Dear PPW participants,

Thank you in advance for your hospitality! And special thanks to the critics.

I’ve been socialized in a department that cares *naught* for movements and the like, so I cherish the chance to learn from you guys.

The attached is revised from my dissertation. It is a comparison of separatist movement trajectories in Kosovo, Serbia and South Ossetia, Georgia, 1989-2012. Applying George Simmel, I offer a model of how host state, separatist movement and organized crime relate to each other – and how these evolving relations affect movement outcomes. The punchline is: *organized crime matters* for separatist movement success.

In the rest of the dissertation, I first did a regional overview of separatism and organized crime in the Balkans and Caucasus, arguing that Serbia and Georgia are the best-paired cases for in-depth comparison; I then analyzed two micro-level criminal enterprises – a human organ trafficking episode in Kosovo and a nuclear weapons trafficking episode in South Ossetia – to argue that certain mafia features matter; finally, I did a mezzo-level analysis of drug, arms and human trafficking in the two separatist territories over the 24-year period, arguing that mafias converted regional smuggling opportunities to separatist movement success under certain conditions. So this chapter is the most “macro,” looking at the broader trajectories.

I am turning the dissertation into a book manuscript, and hope to have this chunk as the concluding two chapters. Any and all suggestions are more than welcome.

Thank you again. Looking forward to meeting you all,

Danilo
Gangsters and Other Patriots: 
A Model of Organized Criminal Relations to Host State and Separatist Movement

How do evolving organized criminal relations with the host state and separatist movement affect separatist success? I process-trace host state, separatist movement and organized criminal relations in Serbia and Georgia, 1989-2012. I argue that the role of organized crime evolved differently in the two cases, explaining different levels of success for the two separatist movements.

Namely, organized crime in Serbia evolved from the role of bystander, to divisor et imperator (“divider and ruler”), to tertius gaudens (“the third who rejoices”); in contrast, organized crime in Georgia evolved from the role of tertius gaudens, to non-partisan mediator, to bystander. These differing trajectories – process-traced through three phases – account for the greater success of Kosovo’s separatist movement than South Ossetia’s. I suggest that modeling state-separatist-mafia relations in this way sheds new light on processes of state repression, movement mobilization and civil war in areas with separatist disputes.

Taken as a whole, the trajectory of Kosovar separatism was one of continuous, uninterrupted progress; the trajectory of South Ossetian separatism was one of interrupted progress. The role of organized crime was central to this difference in the two trajectories: whereas it hindered separatist success mid-trajectory in South Ossetia, it was consistently conducive to Kosovo’s success (see Tables 1-2 for summary).

Literature Review

Social movements and civil war literatures have largely approached the question of separatist success as a story of two sides: host state and separatist movement. By analyzing the dependence of separatist success on organized crime, this paper revitalizes understanding of modern separatist conflict and an overlooked non-state actor. I explore the value of doing so in literature on (1) ethnic/nationalist social movements; (2) rational choice in civil war; (3) political process and opportunity structure, and (4) state-centered approach.

Ethnic/Nationalist Social Movements

Because of their predominantly ethnic/national basis, separatist movements are best categorized as a subset of nationalist movements. They rely on identity claims based on ethnic/national markers and claims of territorial sovereignty that conflict with formally existing ones. Separatists are nationalists in Gellner’s strict sense: they hold that “the political and national unit should be congruent” (Gellner 1983, p.1), feeling trapped in an “internal incongruence” of the host country (Miller 2013, p.81-83). Their particularity is in their wish for outright withdrawal from existing state authority, which is especially vulnerable to secessionist conflict when it has a short history of direct rule (Wimmer, Cederman and Min 2009).

Though diverse in its purposes (see Olzak 2004 for a review), a central concern of this subfield is to explain the general increase in nationalist movements since the end of the Cold War; secondarily, the apparent switch from nationalism as a force for integration to one for disintegration in the modern period. Not unlike their 19th century predecessors, many believed that “the barriers of nationality,” far from being erected around ever-smaller areas, would “melt
and dissolve in the sunshine of science and art” (Hobsbawm 1990, p.38). ¹ Such progressive currents, as well as social Darwinism, Wilsonian self-determination and Leninist doctrines on nationalities, all anticipated the demise of secessionists. Instead, separatist movements have been on the rise since 1990. I suggest that ethnic criminal enterprises are an important factor in this regard.

Separatists mobilize not only against the host state, but against its titular ethnicity. Ethnic mobilization relies as much on awareness of difference from out-groups as on familiarity with the in-group (see Fenton 2010, p.60-62). External threats, Georg Simmel argued, are the *sina qua non* of ethnic/national organization (Simmel 2010; Malešević 2010, p.185). Anderson (1991) established that nationalist movements crucially presuppose an “imagined community” of people with a shared identity that is – because of modern communication networks and literacy – perceived to be broader than that of kinship, village or town. This shared identity is in large part a product of relational cultural meanings negotiated by nation-builders, opponents and external powers (Brubaker 1996).

