripted from the general population, while in civil and revolutionary war many civilians became irregular combatants. Moreover there was extensive, non-military *civilian participation* in war. Politicians and soldiers often believed that 'the "civilian" person's moral, political or material relationship with the enemy war effort, whether as munitions worker, food grower, voter, ideological sympathiser or loyal parent of a fighter … compromises the civilian ethic. … In this view, although such enemy individuals may be unarmed, they may still be harmful in other ways.'[19] Michael Walzer was prepared to countenance the extension of combatant status to civilian munitions workers in their workplaces, while they were actually making weapons. He was also prepared to say that this 'plausible line … may be too finely drawn'.[20] Such views led to the erosion or qualification of civilian protection, with the invention of 'a new legal person, the quasicombatant, away from whom some proportion of legal protection was thought fit to be taken. Defining that proportion, however, proved difficult, and

[16] Ibid., p. 499.
[17] Ibid., p. 486.
[18] Ibid., p. 483.
[19] Ibid., p. 497.

the blurring of the clear old distinction seemed to most jurists and war moralists self-destructive.'[21] Indeed, Best commented, '[t]hat such an awkward hybrid should have been proposed at all was the significant thing.[22]

These difficulties have not prevented thinkers from proposing elaborate variations on the quasicombatant idea. Even Best argued:

> Separability of civilian from combatant can prove physically almost impossible. It approaches being so wherever total national defence preparations fail to provide for the protection of such civilians as must be quite beyond combatant participation: those nursing mothers and young children, cripples and greybeards who regularly form *the irreducible residue of, so to speak, arch-civilians* whenever the civilian category comes under critical scrutiny.[23]

Since 'the law knows [the civilian] by only the simplest test', Best asked if in this kind of situation, 'should ethics complement it by inviting distinction between civilians who may with some truth be said to have brought war upon themselves and civilians upon whom war comes more like a hurricane from afar?'[24] Ted Honderich took up this invitation, trying to 'improve on' the categories of combatant and non-combatant by replacing them with more complex concepts[25]:

- *non-combatants* - 'not armed or otherwise personally life-threatening at the time of their deaths, and are not in the army or police or any other life-

[20] Walzer, *Just and Unjust Wars*, p. 136
[21] Best, *Civilians*.
[22] Ibid.
[23] Ibid. Emphasis added.
[24] Ibid.
[25] Ted Honderich, 'Terrorism for Humanity' (since this online paper is not paginated, I have not repeated the reference for the following quotations from the same source).

threatening organization, say a terrorist one. We could decide to add that they are not officers of state or certain organizations either.'

- *unengaged combatants* - 'not armed or personally life-threatening at the time, but are in the army or other life-threatening organization. Maybe they make bombs or maintain helicopters. We could add that they may be officers of state, overwhelmingly more responsible for wrongs than are engaged combatants.'
- *half-innocents* - 'not armed or otherwise personally life-threatening at the time of their deaths, and not in the army or the like. These non-combatants and unengaged combatants, however, are by choice or consent benefiting or profiting from wrongful killings by their state or their people. They are as well-named as being half-guilty. They may be settlers on the land of those people they are not personally threatening.'
- *clear innocents* - 'not life-threatening at the time, not in the army or the like, and are not by choice or consent benefitting or profiting from wrongful killings by their state or their people. They include almost all children.'

Honderich contended that *civilians*, 'for what this fifth category is worth, may be non-combatants, half-innocents, or clear innocents. They may be none of these, but rather combatants and not half-innocents or clear innocents.' Actually, this confused the core concept. Although civilians are not always politically innocent, they are *always fundamentally innocent in a military sense, since they are unarmed and non-combatant*. And although people who not members of formal armed organizations may take up arms, thus becoming combatants, to call them 'civilian combatants' makes the secondary question of organizational membership more important than the primary issue of combat role. *'Civilians' who take up arms cease*

to be civilians. *Likewise members of military organizations who are disarmed cease to be full combatants*. Once captured, for example, legally they can no longer be subjected to violence and are entitled, like civilians, to be treated humanely.

