

Crime Corrupting Credibility: The Problem of Shifting from Paramilitaries to Parliamentarians

SHELLEY DEANE

If crime corrupts the credibility of paramilitary to political organizations, at what stage in the process of transition from paramilitary to parliamentary organization do violence and corruption become increasingly objectionable? What mechanisms institute credible organizational change?

Moreover, what mechanisms are most likely to impede organizational transformation and determine the degree to which criminal-military elements are successfully pacified by the political process? This paper addresses the protagonists' problem of curtailing criminality, clientelism, corruption and long standing predation in protracted peace processes. The findings suggest that the nature of corruption can determine the duration of the transition.

The prevalence of criminality clientelism, patronage, or predation is determined by the organizational structure of the group. The more 'monolithic', cohesive and integrated the rebel-to-political group, the more seamless the evolution from paramilitary-to-parliamentary.

INTRODUCTION

Like an oil tanker, the [Republican] organization will take a while to turn completely, and there is likely to be added turbulence in the wash as it does so . . . the process of coming out of paramilitary violence and crime will never be easy and will almost certainly be confused and messy.¹

As members of the Independent Monitoring Commission for Northern Ireland observe and the empirical evidence attests, strategic transitions by armed groupings or paramilitary organizations are characterized by 'added turbulence'. Turbulence refers to the challenge of maintaining power, position and prestige faced by armed groups – independent groups that use violence for specifically political ends – in the midst of organizational change. In protracted peace processes designed to curb conflict in Bosnia, Burundi, Colombia, Congo, Israel-Palestine, Kosovo, Lebanon, Liberia, Nicaragua, Northern Ireland, Sierra Leone, Spain, Sri Lanka, and the Philippines, the transition from paramilitary violence and crime to political and judicial means of mobilization, representation, and maintenance is hindered when

crime corrupts the credibility of the organization.² If crime corrupts the credibility of paramilitary to political organizations, at what stage in the process of transition from paramilitary to parliamentary organization do violence and corruption become increasingly objectionable? What mechanisms institute credible organizational change? Moreover, what mechanisms are most likely to impede organizational transformation and determine the degree to which criminal-military elements are successfully pacified by the political process?

These questions are addressed by examining the way in which violence and corruption shape the internal legitimacy of group leaderships when making war and have hindered to varying degrees the credibility of both the Palestinian Liberation Organisation (PLO) and Sinn Fein in their respective efforts at conflict to peace transitions. The failure of the PLO, a network of Palestinian organizations coordinated under the umbrella of the PLO, to curb its long-standing practice of predation, patronage, and clientelism, is compared with the position of its challenger Hamas. The Palestinian comparison is contrasted with the success of Sinn Fein's consensus and committee-based policies to curtail Irish Republican corruption. The findings suggest that the nature of corruption can determine the duration of the transition. The prevalence of criminality, clientelism, patronage, or predation is determined by the organizational structure of the group. The more 'monolithic', cohesive, and integrated the rebel-to-political group, the more seamless the evolution from paramilitary-to-parliamentary. The next section addresses the protagonists' problem of curtailing criminality, clientelism, corruption, and long-standing predation in protracted peace processes.

Whether engaged in making war or making peace, protagonists share the same core objectives. Both state and non-state armed groups party to conflict attempt to eliminate or neutralize rivals, protect their constituencies, and maintain the means or capacity to fulfill these objectives.³ For armed groups engaging in political insurrection, rebellion, or insurgency dependent on political violence and associated extra-judicial mechanisms of collusion, corruption, and criminality, making peace threatens existing tactics and requires a strategic transition. The transition is all the more turbulent when previous war-making objectives were served by the rebel's 'license to commit extreme acts of violence',⁴ requiring the use of coercive force for both political and profitable ends.⁵ In transitioning from conflict to peace, the complimentary relationship between political violence and crime diminishes. Existing mechanisms of corruption, coercion, and criminality are no longer credible.

Contemporary conflicts rarely conclude with the creation of victors or vanquished. Prolonged inter-ethnic conflicts tend to result in protracted peace initiatives where winners and losers are replaced by inclusive all party bargains, negotiated pacts or power-sharing arrangements. In an effort to bring armed groups from murky political depths, peace processes may introduce a transitional space, a political hyperbaric chamber for paramilitary groups to de-compress their military and extra-judicial elements. Constructing a political space for paramilitary-to-political organizations to acclimatize provides room for the organizational

leadership to pace transitions, making their organizations less susceptible to internal schisms. For organizations in the midst of political augmentation, their ‘social contract’ or bargain with their constituents is often newly subjected to public scrutiny and electoral endorsement. Failure to achieve a timely transition from one (extra-judicial) organizational mechanism to another legitimate and recognized mechanism threatens the delicate balance between maintaining the means to sustain popular support and nullify rivals in a more transparent political arena.

Paramilitary-to-parliamentary corruption is examined by scrutinizing conventional models of rebel group organization when racketeering – described as organized crime at its smoothest⁶ – replaces romanticized rebellion, and war profiteers or mercenaries corrupt grievances for private gain. The changing nature of corruption in each case is examined to emphasize the importance of existing institutional, structural, procedural, and ideological workings of the rebel-to-political group in each case. The influence of peacebuilding initiatives implemented to diminish grievances is assessed in light of their effects on group mobilization and organization. Finally, the mechanisms adopted to curb corruption in paramilitary-to-parliamentary transitions are considered.