The affirmation of a national identity within an existing nation-state is: (1) a reaction to the host state’s nation-building efforts, (2) an attempt at negotiating with the minority ethnicity seeking to separate, and (3) an imperfect compromise with international stake-holders. Smith (1979) has argued that initial state-building steps such as the creation of a centralized bureaucracy and a national education system encourage separatism by producing ideological challenges to national identity claims. Studies have addressed how such ethnic solidarities are transformed into ethnic mobilization (Beissinger 2002; Brubaker 1996), to what extent ethnic/nationalist movements are distinctly modern in their goals (Gellner 1983; Smith 1986; Wimmer 2012, 2013), and how ethnic loyalties relate to labor market cleavages and economic inequality (Ragin 1979; Olzak and Nagel 1986; Medrano 1994).

The effects of organized crime on separatist mobilization, identity-formation, anti-state strategy and – perhaps most importantly – state-building in parallel to the host state, have been neglected. Below, I illustrate that organized crime can perform the function of ethnic mobilization *on behalf* of the separatist movement quite effectively – at the barrel of a gun. It does so with appeals to identity, but for its own reasons, and relying on clan-based kinship ties established by crime networks *against* state nationalization projects.

Related research has focused on the effects of ethnic heterogeneity on the durability and likelihood of violence. In a typically large-N study, Sambanis (2001) argues that civil war is more likely to erupt in states with high ethnic heterogeneity and that economic and non-ethnic factors (such as energy consumption) are more likely to be focal points of collective violence in homogenous societies. Collier (2000), Collier et al. (2004) and Fearon and Laitin (2003) have found that ethnic diversity prolongs civil wars, particularly when the heterogeneity consists of a small number of large ethnic groups. Wimmer, Cederman and Min (2009), in contrast, challenge the view that diversity makes societies more conflict-prone; rather, countries with widespread exclusionary policies based on ethnicity and numerous elites sharing power in a segmented state increase the likelihood of armed conflict.

The issue of ethnic heterogeneity has been unfortunately conflated with separatist intentions and motivations. For instance, it has been argued that popular rejection of ethnic heterogeneity among the host state population can inadvertently – for chauvinistic reasons –

¹ See also review of “nation-builders” vs. “nation-splitters” in Ibid (p.163-5). The analysis below explores how organized crime can determine whether the separatist movement acts as “nation-splitter” (KLA for Serbia) or as “nation-builder” (Ergneti market for Georgia). Whether the movements function as one or the other may have nothing to do with their nationalist ideologies, which malleably adapt to criminal interests when necessary.
support separatist success. Saideman offers a two-by-two pairing of weak or strong “identification with kin” (Russian Ossetian identification with South Ossetians, or Albanian identification with Kosovo Albanians) with a “tolerant attitude of heterogeneity” towards the other or an “intolerant attitude of homogeneity” towards the other (such as the attitudes of Serbs towards Albanians, or Georgians towards Ossetians) (Saideman 2013, p.346). The puzzle is thought to be that strong identification with kin – Georgian for Georgians in Ossetia, say – combined with a tolerant attitude towards heterogeneity in fact strengthens the host state’s irredentist resolve. The position “We’re OK with a substantial Ossetian minority” is, in effect, more likely to produce aggressive policies to quell separatism in South Ossetia than would be an intolerant attitude favoring homogeneity: “We are not OK with a substantial Ossetian minority, so just let the separatists go.” Such arguments are routinely made to explain what may boost a separatist movement’s momentum:

The punchline here is that groups who hate may actually be opposed to international adventures because they might bring into the country more of the “others” that they despise. Xenophobia may actually serve as a brake on irredentism (Saideman 2013, p.347).

The limitation of such approaches is that excessive attention is paid to motivations of states and separatists on the one hand (e.g. whether they are driven primarily by ethnic, chauvinist/tolerant, or economic incentives), and on their tactics on the other (e.g. when and whether they deploy violence and how protracted it is). These concerns neglect the goals of organized crime in relation to separatism, and the relative success of efforts to achieve them. Indeed, Kosovo and South Ossetia are utterly undesirable from a strategic, economic and especially ethno-nationalist logic. Yet the levels of xenophobia in the above-quoted sense have directly been promoted or deflated by organized criminal enterprise, in turn promoting or retarding separatist success. Furthermore, the level of ethnic heterogeneity of organized crime itself (including its xenophobia in relation to criminal partnerships) can indirectly undermine or support separatist mobilization as an unintended consequence.