Sociologists look at people's social action and relations above their formal affiliations, to determine whether they belong to the civilian category. Although Honderich's refined categories enable us to explore issues of the degree of 'choice and consent' exercized by civilians, he was disarmingly correct to acknowledge that they 'may still not be of great use, since we are likely to be unable to say who was or is in what category at the time of a conflict.' And *for the central purpose of the civilian idea in international law, namely determining against whom it is justified to use violence, the more complex categories are simply confusing*. They open the way to legitimating the more extensive targeting of civilians: in Honderich's hands, in a case for 'terrorism for humanity' directed against the civilian beneficiaries of repression; in the hands of others, like Barry Buzan, in a case for bombing the civilian supporters of terrorists.[26] Indeed the notion of a 'blurred' rather than singular identity has often facilitated a direct rejection of the civilian idea. Many do not accept this as an overriding identity: rather they 'choose to trump the notion of civilian identity with a single, death-justifying identity that people cannot negotiate away. This singular perception of the enemy is paramount in racist, genocidal or totalitarian ideology.'[27] Even in democratic states, the effectiveness of terror as a strategy has meant that '[m]any politicians have pursued a policy of civilian atrocity and massacre simply because it works.'[28]

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[26] See Honderich, 'Terrorism for Humanity'; Barry Buzan, 'Who May We Bomb?'
[27] Slim, 'Why protect civilians?', p. 496.
[28] Ibid., p. 497.

Arguments have often centred 'on the more practical concerns of technical impossibility and military necessity'.[29] It is often thought too difficult (or inconvenient?) to put civilians first. Despite these difficulties, however, Best rightly concluded that '[t]he principles of discrimination between the real civilian and the real combatant remain crucial to a morally acceptable law of war.'[30] I shall give this legal argument sociological support. While social discrimination during conflicts is certainly complex, *the simple civilian-combatant distinction is the core social division that is regularly produced in armed conflict.* Understanding this distinction is the necessary foundation for an effective sociology, not only of war, but also of genocide.

Social production of civilians

How can we establish that the civilian idea actually has a strong meaning for societies involved in war and genocide? Before I return to the civilian-combatant distinction in genocide, I make a further detour. This question of civilians is *generally* neglected in modern sociology. Although the discipline readily accepts the distinctiveness of military institutions and values - hence the sociological importance of 'militarism', indicating the extensive influence of military culture on society[31] - it has given little attention to how these are produced. The tendency to substitute organizational affiliation for combatant role in defining civilians is reinforced by military sociology's formal institutional bias. 'Civilian' becomes a residual category: someone who is not a member of a military organization.

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[29] Ibid., p. 498.
[30] Best, *Civilians*. Emphasis added.
[31] For the definition of militarism, see my *Post-Military Society*, Chapter 1.

Social relations between combatants and non-combatants in armed conflict are neglected. However, sociological studies of genocide, like Mann's, and recent theories of war, like Mary Kaldor's, have shown the importance of paramilitarism.[32] *It is therefore necessary for sociology to develop generic conceptions of combatants, as people participating directly in armed conflict, and of civilians, those who do not participate directly in armed conflict and whose non-participation primarily defines their conflict role*.

In order to show how these concepts express, ideal-typically, empirical social relations, I examined evidence of combatant-civilians relations not - first of all - in genocide, but in the most difficult possible case: the type of war situation in which discriminating combatants from civilians might be *least* viable. My initial focus therefore was on popular guerrilla war, and the relationships between armed movements and *supportive* civilian populations - the opposite of the relation between genocidal movements and their targets. This question has much exercized the law of war, for whom the irregular combatant has been a problematic figure. Earlier denied the protection of his regular counterpart, the irregular combatant has latterly been accorded a distinctive status: a fighter who may merge with the civilian population except when actually fighting. But for sociology, too, popular guerrillas are a limiting case; my discussion focuses on cases where armed movements might be thought to have been particularly *embedded* in national and local communities and levels of popular support might be assumed to have been high: anti-Nazi resistance in occupied Europe during the Second World War. This is a context in which one would expect boundaries

[32] See Mary Kaldor, *New and Old Wars*.

between civilian and combatant to be *subjectively* blurred. If studies of even these movements provide evidence of the meaning of the combatant-civilian distinction, we may reasonably argue that it is generally significant in modern armed conflict.[33]