CEMENTING CO-OPERATION, CO-OPTION, AND CORRUPTION

Lengthy conflicts tend to lead to increasingly protracted peace processes where means threaten to overwhelm end goals and crime can acquire a political veneer. For democracies ‘the ability to control outright violence and economic coercion (albeit less successfully) is important’.⁷ For paramilitary to political groups tactical shifts change constituency expectations. As perceptions change and foundational grievances diminish in the midst of conflict transitions, the rebel to political or ‘rebolitical’ group’s legitimacy can suffer when increasing onus is put on the ‘integrity of appearances’.⁸ Legitimacy claims involve the capacity of the group to maintain the belief that existing rebel group institutions are ‘most appropriate’.⁹ Legitimizing existing organizational institutions and mechanisms becomes increasingly difficult for rebel movements that tend to ‘grow from small origins using extra-legal means’.¹⁰ Associated issues of legitimacy and integrity influence the popular support base and its interpretation of and tolerance for corruption as well as violence. When crime corrupts the credibility of the transitioning rebel group it undermines their political legitimacy. Incumbent rebel elites desire to maintain their existing legitimacy and simultaneously gain political legitimacy.¹¹ When politically endorsed public support is the linchpin of leadership power¹² the role of ‘defender, representative or guardian of the people’ appropriated by the rebel group is subject to change,¹³ since ‘conflicting conceptions of right and wrong are, in large part, what make corruption politically significant in the first place’.¹⁴

As Nye observes:

Corruption is a behavior which deviates from the formal duties of a public role because of private-regarding (personal, close family, private clique) pecuniary

or status gains; or violates rules against the exercise of certain types of private regarding influence. This includes such behavior as bribery (the use of reward to pervert the judgment of a person in a position of trust); nepotism (bestowal of patronage by reason of ascriptive relationship rather than merit); and misappropriation (illegal appropriation of public resources for private regarding uses).¹⁵

Much of the debate over corruption focuses on the utility of clientelism in developing states where it is seen to de-stabilize newly independent states and threaten their already fragile legitimacy. A similar rationale applies to the impact of corruption for states in conflict transition. The development-conflict debate circles around the 'utility' of corruption. The moralists argue that corruption is harmful to societies and governments eroding legitimacy, whereas revisionists consider the benefits of 'red tape cutting' and political access through bribery. The final position is most persuasive for examining the role of corruption for conflict groups in transition and considers that 'consequences of corruption depend in part upon the characteristics of political systems, the balance of economic and political opportunities, levels of national integration, economic opportunities, integration, government capacity (Nye 1967) or upon the relationships among key factions and elites (Scott 1972)'.¹⁶

The corruption criteria are broad and varied, with market corruption, racketeering, banditry, and smuggling most commonplace. Collusion, defined as illegal co-operation between government agencies, paramilitaries, and criminals, also constitutes corruption, along with co-operation between rogue elements within official agencies.¹⁷ Although far from 'Robin Hood' robbing, the relatively non-violent element of this type of profit-oriented corruption is more likely to be tolerated in post-conflict transitions than its violent counterpart.¹⁸ These types of corruption are not, however, mutually exclusive. Violence is a common feature when patronage is the cement of politics. It offers enterprising local politicians and strongmen with the means to integrate themselves into larger patronage networks.¹⁹ In these instances corruption for predation is hard to differentiate from political aims or ambition especially in a strong, cohesive, integrated movement; a movement instituted in such a way that intra-group rivalries and factional divisions can be contained and internal dissenters co-opted or accommodated internally.

The more 'monolithic' the paramilitary-to-parliamentary group, the more likely it is to address difficulties of evolving political participation more smoothly. In rebel-to-political movements, where schisms and open-competition between factions occurs, the legitimacy of the organization and its elites weaken. When the external position of the organization is undermined, the legitimacy of its leadership is jeopardized. Responding to legitimacy threats, movements do their utmost to maximize internal consensus and avoid concession-laced peace process incentives to compromise. In deliberating these issues, the more fractious organizations reveal their internal differences and violent, predatory and political preferences.

Mobilizing 'bodies of armed men' and its corollary, disbanding militias, is arduous. In protracted ethnic conflicts violence is both a means of political action and economic accumulation 'used to raise, launder and transfer funds'.²⁰ The following section examines these claims by comparing the 'monolithic' uniform, consensus driven, consolidated organization of the Irish Republican movement's experience of managing criminality and corruption with that of the institutionally malleable, latticed structure of the PLO.

For Irish Republicans, the landmark IRA statement of 28 July 2005 addressed the issue of de-commissioning paramilitary weapons or dumping arms directly, but associated problems of crime and corruption endemic in the modern Republican movement were combined in an oblique reference to 'other activities'.²¹ The constructive ambiguity embedded in successive statements from the Irish Republican movement charts the subtle and glacial nature of transition within movements with a tradition of armed struggle. The use of armed struggle as a tactic of resistance is often based on the notion that 'violence being instrumental by nature is rationale to the extent that it is effective in reaching the end that must justify it'.²² William O'Brien, the 19th century Irish agrarian and nationalist agitator, argued that 'violence is the only way to obtain a hearing in moderation'.²³ The same principle applies to the use of crime to sponsor political aims rather than predation.

The use of criminal and/or corrupt methods to fund a rebel, resistance, or insurgent movement in order to obtain self-determination or end an occupation differs from its use in achieving a profit rather than a political end. The alleged IRA Chief of Staff Tom 'Slab' Murphy's interpretation of O'Brien's position illustrates the distinction: '[W]e'll bomb them to the conference table and then booby-trap the table. . . . In South Armagh we never tell people where we put our booby traps'.²⁴ Conscious of the political credibility deficit in these views, Sinn Fein, the political leadership of the Irish Republican movement, found itself on the horns of a dilemma. Tom 'Slab' Murphy is a 'smuggler' of oil, grain, pigs, and cigarettes, with an estimated worth of over £40m, in the 1990s he was judged by MI5 to be 'the single biggest domestic threat to the UK'.²⁵ Mr Murphy is the alleged Brigade commander of the IRA in South Armagh. The area is adjacent to the Northern Irish border with the Republic of Ireland and known as either the 'liberated zone' or 'bandit country' depending on one's politics. Mr Murphy's IRA charges were not subject to conventional IRA discipline thereby threatening the secrecy, anonymity, and discretion usually associated with rebel organizations. Often 'in a state of penury', the Republican movement relied on rents and resources from Tom Murphy, who allocated proceeds from his covert cross-border business operations.²⁶