In sum, this literature emphasizes the importance of ethnic/national identity as a powerful motivating force both for rank-and-file adherents as well as leaders of separatist movements, who may exploit ethnic loyalties for their own political preservation. The central theme is the fostering of an “us”/-“them” distinction through appeals to ethnic inequality and what Wimmer (2013) calls ethnic boundary-making. The homogeneity of the in-group, furthermore, is crucially dependent on beliefs about the homogeneity of the threatening or exploitative out-group. Diasporas and ethnic migrations have been found to be powerful instigators of both ethnic identification and mobilization (Carment and James 1995); thus repeated instances of population dispersion and resettlement may strengthen separatist momentum. In the context of Serbia and Georgia, organized criminal networks – which pervade diasporas and control borders – have the potential to boost separatist nationalism. Mafias’ ethnic dynamics are shown to be as relevant as ethnic dynamics in the society as a whole.

Rational Choice in Civil War

Rational choice theory approaches separatism in the context of deliberate choices made by individuals, state elites and social movement organizations. It assumes a great deal of certainty about the consequences of these choices. Social movement success ultimately depends
on the amalgam of decisions and cost-benefit analyses of states and their challengers. The decision to engage in violence, in particular, has been modeled on the basis of expected gains from state control, reasons for trust in civil war contexts and economic gains and losses (Fearon 1995; Wintrobe 2006; Laitin 1995, 2007). Separatism through civil war simply emerges when it “is profitable for potential insurgents, in that they can both survive and enjoy some probability of winning the state” (Laitin 2007, p.22).

Far from a product of state fragmentation, “secession is seen to be the outcome of a series of collective decisions made by regional leaders and populations” and their counterparts in the host states (Hechter 1992; p.467). Even the most seemingly irrational and chaotic wars, Kalyvas (2006) argues, have a logical structure to them, as rational strategies and interests of elites and local actors tragically clash. Ethnic secession in post-communist settings is more likely as the dilemma of “credible commitment” intensifies: the more distrustful minorities are of the majority’s willingness to secure protection and rights, the more rational it becomes to separate from the host state (Fearon 1994). Related concepts of the free rider problem, the prisoner’s dilemma, the security dilemma, etc. are often used to explain the leap from individual rationality to collective war irrationality.

One readily-applicable insight from this subfield is that organized crime, once we have acknowledged it as an autonomous agent with independent relations to the host state and separatist movement, will advance separatist success if and when doing so is in its perceived self-interest – to secure a market share, increase profitability, eliminate rivals, gain immunity, etc. To this extent, I adopt a rationalistic approach to criminal agency – its promotion of separatist movement success (as with arms smuggling in Kosovo) is a byproduct of anticipated gains to their profit-driven goals, as they perceive them. Similarly, organized criminal retardation of separatist movement success (as with the Ergneti Market in South Ossetia) is a byproduct of attempts to preserve and strengthen criminal capacity, not to oppose separatism as such.

On the whole, however, the central weakness of the rational choice approach is a naïve, instrumentally-rational model of agency based on known goals of individual actors (or groups of them). Combined with excessive emphasis on violence as the dependent variable, this results in what Malešević (2010) rightly called “an overly rationalist and instrumentalist epistemology which conceptualizes human beings as homines economici in pursuit of rational interests” (p.62). If not itself instrumentally rational, violence is at best “interpreted as an (often unintended) outcome of rational decision-making” (p.61).

The stakes are visible in Hechter’s Containing Nationalism (2000), arguably the most important rational choice analysis of separatist movements. He argues that the host state’s attempts to impose direct rule over (and revoke autonomy from) separatist regions increases separatism’s intensity and success. In other words, separatist movements will be more successful as attempts to impose direct rule escalate and as concessions to separatist demands are withdrawn. Separatism is contained by limited “appeasement,” as it were. Hechter explains the intensity, form, likelihood and outcome of separatist activity with a simple cost-benefit analysis on behalf of those engaging in nationalism. The question is whether a sufficient number of people (elites and intellectuals specially) recognize that it is in their interest and rationally feasible to adopt nationalist policies, given their perceptions of their governance units and their solidary groups. “[I]ndirect rule inhibits nationalism” (45) because it makes such policies less rational.

This argument has the merit of offering clear hypotheses, but has a crucial difficulty. Namely, separatist movements with organized criminal bases may reverse Hechter’s dynamic. The more concessions the host state makes, the more separatism will continue to escalate because its elite and adherents have fewer dis incentives to continue – and indeed expand – their
criminal enterprises. Indirect rule necessarily implies relegating anti-corruption and anti-criminal activities to institutions that are weaker, less experienced and more fragmented than those of the host state. In this regard, this paper insists that whether host state repression helps or harms the separatist movement depends on the role that organized crime is fulfilling vis-à-vis the state and separatists.