My interest is therefore the extent to which 'combatants' and 'civilians' are *informally* produced in the social relations of irregular conflict. On first reading, accounts of anti-Nazi resistance suggested blurred boundaries. 'Recent historians have shown', Jacques Semelin summarized, '… that what is called *resistance* is a highly complex phenomenon in which armed and unarmed forms of opposition intertwine.'[34] It 'does not tolerate rigid categories. … *the* resistance is a misnomer … instead there were *resistances*'[35], and 'the similarities between civilian and guerrilla resistances are stronger than the differences.'[36] Much resistance activity by civilians supported armed actions, so there was a 'great overlapping of armed and unarmed ways of fighting'.[37] Although civilians adopted 'what is commonly called nonviolent resistance', this 'term is not adequate, however, because this form of resistance has often been chosen for lack of a better alternative … the situation of being weaponless created conditions encouraging unarmed methods of action.'[38] Yet despite Semelin's pointers to the interdependence of the two forms of struggle, he concluded that 'civilian resistance is not always a simple complement to armed struggle.' It also included 'autonomous civilian resistance', that is 'social mobilization and noncooperation to defend civilian goals.' Thus we

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[33] We know that in any case it is formally acknowledged by states involved in more conventional wars.
[34] Jacques Semelin, *Unarmed Against Hitler*, p. 1. Emphasis in original.
[35] Ibid., p. 27.
[36] Ibid., p. 29.
[37] Ibid., p. 2.

could distinguish *civilian resistance*, 'defined as the spontaneous process of resistance by civilian society using unarmed means, and mobilizing either its principal institutions or its people - or both at the same time.'[39] There could be an objection, he recognized, 'that it seems insufficient to define civilian resistance only by its means.' However 'the autonomous actions of civilian resistance … were oriented toward goals that were explicitly "civilian"'[40]:

> Civilian resistance was rarely directed against the occupation forces openly: it did not have the means to drive them from the territory. The goal of this spontaneous struggle was instead to preserve the collective identity of the attacked societies: that it is to say, their fundamental values.'[41]

Thus civilian resistance denoted *civil society*'s spontaneous process of struggle by unarmed means. It could be collective, invoking a 'radical attitude of noncooperation and confrontation', or individual 'dissidence' or 'disobedience'.[42] It 'generally derives from both institutions and the masses': '[i]nstitutional and popular resistance provide indispensable support for each other. … the complete picture of civilian resistance amounts to a dialectical mobilization of society from the top and the bottom in a strategy of noncooperation.'[43] What made unarmed combat possible was 'above all, the feeling of solidarity within the group. A population's degree of social cohesion becomes the prime condition of its civilian

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[38] Ibid., p. 30.
[39] Ibid., p. 2.
[40] Ibid., p. 2.
[41] Ibid., p. 3.
[42] Ibid., p. 27.
[43] Ibid., p. 28.

resistance.'[44] The greater the cohesiveness of a civil society, 'the more it can resist an armed attack on its own.'[45] Deep internal conflicts in societies played into the occupier's hands, but there was also 'a cohesion of occupied people based on the specific traits of the aggression and the occupation conditions accompanying it. … aggression itself is a factor that contributes to cohesion.'[46] Civilian resistance 'denotes all kinds of opposition … that are practiced without weapons; these include economic, legal, academic, religious, medical and other forms.'[47] Adam Roberts saw this as 'civilian defence', involving non-cooperation with an enemy or occupier, civil disobedience, industrial action, and ideological opposition.[48]

Yet if we distinguish civilian from armed resistance, the question remains of civilians' relationships *with* armed action. Much civilian resistance 'does not reject violence as a strategic principle' but only 'by necessity'.[49] Guerrilla movements may still be seen partly as 'the recourse to weapons by civilian populations'.[50] As H. R. Kedward argued: 'All wars of liberation against occupying forces are, to varying degrees, wars of civilians. … Alongside the irregular soldiers, known variously as franc-tireurs, guerrilla fighters, maquisards and partisans, there are what might be called the irregular civilians. … It is this wider notion of irregularity, indeed the whole concept of transgression, which opens up the possibility of a deeper and more exploratory search.'[51] Thus the boundary between civilian and combatant was crossed, and even civilians who did not take

[44] Ibid., p. 64.
[45] Ibid., p. 65.
[46] Ibid., p. 77.
[47] Ibid., p. 3.
[48] Adam Roberts, 'Civilian Defence Strategy', p. 216.
[49] Semelin, *Unarmed*, p. 30.
[50] Ibid., p. 30.
[51] H.R. Kedward, *In Search of the Maquis: Rural Resistance in Southern France, 1942-1944*, p. vi.