Rather than exacerbate any schism within the Republican movement by recognizing the 'spoil politics' ethos of the South Armagh brigade, this section of the IRA was used instead to bankroll the rest of the movement.²⁷ By reining in Mr Murphy financially and overlooking the discrepancies in his political aspirations, the Sinn Fein leadership used corruption as a process of integrative exchange where 'Slab' Murphy was incorporated into a lasting network of exchange and shared interest; the extra-disciplinary behavior of his brigade tolerated in exchange for

compliance on political initiatives. In this instance black market racketeering corruption was regulated in order to curb further squandering of Sinn Fein's legitimacy. Corruption functioned as an accommodation among the political and the more militant 'predation-oriented' factions of Irish Republicanism.²⁸ Even within paramilitary-to-political organizations, mechanisms of co-option can be defined as corruption.

In a patronage network the stakes of clientelism and exchange tend to reside with one individual, the patron. As a result, a high level of corruption is essential for fueling patronage and instituting a kleptocracy. This, in turn, has a negative effect on trust, reduces any independent institutional legitimacy and leads to systemic crisis with the anticipated and eventual demise of the patron. A predominantly patronage orientated paramilitary-to-parliamentary organization like the PLO adapts poorly to changing circumstances.²⁹ The anticipated loss of power and demise of the PLO's patron Yasser Arafat, who was not only the chairman of the PLO and the head of Fateh, the PLO's largest faction, along with its investment arm Samed, but president of the Palestinian Authority and responsible for an annual budget of \$1.7bn dollars,³⁰ in November 2004 exemplifies the way in which patronage ties bind.

In August 2004, on the instruction of the fledgling Palestinian Legislative Council (PLC) created under the auspices of the Oslo Peace Accords in 1993, the Palestinian Authority's general prosecutor undertook an investigation into a Palestinian cement scandal. The cement scandal emerged from the strained financial position of the Palestinian Authority, exacerbated by both the parameters of the Paris Protocol on economic relations in Annex V of the Oslo Accords' Interim Agreement and by the 2000 Al-Aqsa Intifada. The Paris Protocol required all cement imports be regulated by Israel and the Al-Aqsa Intifada resulted in Israel closing borders and checkpoints creating an economic siege of the Occupied Palestinian Territories and new prospects for opportunists. It is alleged that members of the Palestinian elite and Yasser Arafat's Fateh faction had claimed approximately 20,000 tons of cement. The cement was imported from Egypt to re-build the Gaza Strip, destroyed by retaliatory Israeli action after the renewed Intifada of 2000.³¹ The cement had been re-sold at a profit to Israel and, once trucked through two border crossings between Sinai and the Gaza Strip, it was re-routed to the Israeli town of Ashkelon.³²

Documents captured by the Israel Defense Forces (IDF) in 2002 revealed that Arafat's head of security in Gaza, Mohammad Dahlan, was implicated in joint investments in the Gaza construction business, from cement production and gravel import, to resort development. The patronage-induced corruption evidenced here is facilitated by the nine security services over which Arafat retained power and control. Devoid of any real checks and balances, the Palestinian security forces were organized under the rule of political leaders persuaded by patronage rather than the rule of law. Each security tendril facilitated the escalation of lawless factionalism indulged by Fateh.³³ In strengthening ties, the Palestinian political structures in the PLO placed the onus on predation; where security leaders served important functions of Arafat's preferred political ordering.³⁴ This mode of patronage

corruption created 'war profiteers' and made the clients of patronage susceptible to external inducements. The PLC Nasser Yusuf further explained:

the direct contact of certain Palestinian security organizations with foreign intelligence services, that have also provided financial support, has undermined the Palestinian Interior Ministry ... weakened the official Palestinian security apparatuses ... the ongoing foreign financial support for various security organs has also torpedoed Palestinian reform efforts.³⁵

In the context of weak institutions, conflicts can further degenerate into illegitimate and predatory rule. These conflicts are characterized by a shift from monopolistic forms of corruption to criminal and competitive ones. As a result the endogenous character of this open competition within the organization means that 'conflicts may arise more from the changes in the pattern of corruption, than from the corruption itself'.³⁶ In the case of the PLO, in the immediate aftermath of the Oslo Accord, a 1994 British National Criminal Intelligence Service briefing document estimated the worldwide assets of the PLO and a conglomeration of Palestinian movements at US\$8–10bn dollars.³⁷

Whereas the integrative corruption exhibited in the Northern Irish example links people and groups into lasting networks of exchange and shared interest, disintegrative corruption does not. Divisions and conflict escalate for those involved in a corrupt enterprise and between those who are included and those left out. In the Palestinian case the short hand of 'insider' and 'outsider' is often counter-intuitive. The term 'outsider' broadly refers to Arafat's Fateh 'returnees,' those who returned to the Palestinian Territories after the Oslo Accords. In corruption parlance the term 'outsiders' refers to those included in the patronage system, whereas the true 'insiders' those who lived in the Palestinian Territories under Israeli occupation during the Intifada are excluded from the favor of patronage. Arafat's patronage mechanisms alienated insider Palestinians, and corruption distanced third party donors. The European Union questioned the money Arafat diverted from the Palestinian Authority accounts, US\$898m between 1995 and 2000 according to the IMF, US\$799m of which was returned by 2003. Arafat finagled finances, all the while resisting the creation of transparent institutions. Arriving at a more comprehensive understanding of the way corrupt exchange is shaped by institutional structures will provide the tools for comparing political outcomes created by particular corruption mechanisms.³⁸ The next section addresses the changing nature of corruption when accompanied by violence. It begins with Palestinian patronage and follows with Irish predation.