The relation between state repression and separatist mobilization is, therefore, not easily dealt with by rational choice theory (for overview of complexities, see Johnston 2011, p. 108-13). Below I present a particularly dramatic example: Georgia’s push for reunification between 2004-8. Because of organized crime’s role, the attempt was effectively a self-fulfilling prophesy. The host state assaulted South Ossetia to impose Hechter’s direct rule, but under the guise of a crackdown on organized crime. However, by destroying the organized criminal infrastructure, Georgia removed the single greatest barrier to separatist mobilization. Thus it rekindled separatist progress. It would be absurd to explain this causal chain as a reaction to increased direct rule or retraction of autonomy from the separatists. Neither the host state, nor the separatist movement can be said to have acted in a calculating or rational way. Nor could the pre-repression state of affairs be meaningfully understood as “indirect rule,” because the Ergneti Market was equally undermining state and separatist movement capacity. The organized criminal role was such that both separatism and state repression were disincentivized.

Political Process and Opportunity Structure

Against the resource mobilization literature (for review, see Edwards and McCarthy 2004), Tarrow (2011), McAdam (1996), Meyer and Staggenborg (1996), and Tilly (2007) have emphasized political process and political opportunity structure. Broadly speaking, I suggest that political opportunity structure for separatist movements can be significantly molded by mafias. Through coup d’état, partial state-capture or even marginal control over certain host state branches (particularly the repressive ones – police and military), criminal networks can directly determine: (a) the openness of the host state, (b) its capacity/predisposition for repression of separatism, and (c) its overall stability and elite configuration. Furthermore, organized crime can indirectly form state capacity by contributing to broader societal processes that demobilize the separatist movement, that undermine “insurgent consciousness” of separatist constituencies, and that make both separatist and state elites reliant on criminal resources – sometimes for survival itself.

I stress “can be” to avoid any overly ambitious causal generalizations. Partly in response to criticisms (Goodwin and Jasper 1999) of the conceptual vagueness of “political opportunity structure,” McAdam, Tarrow and Tilly (2001, 2008) develop an agenda for process tracing in pursuit of causal mechanisms. Rather than striving for general causes, process tracing of closely-paired cases of separatism over longer historical periods can reveal recurrent patterns that account for movement success at different stages of political mobilization (Beach and Pederson 2013). This qualified form of causal inference allows for different periods to be characterized by different causal configurations (McAdam, Tarrow and Tilly 2001), so that separatist success in one period may be attributable to organized criminal agency, but not in another. Despite limitations, process tracing of a small-N subset of movements may be more effective than large-N quantitative studies at identifying neglected processes (Amenta et al. 2002).

Exceptions aside (Kitschelt 1986; Banaszak 1996), most process tracing in this subfield has focused on single case studies, with little in-depth comparative work juxtaposing paired movements (for discussion of possible reasons, see Amenta 2003, p.119-120). My comparison of separatist movements in Serbia and Georgia – two close-lmatched, most similar regional cases –
is an opportunity for “a mechanism-based program of inquiry into historical political processes” (Tilly 2008, p.150-157). The temporal scope (1989-2012) is manageable. The political processes affecting separatist movement trajectory are diverse (wars, state collapses, coups, revolutions, mobilizations, demobilizations), but have apparent recurrences in certain neglected mechanisms (i.e. those involving organized crime). And the outcomes are intriguingly different (the Kosovar movement is more successful), tying broader concerns about movement outcomes (see Gamson in Goodwin and Jasper 2009, p.413-417) to separatism.

Focusing on separatist movements vis-a-vis organized crime is worthwhile to counter two general biases in the political process literature (as well as the resource mobilization literature before it): one towards reformist movements, which seek to replace state elites or remodel state structure, and another towards inclusionary movements, which seek to give excluded constituencies greater rights or access to resources being denied. There is a related tendency to focus on movements widely considered progressive, while more reactionary ones are quick to be classified as “countermovements” (see for example Koopmans and Statham 1999 on the extreme right). Prominent studies have focused on US Civil Rights activists (McAdam 1982; Morris 1986), New Left and students (Albert and Albert 1984; Breines 1989; Miller and Miller 1987), the poor (Piven and Cloward 1977; Gallie 1983), women (Banaszak 1996; Soule et al. 1999; McCammon et al. 2001), the LGBT population and AIDS activists (Bernstein 1997; Gamson 1989); opponents of nuclear energy (Jasper 2014; Joppke 1993; Kitschelt 1986), etc.