up arms *supported* armed struggle. This support has often been amplified in post-war accounts, as '[r]esistance against Nazism has become one of the modern archetypes of liberating violence. … The leaders of such movements are depicted as adventurous heroes and defiant warriors living in the shadows of an unacceptable tyranny.'[52] Mythologies around resistance heroes depict armed combat 'in a simplistic way, verging on caricature',[53] but they contribute to 'founding myths' of post-war societies, 'associated with images of redemptive violence, that is, violence perceived to be necessary.'[54] In France, the *maquis* depended on their '[h]uman undergrowth or infrastructure … the action of people who protected, supported, fed, clothed, and cared for the maquis, intensified and enlarged the popular revolt … . The search for the maquis lay, and still lies, through and within these structures, within the fundamental interconnections between the maquisards and the local population.'[55]

Although amed resisters' mode of operation, based on *coups de main* for food and other essentials

> produced a model of relationships between the maquis and the population which … sustained the image of tough and resolute groups of fighters "out there", descending on their chosen objectives in surprise attacks before disappearing back into the woods as mysteriously as they had come. This image gave substance to the adventurous mystique of the outlaw as it was positively rendered in the maquis discourse, and it also provided the mix

[52] Jean-Pierre Azéma quoted by Semelin, *Unarmed*, p. 23.
[53] Semelin, *Unarmed*, p. 23.
[54] Semelin, *Unarmed*, p. 24.
[55] Kedward, *In Search*, p. 88.

> of fact and fantasy with which Vichy fashioned its negative portrait of the outlaw, as a terrorist victimizing the law-abiding rural society.[56]

Yet Kedward emphasized that that model 'was inadequate as a representation of reality. Alongside it, or, in more structural terms, underneath it, was the model of the maquis as the armed embodiment of the ever-widening popular and rural resistance.'[57] In their cooperation, the fighters and the general civilian population were bound together by the 'shared risks' of guerrilla action, as 'many maquisards in the woods experienced the same kind of anxiety for their womenfolk exposed to German reprisals as women traditionally felt for the fighting men at the front.'[58]

Yet even Kedward's highly sympathetic study also underlined the *ambivalence* in civilians' attitudes towards guerrilla violence, often perceived as simultaneously necessary *and* threatening. If few supported collaborationist or occupier repression, there was nevertheless 'acute anxiety'[59] within the population:

> a much greater proportion of the rural population …, constituting in many areas a majority, felt fear and anxiety at the maquis presence, but without fundamental hostility. Acts of industrial sabotage and armed clashes … were not seen by the population in terms of banditry, but any proximity of such events to their homes not unnaturally produced fears of reprisals. Such was the severity of German and Vichy repression … that public sympathy for the maquis frequently went hand in hand with very considerable, and justified, fear.[60]

[56] Ibid., p. 87.
[57] Ibid., p. 87.
[58] Ibid., p. 93.
[59] Ibid., p. 114.
[60] Ibid., p. 112.

Thus *the felt community of risk always contained tensions between combatant and civilian roles*. What started as a division of labour led to differences of experience and also of ideology: 'Central to the discourse of the maquis', Kedward described, 'was the sense of purity and freedom from compromise that accompanied the move to the hills, experienced a decisive break with hesitations.' Although unlike a conventional army, in this *movement away* from normal social life maquisards still 'had direct access to the life and politics of the home front', nevertheless

> Uniforms, armbands, a weapon in the hand, and a sudden confrontation with what they variously described as the terror and exhilaration of being under fire, brought maquisards closer to the traditional soldier's mentality, with its highly ambivalent attitude to the home front, at once dismissive of the politics of civilian life and yet also insistent that combat and sacrifice gave soldiers a moral right to a say in the running of their country.[61]

For a few weeks at the end of the war, as the maquis became increasingly powerful, there was a 'period of public apprehension' and 'expressions of fear and anxiety' in many towns: 'most major towns presented some examples of arbitrary intimidation and abuse of military power. … Inevitably the tendency of civilians at the time was to generalize from such actions, just as the tendency of maquisards looking back is to minimize them.'[62]

Thus although Kedward's careful and nuanced account largely endorsed the armed resisters' own accounts of their intimate relationship with their society, it also explored this relationship's contradictions. It showed how, despite underlying social cohesion and common aims and values, *differences of role and*

[61] Ibid., p. 190-91.

experience between combatants and civilians produced serious social differences. Of course it could be argued that these reflected older tensions between the rural society in which the maquis emerged, and the more conventional armed forces of the French state. In the late nineteenth century, with 'little sense of national identity to mitigate the hostility and fear most country people felt for troops', conventional soldiers had already been 'treated like an army of occupation, with little or no sense that they represented any kind of common weal.'[63] Even before that, 'civilian armies' during the French Revolution - bands of urban, highly politicized *sans-culottes* - had been resented in rural society, as they 'represented the Terror on the move, the village Terror. They aroused fear and such was the intention of their creators.'[64] Thus anti-militarism was an old tradition: but it is still striking that it was reproduced, even if in muted and ambivalent forms, vis-à-vis an armed force created directly *out of* rural society and reflecting *its* common hostility to the occupation.