PARAMILITARY PATRONAGE AND THE PROBLEM OF PREDATION

The Palestinian Case

The overt corruption outlined above in the Palestinian case is derived from the anticipated demise of the patron. It was not always thus. Arafat's patronage

traditionally provided for internal accommodation and co-option of factions within the PLO umbrella. In this section the institutional, structural, procedural, and ideological features of PLO corruption will now be examined with the emergence of Hamas.

Financially satiated by external state donors who were mindful of the PLO's status as the 'Palestinian government in exile,' the PLO's state sponsorship was undermined in 1990. The PLO leadership, exiled in Tunis, faced a leadership challenge from the newly created Hamas organization that threatened to usurp its position. The PLO depended on donations from Arab states to maintain its system of patronage within the West Bank and Gaza. The leadership's support of Saddam Hussein in the Gulf War had onerous consequences at the end of the military conflict with the forcible exodus of thousands of Palestinians from Kuwait after the Iraqi defeat. The funds directed to the PLO leadership were halved. Twenty-eight million dollars a month from Saudi Arabia were re-directed to Hamas. Financial decline in the PLO by September 1990 ultimately threatened Arafat's patronage system of control, Arafat told a meeting of PLO officials immediately after the war that the organization had funds to survive for two years,³⁹ increased the threat of Hamas's battalions ('Izz al-Din al-Qassam') as its official military apparatus.⁴⁰

The drop in state sponsorship and decline in funds necessitated new forms of rent seeking.⁴¹ The PLO leadership's loss of financial control in the West Bank and Gaza escalated. The situation led to public appeals from Palestinians within the West Bank and Gaza for greater accountability and less corruption as well as appeals from Fateh's central committee who wished to establish a Palestinian provisional government in order to spare the PLO the need to reject its key principle, namely, non-recognition of Israel. Arafat's concentration of power within and among the PLO factions went unchallenged; the threat of Hamas, coupled with a weakened military, financial and organizational base, constrained his conventional policy instruments.⁴² Arafat insisted that the Americans 'want to humiliate Yasser Arafat and eliminate him,' and he repeatedly told the rest of the PLO leadership that 'eliminating him means eliminating the PLO and all of you.' Arafat's self-identification with the PLO illustrates the institutionalized position of the patron with the system of patronage and the status quo. Nevertheless, Arafat was not averse to dealing directly with Israel at Oslo.⁴³ The financial crisis escalated tensions within the PLO increased in the summer of 1993 when there were unprecedented requests for Arafat to resign as chairperson of the PLO amidst perceived fears of an imminent collapse of the organization. Hamas anticipated the vulnerability of the PLO and prepared for its 'moment of glory'.⁴⁴

The legitimacy of the PLO and Arafat as its leader, as well as the personification of the struggle for the Palestinian people, was weakened. The Fateh leadership was being usurped not by familiar challenges from secular factional opponents but rather by a well-sponsored and supported Hamas which had successfully mobilized the Palestinian constituency of the West Bank and Gaza. The role of Hamas as a factional challenger to the PLO yet beyond the scope of the traditionally secular PLO, threatened the authority and legitimacy of the incumbent Palestinian leadership. The

Oslo Accord was premised on a collaborative security pact that served to secure the primacy and legitimacy of the PLO's Fateh leadership. However, the 1987 Palestinian uprising initiated the emergence of Hamas⁴⁵ and in its turn the emergence of Hamas challenged the PLO's institutionalized mode of patronage and clientelism. It also signaled a challenge to the PLO's monopoly of ideology, threatening the PLO's autonomy in relation to Islam, which politicized the Islamic groups.⁴⁶ Creating with it an ideological cleavage within the bloc rendering Hamas a faction adhering to the *Weltanschauung* model of politics. *Weltanschauung* parties are characterized by 'total ideologies' that aspire to an environment where members integrate within ideologically linked activities and are less likely to succumb to co-option or coalition.⁴⁷ The *Weltanschauung* orientation of Hamas rendered it less likely to integrate willingly into the existing PLO regime of patronage corruption.

Hamas marked a centrifugal shift in the support of Palestinians. The configuration of factions and the nature of elite accommodation through patronage were irrevocably altered and threatened the position of the PLO leadership in terms of its autonomy, its legitimacy, and its mode of patronage corruption.

The Northern Ireland Case

Conversely, in Northern Ireland, Sinn Fein's mechanisms for minimizing dissent are shaped by the monolithic committee-based nature of the Irish Republican movement. Unlike the PLO, Sinn Fein is run less by a single chief than a committee of chieftains. Decision by committee, although slow, provides for more credible consensus.⁴⁸ By dispensing with armed struggle slowly and adopting political participation incrementally, the Republican movement's reward has been a steady increase in Sinn Fein support, complemented with minimal and limited dissention.⁴⁹ In the preliminary stages of transition the Republican movement's management of dissention and regulation of criminality was facilitated by way of the 'civil administration' mechanism. Civil administration or 'housekeeping' was created to provide the movement with a means of regulating internal dissent without jeopardizing the IRA cease-fire, defined broadly as a cessation of military operations. For a time, civil administration allowed extensive room for maneuver 'up to and including murder'.⁵⁰ Civil administration broadens the scope of sanctions available to Republican leadership, to curtail any internal challenge and dissent while maintaining their monopoly over issues of ideology and access to resources and funds. The 2001 killing of a RIRA (Real IRA) member, Joe O'Connor, in West Belfast is attributed to an act of civil administration by the IRA leadership. Racketeering by the Real IRA, the selling of illegal cigarettes, was perceived as a direct challenge to the IRA by its smaller challenger intent on sourcing funds in direct competition with the incumbent leadership.⁵¹ In this case criminality was perceived as a threat to the viability of the Republican peace strategy. Since 2001 the criminality threat to the peace agenda has escalated. Originally intended to enrich the IRA, criminality and corruption have become increasingly self-defeating. Over time, the appeasement mechanism applied to 'Slab' Murphy has been adopted by the