These biases are in part a reaction to pre-1960s treatment of sustained collective behavior as irrational, disorderly and non-normal conduct of disgruntled groups (Turner and Killian 1957; Smelser 2011). McAdam notes that American sociology in particular had hosted a “simmering hostility” between social movements and “collective behavior” as competing fields of study in the 1970s and 1980s (2008, pp.420-423). The collective behavior approach had overused its focus on abnormality and deviation in social action. “Departures from normative routines” were given overwhelming focus, as if they differentiate an “error term’ of social life” that is to be separated from normal, routine collective behavior. Thus social movements were relegated to “fads, crazes, panics, disasters, crowds” and other irrational social forms (ibid., p.420).

The disciplinary opposition, in turn, legitimized social movements by emphasizing “the normalcy of collective action [and] reclaiming the study of social movements” with a reappraisal of what is normal, rational and deviant (ibid. p.421-422). The subsequent focus on reformist and inclusionary movements allowed for approaching such phenomena as the “normal” and reasonable pursuit of understandable goals through noninstitutional means. Social movement theorists routinely marvel at the increasing nonviolence of movements over the centuries, pointing out their convergence with processes of democratization, economic prosperity/development, and other pleasant dynamics (Tilly and Wood 2009, p.123-144).

I would suggest that this has contributed to an overemphasis in the “other” direction, ignoring war-torn, mafia-ridden contexts. The strategies and mobilization processes of separatist movements under criminal control (or with significant criminal relations) are indeed abnormal in underappreciated ways. Organized crime can reconfigure the costs of political action through traditional channels. Indeed, it can redefine those channels – making them more or less institutional, lawful, popular or deadly. The paradigmatic SMO of a criminalized separatist movement is a para-military mafia. Its activities typically include intimidation, racketeering, extortion, blackmail, smuggling, kidnapping and murder – all driven by profit. As I show below, these activities – depending on the nature of criminal relations to the separatist movement – can truly make-or-break the cognitive liberation or “insurgent consciousness” of movement adherents pushing for secession.
To sum up, two particularities should be noted. First, organized crime poses a burden of illegitimacy and stigma on the separatist movement. The host state, in addition to considering separatism illegitimate per se, is predisposed to treat movement challengers as doubly illegitimate for being affiliated with organized crime. The traditional moral attitude towards nationalism was that it was legitimate “when it tends to unite, in a compact whole, scattered groups of population,” while separatism was “illegitimate when it tends to divide a state” (see Hobsbawm 1990, p.33). Adding organized criminal association makes this intuitive illegitimacy even worse. Thus insurgent consciousness has to overcome double stigmatization: one for the separatism, and another for the criminality. Both Serbia and Georgia put great emphasis on portraying separatist elites as mafias (with or without accompanying repression), thus repelling sympathy and support both domestically and internationally.

Second, dependence on criminal patronage networks – especially if bystanders have been relying on them for goods, services, employment, protection, etc. regardless of separatist activities – may empower adherents to mobilize bystanders more effectively. The threat or use of force implicit in such demands allows for insurgent consciousness to be coerced in ways that noncriminal mobilization cannot afford. It is more difficult for a Kosovar or South Ossetian to deny a request from a separatist leader who has been a clan-based drug lord in the area, than from an adherent who has no criminal patronage. Criminal clans, in other words, may be binding in ways that ordinary activist networks (see Clemens and Hughes 2002, p.209-212) are simply not. As I argue below, such mafia networks can be employed to promote as well as retard separatist ideology or ethnic consciousness – depending on the role of organized crime.

State-Centered Approach

20th century waves of decolonization, revolution and geopolitical turf war have been contextual catalysts for separatist proliferation. It is almost a truism that “secessionist nationalisms are often forged from failed projects of broader national integration” (Calhoun 1997, p.102), with the collapse of the Soviet Union being a paradigmatic example (Wimmer 2012, p.104-5). The difficulty is that such multi-ethnic state breakdown is equally conducive to unificationist, “macro-nationalistic” and “pan-movements” that seek to redraw and combine boundaries without separatism per se (Snyder 1982). Not to mention that reformist nationalist movements are as likely as separatist or unificationist ones. Some authors even distinguish between secession, when “internal incongruence” is boosted by state weakness, and irredentism, or “external incongruence” boosted by state strength (Miller 2013, p.81) – as if state strength is the only interesting dimension varying across such cases.

We are left with an unsatisfying platitude: that the collapse of big states produces a cacophony of movements from subordinate national groups (along with other, non-nationalistic claim-makers), and that “nationalism can be employed equally in the service of unification or secession” (Calhoun 1997, p.103). State collapse simply causes separatism, organized crime, and a welter of other disorderly things – and state consolidation and strength prevents them. The relations among the byproducts are mysterious.