This significance is heightened by the relatively favourable circumstances of the French struggle: Allied invasions put the Germans on to the defensive, enabling resistance forces to play a part in victory without paying the full price of all-out war against a formidable occupier. And yet still the ambivalence was there, *particularly in* that moment of victory. Studies of more difficult situations for the occupied populations and resistance, like Poland, show deeper tensions between civilians and combatants. It is instructive that Joanna Hanson, in her study of the Warsaw Uprising of 1944, *defined* 'the civilian population' as 'the very large group

[62] Ibid., p. 219.
[63] Weber, *Peasants Into Frenchmen*, p. 297.
[64] Richard Cobb, *The People's Armies*, p. 2.

of Varsovians who were caught up in the events of the Uprising, having had no influence on its creation.'[65] Social difference between civilians, who had little or no control, and combatants, who were actors in the military struggle and so could influence its outcome, were deepened through the struggle and resulted from its core characteristics. Semelin argued that the difference did not arise simply from arms: '[i]n themselves, arms are inert objects. The power relationship between two adversaries is not, therefore, simply the result of one being armed and the other not.' And yet, as he went on to say: 'The determination to resort to the arms at one's disposal will most likely put the person without weapons at a concrete disadvantage.'[66] The creation of an armed organization utilizes weaponry to forge power vis-à-vis other armed forces, but it simultaneously creates new power relationships between its members and civilians. The tensions that produce this difference are also reported in many contemporary accounts of armed struggles where there is an underlying sympathy of the population for the fighters.[67]

Civilians, combatants and social stratification

This has been an extensive detour. But my argument is that *if even resistance movements reproduce social difference between armed and civilian forms of action, and hence between combatants and civilians, then these should be considered generally significant ideal types for sociology*. They offer a broader foundation for understanding the civilian question, not only war but in genocide. Yet social theory has not regarded these distinctions as fundamental. Instead, it has tended

[65] Joanna K.M. Hanson, *The Civilian Population and the Warsaw Uprising of 1944*, p. 3.
[66] Semelin, *Unarmed*, p. 111.

to confine the relevance of armed conflicts to the reproduction of pre-existing social distinctions - of nationality, ethnicity, religion, class, gender, etc. We have seen how stubbornly some theorists have insisted on the objective 'reality' of certain group types as a pre-requisite of genocide. And yet we have also seen how critics have emphasized the social construction of ethnicity and its transformation *through* armed conflict. The most general conclusion we can draw, taking these conclusions together with my argument about the social production of civilians, is that armed conflict does not merely reproduce existing social differentiation, but strongly affects its forms. *Violent conflict simultaneously transforms pre-existing social distinctions and produces its own new distinctions between combatants and civilians.* In turn these differences become of general significance for society, institutionalized in distinctions between members of armed forces and non-members, the un-mobilized citizenry.

Yet these findings lead us to a new question: what are the relationships between strengthened particularist identities, reinforced by armed conflict, and the civilian identity that it also produces? Clearly all armed actors seek to mobilize social constituencies and heighten identities (ethnic, national, etc.) that maximize their support. In the resistance cases, successful strengthening of national identity was accompanied by social production of a civilian identity: the two co-existed, with real tensions but without fundamental conflict. In other cases, however, national identity may be undermined by an unpopular war, and so civilian identity may be brought directly into conflict with it. It is evident that these relationships will

[67] Studies I have found useful include Jocelyn Alexander, Jo Ann McGregor and Terence Ranger, *Violence and Memory*; Howard Clark, *Civil Resistance in Kosovo*; and Andrew Rigby, *Living the Intifada*.