Republican leadership and extended. Akin to a hierarchical business organization where middle management tends to suffer the consequences of transition, in the Republican movement the 'middle management' is solely dependent on the institution for 'employment'. Encumbered by criminal records and limited alternative prospects, crime becomes the default option of resource capture with banks being seen as a 'God given source of funding.'⁵² The default option was evident in the Northern Bank raid of 2004.⁵³ The Belfast robbery of in excess of £25m and one of the largest bank robberies in British history, was attributed to the IRA. The acquisition of so many Northern Irish bank notes required the reprinting of 'new' money. Nevertheless the bank raid proved less injurious to the Republican movement than the institutional, structural, procedural, and ideological consequences of the appeasement policy as illustrated in the Columbian Three case.⁵⁴

On 11 September 2001 the US special envoy to Northern Ireland, Richard Hass, was en route to Belfast to meet with Sinn Fein leader Gerry Adams to address the issue of three Irish men arrested in Colombia one month earlier on charges of assisting the Revolutionary Armed Forces of Columbia FARC rebels. The three republicans⁵⁵ were arrested in the Colombian capital, Bogota, on Saturday 11 August 2001, having spent several weeks in the town of San Vicente del Caguan, which was controlled by guerillas of the left-wing rebel group the FARC. The three had entered Columbia using false passports and it was alleged that they had been training FARC members in gas cylinder bomb-making techniques.⁵⁶

The charges against the accused rested on testimony from alleged FARC deserters. The IRA denied allegations of an association with FARC. 'We wish to make it clear that the Army Council sent no one to Columbia to train or to engage in any military cooperation with any group'.⁵⁷ The United States government were unconvinced with claims that the trio were 'eco-tourists.' The discovery of the men in America's strategic backyard baffled Americans, unsettled by Irish Republican links with 'Marxist' guerillas.⁵⁸ The only way the IRA could salvage the situation was to decommission and on 28 October 2001 the IRA Army Council issued a statement confirming weapons had been put 'beyond use.' The Columbia Three case ended in August 2003 without a verdict when discrepancies arose between American and Colombian forensic evidence against the three Irish Republicans only to be resurrected in 2004.⁵⁹ The three were acquitted on the charge of training FARC but found guilty of possessing false public documentation and sentenced to between two and four years. An appeal by the prosecution overturned the previous acquittal and the men were sentenced to 17 years and fines of up to \$240,000 each. On bail the three absconded only to return to Ireland.⁶⁰ Internationally, the case of Irish Republicans allegedly assisting in the training of one of the wealthiest 'narco-rebel' groups in the world immediately prior to September 11 escalated the IRA's move toward de-commissioning. The negative publicity of Irish Republicans association with paramilitary organizations like FARC undermined their international persona and posed too great a threat to the long-term agenda of Sinn Fein. In the greed versus grievance debate over the core motivations for rebel racketeering, resource and rent seeking, it is argued that grievance is to the rebel as image is to business; 'Far from

seeking to avenge grievance, rebel leaders need to initiate grievance for their business to be profitable'.⁶¹ Devoid of any tangible grievance mechanism to elicit the support of the most lucrative rebel resource by the Diaspora referred to disingenuously by Lenin as the 'useful idiots', Republican compliance hastened as events changed the American public perceptions of political violence, diminishing any residual support for armed struggle. Domestically, the issue of diminishing grievance threatened the Republican leaderships' monopoly of ideology. Conscious of the need to maintain control of core concepts, the Republican movement's Columbian adventure was potentially lucrative. FARC narco-dollars for paramilitary lessons could grease the wheels of Irish Republican political aspirations. It was also ideologically dangerous. Drug-dollars smack of 'spoil politics' heralding a shift toward increasingly illicit but profitable activities such as money laundering, all of which detract from Diaspora-driven grievance giving.⁶² Instead, the Republican movement sought to project Sinn Fein as advocates of 'national self-determination claims', as the Columbian Three stated that their visit was to observe the Columbian peace process.⁶³ As peace process 'observers' Sinn Fein dismisses disaffected Republican claims of ideological defeat. The war might be over, but Irish Republicans can still win the international battle for national self-determination for national groups. Sinn Fein's influence on the Basque separatist movement ETA in Spanish-Basque peace efforts attests to a desire to maintain the mantle of guardians of the people albeit a more 'international' concept of social Republicanism, with Irish republicans appropriating the role of guardians of self-determination (by whatever politically expedient means necessary).⁶⁴

The process of transition from paramilitary-to-parliamentary organization illustrates the leadership constraints. When support for the leadership is relatively fixed, less incentive exists to engage in transparency or accommodation to demands for greater credibility. In the midst of protracted peace process transitions, conventional corruption mechanisms are constrained, eliciting a 'follow me, I'm right behind you' dynamic between the leadership and their supporters whose endorsements and support are elastic. Transitioning from an anti-regime actor renders the group subject to new rules of transparency and accountability. Failure to address unpalatable corruption in a timely fashion undermines the rebel-to-political legitimacy, as the PLO found to its electoral cost in January 2006. The next section addresses the legitimacy, transparency, and accountability deficit that can impede organizations from successfully shifting primary tactics. It begins with the power of international legitimacy for the PLO and follows with the problems of domestic integrity experienced by Sinn Fein.