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2 Breuilly (1994), with his political determinism vis-à-vis nationalism, is also a state-centered analyst in this regard. He focuses on the “relationship between the nationalist movement and the state which it either opposes or controls,” deducing a three-part classification: “separation,” “reform,” and “unification” (p.9). Between the early movements of “unification or separation,” “separatist movements are the more important and common of the two” (p.375). I agree, adding that the same is true of the constellation of movements after the Cold War.
As I argue, organized crime is a factor that helps us answer the question being begged in the dismissal of separatist and unificationist movements as two products of a common cause (state collapse). The key insight is that organized crime has a capacity akin to familiar state and movement capacities. It controls borders, territory, coercive instruments. It extracts resources, offers “rent protection” (Tilly 1985, p.175), and seeks to control markets. It enforces discipline through indoctrination and sanctions for disobedience – often through institutionalized, formalized hierarchies with strict rules of conduct. It may be true that most modern state capacities are such that a sufficient monopoly over these activities simply makes non-state agents’ capacities irrelevant. But countries torn by separatist movements are different. In such cases, state-separatist relations are never fully direct or independent of criminal interests, strategies and resources.

I should emphasize in particular one capacity element: border control. Separatist movements are distinct from anti-colonial and revolutionary movements because they do not merely seek independence for an already-bounded administrative unit. They seek redrawing of boundaries. This empowers organized crime threefold: (1) their dominance over smuggling across disputed borders can lead them to undermine state capacity or separatist progress, depending on whether contested borders are profitable to them or not; (2) the greater the state-separatist collision (especially violent), the more likely criminal circles are to engage in “brokerage” between them, adjudicating competing claims about migrations, customs posts, tariffs, traffic, jurisdictional lines for businesses, etc.; and (3) since separatist movements (unlike reformist ones) are deliberately excluded from legal, state-approved resources, cross-border demand is greater: illicit commodities ranging from bread and gas, to guns and drugs for separatist constituencies, all empower criminal traders.

The interdependence of warmaking and statemaking has led state-centered theorists to acknowledge the essential similarity in what states and gangsters do: “Banditry, piracy, gangland rivalry, policing and war making all belong on the same continuum” (Tilly 1985, p.170). It was the centralization of the state apparatus through inter-state rivalries that drew the “uncertain, elastic line between ‘legitimate’ and ‘illegitimate’ violence” on that continuum. As the administrative bureaucracies for extracting capital and for exerting force in war expanded and became “relatively unified and permanent,” so did the supposed legitimacy (p.173). But little attention has been paid to reversals of this process in separatist regions long after the emergence of the modern nation-state. Indeed, the forms of organized coercion that have received attention in mainstream sociology have been almost exclusively state-related or state-based, including policing/surveillance practices and even terrorism (see Malešević 2010, p.10). Separatist movements by definition promote decentralization, and often engage in warmaking and statemaking at the expense of host state coercive institutions. It is thus natural to expect that organized criminal activities develop an elective affinity with separatist movement activities.

An important, somewhat paradoxical feature of state-movement relations is state co-optation (Johnston 2011, p.95-96). States may incorporate certain activities of social movements by offering funding sources for movement organizations (as when the host state funds the separatist minority’s educational programs); by providing services to movement adherents in response to demands (as when minority refugees from separatist war are offered housing opportunities to return from the disputed province to the host state proper); or by including movement leaders in formal state institutions (as when parliamentary delegate spots are reserved for separatist representatives). Though co-optation may increase the visibility of the separatist movement and strengthen some of its activities in civil society, it simultaneously tends to create division among secessionists (between the moderate beneficiaries of the state’s concessions and the extreme adherents who feel marginalized, insisting that the national cause has been
betrayed). It can also promote host state stability. By “bargaining selectively with the minimum coalition that seems likely to produce tolerable demands,” while “offering minimal concessions, co-opting the challengers’ leaders, repressing the extremist groups, and promoting demobilization of the rest” (Tilly 2005, p.309-10), states have the unique capacity to set challengers’ agendas as well as their own. It should be noted that such activities need not be deliberate and agentic. Rather, the unintended effects of such co-optation can preserve state sovereignty.

Below, I note a variety of criminal co-optations of both state (through coup d’état) and separatist movement (through elimination of anti-state rivals). These represent the most conspicuous relations of organized crime with the host state that directly affect separatist outcomes. As will become clear, co-optation attempts by the host state are often inconsequential compared to those by organized crime.