vary. The question echoes the general debate in sociological theory over how 'old' social distinctions are overlain with 'new', brought to a head by Ulrich Beck's claim that risk exposure was replacing class as the principal inequality of modern society.[68] Beck radically contended that '[i]n risk society relations of definition are to be conceived analogous to Marx's relations of production'[69], placing new emphasis on how risk was reflexively defined by actors. *In armed conflict the risk relations between combatants, who partly define their own risks, and civilians, who are largely exposed to risks that others define, are central to social relations*.[70] Hence social reproduction of the civilian-combatant difference may be seen as an example of how differences of risk are socially instantiated. The general question is how these new relations mesh with pre-existing social differences - about how far, as Mary Douglas put it, '[p]erceptions of high risk reinforce already existing social divisions.'[71] Clearly, people who increasingly think of themselves as 'civilians' do not thereby cease to recognize other social distinctions; but the interaction between conflict-produced (civilian) and pre-conflict identities is an empirical question. For example, Hanson concluded that there was no 'real proof of a great divergence in attitude and behaviour between the various classes'[72]; rather the actual experiences of the Uprising and its defeat conditioned changing and contradictory attitudes among civilians as a whole. In other cases, class and other social divisions might make more substantial differences to civilian experience and consciousness.

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[68] Ulrich Beck, *Risk Society.*
[69] Beck, 'Risk Society Revisited', p. 224.
[70] For an exploration of the significance of this distinction in the context of contemporary warfare, see my *The New Western Way of War*.
[71] Quoted by Alan Scott, 'Risk Society or Angst Society?', p. 38.
[72] Hanson, *The Civilian Population*, p.178.

Civilian resistance and genocidal war

The qualitative asymmetry of genocide's armed power projection against civilians has profound consequences for its character as *conflict*. On the one hand, *pure* genocidal relations - where the asymmetry is unmodified by other power relations - leave open principally civilian resistance, as it is often difficult for a civilian population alone to improvize effective armed resistance, and many 'arch-civilians' (young children, the infirm, the disabled) are in any case excluded from it. Civilian resistance may be a viable method of thwarting particular genocidal policies, enabling escape and survival, and sustaining moral and social cohesion among the victims. In all these senses, civilian resistance is simply unavoidable; it is inconceivable that any population will not attempt to protect itself against violent attack. However civilian resistance alone is almost certain to be inadequate to defeat or overthrow overwhelming armed might. Civilians will inevitably look for armed responses, not only through their own resistance but also through alliance with organized armed actors. Once a genocidal campaign is well under way, only armed action is likely to halt it. This understanding gives us another reason to emphasize the intimate connections of genocide to war. *If genocide is 'war' against civilians, it tends to even up - through armed resistance or intervention - into a more normal war*. This consequence places a premium not only on the ability of a civilian population to improvize military resistance but also to find military allies, to connect resistance to 'normal' war. Populations attacked outside a situation of prior armed conflict are more likely to rely exclusively on their own resistance, and are therefore less likely to defeat genocide. The Soviet peasantry was attacked by Stalin, for example, almost a decade after the end of

Russia's civil war; the regime was able to mobilize the militarized party-state inherited from that struggle, but there was no extant armed force within or outside Soviet territory to aid peasant resistance. Despite determined, often violent as well as civilian opposition, the peasants lost.

Very commonly genocide is an extension of more conventional - albeit degenerate - war. Genocidists' perceptions of social groups as enemies are conditioned by their association of those groups with more 'normal' armed enemies, whether 'international' or 'domestic'. Sometimes it is difficult to distinguish when degenerate war, in which populations are attacked as a means of defeating an armed enemy, passes into genocide, where the group is an enemy in itself and its destruction becomes a distinctive policy goal. Certainly, much armed conflict combines war and genocide, and it seems useful to use the term *genocidal war* for conflict in which genocidal campaigns, at least on one side, are intertwined with more conventional warfare.

Interactions of war and genocide complicate the situations of threatened populations as well as would-be military interveners. Armed resistance to pre-genocidal repression may help push oppressive regimes towards genocide, as with the Kosovo Liberation Army's campaign against Serbian rule. Even before this, Albanian critics of the KLA pointed out that the armed struggle's cost was 'paid for by ordinary people: human rights organizations say that 95 per cent of Albanians killed were civilians and only 5 per cent from the KLA.'[73] Once this repression provoked NATO intervention and in response Serbian policies

[73] Ibid.

escalated to all-out destruction of the Albanians, of course the KLA and NATO campaigns were vindicated in the eyes of civilians, who would not have returned home without them. Yet the KLA's campaign had helped bring Kosovo to its genocidal state, supplanting a blocked policy of civilian resistance[74] and exposing civilians to state violence. This example shows that while only an armed response may halt genocide, armed action at lower levels of conflict may actually part-cause it. Conversely, while civilian resistance may be relatively weak in the face of an overt genocidal onslaught, at earlier stages of a conflict it may be more likely to slow down or avoid the movement towards genocide.

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[74] See Clark, *Civil Resistance*.