CREDIBILITY, INTERNATIONAL LEGITIMACY, AND DOMESTIC INTEGRITY

As Le Billion observes: 'The legitimacy of corruption is thus bounded by the legitimacy of control over resources; with conflicts arising when this control . . . fails rules of reciprocity. The point is not whether corruption is illegal but whether or not

it is interpreted as legitimate.⁶⁵ In 2004 the PLC investigation into Palestinian corruption concluded that the core cause of disorder in the Palestinian territories was that Yasser Arafat had failed to ‘make a clear political decision to restore law and order as well as to define the most prominent roles within the Palestinian Authority, either for the long term or the short term’.⁶⁶ In response, Arafat in a keynote speech to the Palestinian parliament admitted that the Authority had committed mistakes. When Arafat stated that ‘there were wrong and detested practices by people and institutions who misused their positions,’ he was rebuked by a leading reformist with: ‘you protected them!’⁶⁷ Arafat’s regime masqueraded as the Palestinian Authority, an organization paralyzed by a patriarchal decision-making process. It was maintained by widespread corruption based on patronage and governed by nepotism with a deficient security organ and a legal system partial to cronyism. The institutional corruption was exacerbated by the authority’s disproportionate share of resources and its role as the single largest employer.

Rather than initiate reform, Arafat introduced mechanisms to curtail the patronage initiated system of corruption in the security services by appointing his cousin Moussa Arafat to the position of Chief of the National Security Force. Arafat replaced patronage with nepotism. Cronyism and nepotism being personal rather than group-oriented constitute corruption on an even smaller more intimate scale than patronage. Fundamentally unstable nepotism involves unclear terms of exchange that Johnston argues need to be worked out from the outset.⁶⁸ After the demise of the patron Arafat, his cousin Moussa, who was described as ‘symbolizing Palestinian Authority corruption’,⁶⁹ was assassinated on 7 September 2005. In the time of his tenure as Chief of National Security, land in Gaza increased from \$52,000 an acre to \$300,000 per acre in anticipation of the Israeli uni-lateral withdrawal. Amid increased lawlessness in Gaza, Moussa Arafat’s death was claimed by ‘the Popular Resistance Committee’ but was attributed to Fateh and Hamas in a combined assault.⁷⁰ The Popular Resistance Committee is believed to consist of a mix of members including the Dagmush and Abu Samandna families as well as Hamas. It is unlikely that Hamas would have suffered any shortfall in credibility if it were found to be a Hamas initiative. Mohammad Dahlan the PA minister for Civil Affairs and former head of security in Gaza was also implicated; in this instance it is more likely that assassination would be deemed to be corrupt by Palestinian supporters.

As a relatively new actor in the protracted Israeli–Palestinian conflict, Hamas still has ‘Teflon-like’ qualities – nothing sticks. For Hamas, the corruption scandal may well have the effect of strengthening a value system as a whole.⁷¹ Just as an incumbent’s access to corrupt rents provide opponents and challengers political incentives to monitor and expose corruption of incumbents, by increasing grievances, corruption creates political instability through popular support for political change.⁷² The would-be rulers can legitimately accuse incumbent rulers of corruption and benefit from popular support to precipitate rapid political change as corruption acquires a criminal character. In this situation corruption is not simply defined by its formal illegality – since relevant laws are often defined not by corrupt incumbent leaders – but by collective perceptions.⁷³ As an ideologically based

religious organization, Hamas has the defection advantage and as such escalates the competition between the other groups.⁷⁴

In the run up to the first Palestinian elections in 10 years and the first elections contested by Hamas, public opinion and domestic political legitimacy sided unequivocally with Hamas. The Palestinian Centre for Policy and Survey Research conducted exit polls in local elections in December 2005, which highlighted the significance of corruption and political legitimacy. Seventy-eight per cent of respondents in the Gaza Strip and 66 per cent of West Bank respondents stated that the most important factor in selecting candidates was that they not be corrupt (PSR Survey exit polls December 2005). Hamas won 76 out of 132 seats in the Palestinian Legislative Council on a 'Reform and Change' platform in January 2006, which suggests that the 'conflictual impact of corruption responds to legitimacy and competitiveness'.⁷⁵ Whereas Hamas focused on reform and change, 'the internal stresses in Fateh are mainly about the distribution of power and privileges . . . political differences are always marginal and are tolerated'.⁷⁶ Fateh's legacy of clientelism and patronage prioritize in-fighting rather than fighting for the Palestinian cause. Fateh's electoral chances were undermined by its policy of co-optation and corrupt patronage in tandem with its institutionalized failure to fight corruption or reform. The Palestinian electorate's preference was for a party or a list that could address the lawlessness and chaos within the Palestinian Territories.⁷⁷ The Palestinian voters punished Fateh and the patronage system of the PLO as voters generally select honest politicians when possible because of the cost of corruption.⁷⁸ In paramilitary-to-parliamentary transitions, interpretations shift and necessary credentials differ as the rule of law becomes increasingly significant for predominately political actors, while public opinion and appearances become priorities none more so than for Republican Sinn Fein.

Paramilitarism aside, the Republicans' public relations techniques are prized. Romanced by the scent of danger, Sinn Fein manages the media, successfully equivocating or dancing past the difficulties of the Northern Bank raid and the Colombia-three affairs. The murder of Robert McCartney in January 2005 outside a Belfast pub by a number of men, some known Republicans, proved Sinn Fein's media undoing. The McCartney murder and the subsequent killing of Joseph Rafferty in April 2005 undermined the credibility of the Republican movement and Sinn Fein. Despite initial denials, an IRA statement was released detailing its members' involvement in the murder. Much was made of the IRA's offer to the McCartney family to administer retributive justice 'in kind' to the culprits. Though the case had a limited impact on Sinn Fein in the general election on 5 May 2005 – the party gained one more seat – it damaged the party's standing elsewhere. In the United States the Irish Diaspora's response to the McCartney killing was to revoke its connections with the advocates of the Irish Republican armed tradition. Gerry Adams was not invited to the St Patrick's Day reception at the White House, whereas the family of the murdered McCartney attended. The political response was prompt, as invitations to the Sinn Fein annual conference were extended to the McCartney family.⁷⁹

In the Irish Republic, where Sinn Fein has four seats in the Dublin Dail (four of which were won in 2002, one seat lost in 2007), the goal of Sinn Fein is to be a viable coalition partner for government in the next general election. Dispensing with armed struggle was made easier after the Real IRA bomb in Omagh in 1998 was universally condemned and with it the perpetrators and greatest challengers to the political agenda of Sinn Fein. The decision was solidified after the events of 11 September 2001, which made political violence operations no longer tactically viable for Irish Republicans.