Finally, the subfield has set helpful methodological precedents for case selection and regional comparisons that allow for isolation of relevant causal factors. This approach has been applied to revolutionary movements (for review, see Goldstone 2003), welfare policy-oriented movements (see Amenta 2003), and movements during broader democratization and modernization processes (see Mahoney 2003). In Goodwin’s study of revolutions (2001), cross-regional and intra-regional comparisons, accompanied by theoretically-driven selection of cases, showed that regional and geopolitical effects can be “controlled” for. A tradition of “contextualized comparisons” has been adopted (Locke and Thelen 1995; Ragin 1987) allowing for “specific sets of cases that exhibit sufficient similarity to be meaningfully compared to one another” without excessive causal generalization that loses sight of historical contingency (Mahoney and Ruschemeyer 2003, p.8-15). With proper acknowledgment of scope conditions and careful process-tracing, even small-N comparisons can suggest compelling causal explanations (albeit not universalistic ones), especially such that tie neglected factors (e.g. organized crime) to familiar ones (e.g. social movements). Below I adopt the two critical methodological components – contextual comparisons and process-tracing.

Defining Separatism

Host states will refer to UN member states – Serbia and Georgia – which contain separatist movements: social movements claiming increased independence from the centralized government for a sizable subsection of the population on a specified territory, or for the surrender of some of the centralized government’s sovereignty to a foreign state. These claims range from increased regional autonomy within the extant constitutional framework, to full secession and establishment of internationally-recognized new borders. The demands may be formulated as “independence,” “self-determination,” “autonomy,” “decentralization,” “partition,” “secession” or simply “liberation.” The substance of the claim-making depends on separatist capacity, patron state interests, host state strategy, experiences of regional peers – but the claims are understood as evolving demands of a single movement. Violence is intentionally excluded from the definition: a peaceful limited-autonomy movement is as separatist as a violent full-independence movement.

Irredentism as a Subcategory of Separatism

Stinchcombe distinguished between “historicist” and “constant cause” explanations (1987, p.101-4). This paper, like most comparative small-N studies, aims for the latter.
The clause in the definition referring to a foreign state is meant to include cases of “irredentism” (Calhoun 1997, p.97) or “irredentist nationalism” (Hechter 2000, p.15-17). Such separatist movements seek greater integration into neighboring nation-states, which may be receptive or hostile to the idea. Following Breuilly (1994), I treat the unificationist nationalisms of the neighboring patron states as “resources which help shape the character and achievements of the separatist” movement seeking patronage (p.12) – but the two are distinct. The nationalist unification movement in Albania is a partner of (but distinct from) the Kosovo separatist movement; analogously, the nationalist unification movement of Russians/Ossetians in Russia is a partner of (though distinct from) South Ossetian separatism. I refer to the unificationist neighboring states as “patrons” or “patron-states.”

Separatist Success

Though both are highly successful separatist movements in their regional contexts, Kosovo separatists are more successful than their Ossetian peers. South Ossetia could not function independently of Russian military, economic and diplomatic aid, while Kosovo’s capacity to do so without international administration is greater. I argue below that organized crime from 1989-2012 is a crucial reason for the difference.

Separatism vs. Irredentism

Separatist movements sometimes opt for irredentism, sometimes not. This is primarily an outcome of necessity, only secondarily of nationalist or ideological conviction. Separatist movements often lack the capacity to exist as independent entities, and thus cannot decline irredentist options even as they prefer to be independent of their patron. Other separatist movements do not pursue irredentism because they have the capacity to function without merger, even though their patron states are willing to integrate them.

In the ex-Yugoslav and ex-Soviet cases, there are no instances of a separatist movement that prefers irredentism when it has a realistic prospect of full independence. Accordingly, I treat a non-unificationist separatist movement as more “successful” than an irredentist one. As developed below, a crucial difference between Kosovo and South Ossetia by the end of the period under examination is that South Ossetia has not managed to mobilize for outright independence, leaving merger with Russia the sole credible option. Without integration into Russia, South Ossetia could hardly expect to achieve removal from the host state. Kosovo’s separatist movement is more successful because it has realized independence to a much greater

4 For purposes of regional comparison, three value-neutral levels of success may be defined. Highly successful separatist movements have secured territorial control through administrative institutions completely outside of the central government’s jurisdiction (though control of these institutions may be shared by international forces), have substantial international military support for their cause, and have de facto if not de jure independence for their ethnic constituency. Moderately successful separatists are successful insofar as they have formal control over an autonomous territory (province, republic, “oblast,” etc.) and nonmilitary international support for their cause. They do not, however, have complete control over the contested territory or a foreign power willing to intervene militarily on their behalf. Their autonomous institutions are at least partially under the host government’s administrative grasp. Weakly successful separatist movements are ones that mobilize substantial ethnic support for their cause and secure limited, symbolic legal protections for their constituencies or territory; but they lack financial, diplomatic or other nonmilitary support from abroad and have merely informal or restricted control of administrative institutions.
degree. In other words, Kosovo’s level of autonomy is such that the separatists need not rely on integration with Albania to escape the host state.