The Irish political environment is haunted by the specter of corruption scandals, rendering corruption and crime a costly indulgence for Sinn Fein. Corruption tainted with violence would curtail the party's attempts to stand on an anti-corruption ticket. In an Irish general election, Sinn Fein can maximize its retrieval of swing votes by exploiting the antipathy of the young Irish voter for the traditionally dominant Irish parties. It was with this electoral arena of the Irish Republic in mind that Sinn Fein declared an end to the armed struggle and began de-commissioning its weapons in July 2005. Now, no longer perceived as 'transfer repellent' to the other Dail parties, Sinn Fein is keen to redress the drop in satisfaction levels for Gerry Adams' party leadership findings in public opinion polls.⁸⁰ Adams' leadership rating immediately after the Northern Bank raid was 40 per cent. After the McCartney killing Adams lost 10 per cent in his approval rating. By September 2005, after the IRA statement declaring a cessation of violence and end to armed struggle, he had redeemed nine percentage points.⁸¹ After the Northern Bank raid, the Colombian Three scandal and the violent murder of Robert McCartney, political republicans realized that in such circumstances 'rebels' are often indistinguishable from bandits.⁸² Conscious that crime corrupts credibility, Gerry Adams is determined that the Irish Republicans 'do not wear the guilty stare of those who bear a crime'.⁸³ Republican leaders eventually managed to reconcile the residual negative effects of extra-judicial activities, by promoting their peace process credentials internationally. Sinn Fein's tactics are addressed in the final following section in tandem with the Palestinian efforts to institute credible organizational change.

CONCLUSION: INSTITUTING CREDIBLE ORGANIZATIONAL CHANGE

In 1898 Churchill lamented the 'difficulty in tracing the silent, subtle influences, which precede and prepare the way for violent outbursts and uprisings'.⁸⁴ Over a hundred years later, detecting the changes which precede and prepare the way for paramilitary groups' shift in strategic orientation toward political means is equally difficult. For paramilitary-to-parliamentary organizations in the midst of transition, mechanisms that endorse the groups' commitment to the political and democratic process include de-mobilization or disbanding of militias, recognition and adherence to the rule of law, transparency, accountability, and good governance. The stage at which the protracted use of extra-judicial mechanisms corrupts the credibility of paramilitary-to-parliamentary groups is determined by its organizational structure, monopoly of control executed by the group leadership and popular

support. The IRA statement of 28 July 2005 ordered all IRA units to dump arms and deterred volunteers from engaging in 'any other activities whatsoever', conscious that corruption squanders legitimacy. As the evidence from the Palestinian Authority suggests failure to initiate operational changes to patronage networks undermines the legitimacy of newly formed political institution and ultimately contributed to the weakening of the dominant Fateh party in the PLO.

Ultimately, the PLO-dominated Palestinian Authority tried the patience of its Palestinian constituency. Although the people were prepared to tolerate the toils of transition, the PLO leadership was conscious that corruption is positively correlated with political instability and yet sought to maintain its monopoly over rent seeking for as long as possible. Although legitimacy and effectiveness are linked in the 'long run', they can often compensate for each other in the 'short run';⁸⁵ in the PLO-governed Palestinian Authority even effectiveness was lacking and the PLO were without a substitute for legitimacy. When the Fateh elite feared it might lose its vice-like grip on power to Hamas, or even to its own young guard of 'insiders', it attempted to race through constitutional amendments to shore up the powers of the president, rendering any future Hamas-dominated legislature weak and ineffectual.⁸⁶

The structural explanation for the PLO-dominated Palestinian Authority failure is the conspicuous absence of any reference to a period of transition between the end of the Intifada and the return of the PLO traveling circus from exile. The prompt return of Arafat to the West Bank and Gaza Strip in 1994 after the signing of the Oslo Accords was orchestrated so as to curtail the groundswell of popular support for Hamas. The goal of the Accords was to create a sufficiently robust 'collude to exclude' Hamas security pact; meeting the immediate and short-term goals of both the PLO leadership and the Israeli government. For the PLO, the Accord provided it with the opportunity to curtail the ascent of Hamas, but not the necessary mechanisms for the transition of the PLO from paramilitary-to-parliamentary organization. Hindered by a long history of monopoly of resources and rents, and unwilling to concede a modicum of power to the 'insiders', the young or religious guard, Fateh has lost its position as 'legitimate representative of the Palestinian people' and has been replaced by Hamas. The practical and ideological ramifications of Fateh's folly is evident in administrative schism between the Gaza Strip under the influence of Hamas and the West Bank under the auspices of Fateh control. Accustomed to playing the role of the challenger and advocate of 'reform and change' the difficulty for Hamas emanates less from lack of domestic integrity but rather from the lack of international recognition afforded them and the financial consequences of this failure to acknowledge the electoral endorsement of Hamas by the Palestinian population.⁸⁷ For Hamas, external events corrupt its domestic credibility. Failure to secure external recognition from third state actors is likely to cost the Palestinian Authority funding from external donors such as the EU. Already financially ill equipped after fund seizures, Hamas finds itself compromised, necessitating a national unity government with the externally recognized and legitimized Fateh organization. The traditional strategy adopted by Hamas asserted that their use of political violence and suicide bombing was subject to the political

climate. Prior to the *hudna* or cease-fire and their subsequent election in 2006, the leaders of Hamas argued that should peaceful initiatives desirous to the goals of Hamas persist, suicide bombing would desist. Should the political situation escalate, so too would the number of suicide attacks. In 2003 Sheik Ahmed Yassin (later a victim of a successful Israeli-targeted assassination) explained the strategic use of suicide bombing, 'if we perceive that the atmosphere favours such a decision, we stop. And, when we perceive that the atmosphere has changed, we carry on.'⁸⁸ In the case of Hamas corruption fears are less pressing than the mobilizing of militias. Intra-factional divisions between Fateh and Hamas resulting in 90 Palestinian internecine deaths between November 2006 and February 2007 escalated fears of civil war. Apprehensions abated with the signing of the 8 February 2007 Mecca Agreement between Hamas and Fateh endorsed the creation of a new unity government for the Palestinians. In this case a marriage or coalition of convenience unifies the domestic integrity afforded to Hamas and the international legitimacy afforded to a patron-free Fateh party. Prioritizing patronage and predation over political goals protracted the creation of a Palestinian state. The PLO failed to make the most of external mechanisms imposed to facilitate institutional change.

In the same way that state violence loses its transparency when it becomes privatized, paramilitary violence becomes 'criminalized' and loses its political meaning. This lesson was eventually learned by the Irish Republican movement and sooner by members in Sinn Fein. Sinn Fein's transition from a paramilitary to parliamentary organization was accommodated in the Good Friday Agreement of 1998. The Agreement, armed with all the mechanisms of good governance, provided for institutional reform, accountability, transparency, the creation of viable courts, legislatures, local government process, community power-sharing and veto rights, open access to government, and legitimacy, all endorsed in the agreement by way of referenda. Politically sponsored by the British and the Irish governments, assisted by the American government and the European Union, constructive ambiguity was built in to the Agreement in anticipation of the transitional difficulties. The Agreement constructed mechanisms for mediation and discussion, creating commissioners to assist with the de-commissioning of paramilitary trade tools. Although it could be argued that the IRA exhibited the futility of its own existence in the statement issued in defense of its response to the McCartney murder, the institutional mechanisms provided for in Northern Ireland assisted in the declaration of the end of armed struggle. Unencumbered by IRA resource claims and capable of rent seeking for political donations, Sinn Fein has circumvented the trend for movements of armed struggle to burn brightly and short.

The mechanisms most likely to impede organizational transformation are shaped by the support base or constituency of the group. Unsanctioned criminality notwithstanding,⁸⁹ the days of Irish Republican politically motivated violence and 'associated activities' are coming to an end. The Republican movement ended its boycott of the Police Service of Northern Ireland on 8 January 2007. Although far from the mythical recording of Robin Hood's conversion to royal archer,⁹⁰ recognition of the police service is a tactical transition most feared and anticipated

by the IRA.⁹¹ Recognition of the police force represents an end to hostilities against the state and a tacit acceptance of the judicial arm of the state. As such, the decision to end the boycott of the police service is on par with the Republican movement's decision to recognize the Irish parliament in 1986 and take seats in the Northern Ireland Assembly in 1998. The incumbent leadership is wary of the fact that both of these seismic shifts resulted in schisms and the creation of factions within Republicanism recognition of the police force renders the Republican movement's practice of 'policing' its own community obsolete. Any failure in acceptance of the police force at the level of the organization's support base creates an opportunity for newly emerging factions or splinter groups to fill the vacuum. Moreover, recognizing instruments of the criminal justice system minimizes Republican participation in organized crime, 'such activity is now contrary to the policy of the organization'⁹² and legitimizes the state's efforts to seize assets from previously illegally gained funds.⁹³ For Irish Republicanism, recognition of the police force constitutes unequivocal evidence of the movement's commitment to the democratic process.

In protracted peace processes where rebel, insurgency, or insurrection movements attempt to pacify criminal-military elements, the stage at which corruption becomes increasingly objectionable can be measured by degrees of political legitimacy afforded to the paramilitary-to-parliamentary group and determined by internal group and external institutional mechanisms. Paramilitary-to-parliamentary groups in protracted peace processes tend to inhabit weakly institutionalized political systems, where political legitimacy is low and a 'rebolitical' group leader's ability to preside over the military bloc 'depends on how well he wields patron-client networks'.⁹⁴ Legitimation occurs 'first within groups and only secondly between them', suggesting that legitimation is a 'private game'.⁹⁵ It is to this end that crime corrupting the credibility of the political group leaders is significant.

The 'private game' within the paramilitary-to-political group involves securing legitimacy within the organization and beyond it. In a protracted peace process, when the military factions are answerable to their political counterparts, illegal activity and violence are both less likely to be indiscriminate. Within-group considerations reveal how leaders compete for the monopoly of ideology, legitimacy, and credibility of their groups in divided societies with protracted peace processes, where the notion of a state monopoly of violence is still not assured.⁹⁶ Regulating the autonomy of the military and often criminal elements within the rebel group by internal accommodation mechanisms can homogenize the organization so that factions, military or otherwise, are co-opted with little incentive provided for open competition and overt schisms within the group.

When the political leadership dominates, dissent from the political agenda is less likely among the militarists. Instead a tacit acceptance of the legitimacy of the existing regime and political dominance is in evidence. When militarist challenges fracture the political-paramilitary organization it is likely that the 'war profiteers' will re-orient themselves as racketeers without political loyalty. The mechanisms for managing dissent and the disequilibrium between the militarist-political factions are shaped by internal group structures. When patronage and predation mechanisms

persist, the more protracted is the transition to peace. Complimentary institutions external to the organization can be created as part of a peace process to facilitate the organization's transition and strengthen the hand of the political leadership. When the political position of the leadership is the dominant view among the people, any violent criminal activity on the part of the militarist-criminal elements undermines the integrity of the organization and is viewed as increasingly objectionable. When paramilitary-to-parliamentary organizations require political credibility in equal measure to finance, it creates an array of incentives to sieve crime and corruption from the income stream. Where patronage, predation, and clientelism are an integral part of the organization's structure and for profit rather than political ends, the transition is protracted, as Fateh's decade of folly attests. Where crime and criminality are solely tactical methods of resource capture, the propensity for parliamentarism is greater.

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