**Method: Process Tracing for Causal Mechanisms**

Social mechanisms involve “general chains of causation that may recur in a class of roughly similar circumstances” (Hedström and Swedberg 1998, p.128). Process tracing in comparative historical sociology is aimed at the identification of such mechanisms, linking explanatory variables (such as organized crime) with outcome variables (such as the level of separatist success). By “analyzing a case into a sequence (or several concatenating sequences) of events and showing how those events are plausibly linked given the interests and situations faced by groups,” process tracing gives us some reason to believe that two sets of phenomena are indeed causally related (Goldstone 2003, p.47). It does not pretend to be definitive or to fully address the problem of spuriousness. Rather, linkages in a causal chain – especially ones that connect sets of phenomena previously thought to be independent of the causal variable – increase the confidence with which we can draw more macro-level causal inferences (Ibid, p.48-50).

Concretely, the association of organized crime with separatist movement success can be established by plausibly linking events that signal changes in levels of separatist movement success (a failed host state reintegration campaign, a creation of a separatist militia, a burst of economic autonomy for separatist leadership) with events that organized crime seems to have caused (a coup d’état against host state, a sudden massive arms flow into separatist territory, a creation of a black market). Insofar as the interests and situations faced by the separatist movement, the host state, and organized crime itself are interpreted reasonably enough to be plausible, the sequence of events may constitute a causal mechanism that sheds new light on the causes of separatist success and failure.

One important qualification is in order. Causal mechanisms need not be mere connectors between variables. “Mechanisms are a delimited class of events that alter relations among specified sets of elements in identical or closely similar ways over a variety of situations” (McAdam, Tarrow and Tilly 2001, p.24). For the purposes of this paper, the “variables” that concern us are not collective agents (like organized crime and the host state) but, rather, sets of relations (namely, triadic forms). Below, I outline four sets of relations between organized crime and the host state on the one hand, and organized crime and the separatist movement on the other. The relations of organized crime with the state and the separatist movement somehow affect, I maintain, the level of success of the separatist movement.

Serbia and Georgia underwent different sequences of these relations – sharing two sets of organized crime relations and differing in another set – in different phase orderings. Such a relational approach reveals that the reason South Ossetian separatism has not been as successful as Kosovo’s is that South Ossetia underwent a process of changing relations that was less favorable to success than the process of changing relations that Kosovo underwent (see Figures 1-2).

Before analyzing the causal mechanisms that made one process more favorable than the other, I define the relevant triadic forms and outline the two divergent processes.

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5 On process-tracing and causal mechanisms in comparative historical research, see Mahoney (2003b, p.363-5). In the Conclusion, I return to the importance of sequence in particular regarding the results of this analysis: though process-tracing need not necessarily uncover causal sequencing or temporal ordering as the most important aspects of the historical process under examination, my analysis does. For classic works involving sequence analyses, see Moore (1966), Abbott and De Viney (1992), and the literature cited in Mahoney (2003a, p.146 n.10).
Triadic Forms

Given the profoundly interactive nature of separatist movements and organized crime, reciprocal effects or what Simmel called “interaction” (Wechselwirkung) is an indispensable unit of analysis. As “forms of social interaction,” Simmel’s triadic forms are the most convenient tool for differentiating, ordering and explaining state-separatist-criminal triads. Indeed, Hedström and Swedberg cite Simmel’s use of tertius gaudens in their foundational book as a classic example of a social mechanism (Hedström and Swedberg 1998, p.5). This classic triadic form has primarily been used in network analyses (Burt 2009), though its original relational formulation requires neither the individual nor the collectivity to be the unit of analysis. Simmel’s examples range from impish bachelors vis-à-vis a troubled married couple to power-hungry kingdoms vis-à-vis Anglo-Saxon and Norman nations. Furthermore, such an example recognizes that great asymmetries in power need not determine outcomes if the relational configuration is favorable to weak parts of the tie. “The power the tertius must expend,” for example,

…in order to attain his advantageous position does not have to be great in comparison to the power of each of the two parties, since the quantity of his power is determined exclusively by the strength that each of them has relative to the other (Wolff 1950, p.157).

Just as small parliamentary parties, otherwise weak and insignificant, sometimes acquire nationally-decisive voting leverage when dominant, larger political parties collide, so too can organized crime acquire enormous power when host state and separatist movement collide. Finally, triadic relations draw our attention to counterintuitive causes of relational change that are not immediately visible when comparing different agents like states, movements and mafias in isolation. Relations of patronage between separatist movements and organized crime may but may not overlap with relations of patronage between the host state and that organized crime.

Four kinds of roles in triadic forms will prove useful for our purposes:

- A bystander is part of the triad, but passively so – the advantages or disadvantages he receives come about as decisions or permissions of the other two in the process of instrumentalizing him, as when a driver is given a tip to catch up with another far-away car, or when a human shield is injured by warring parties.

- A mediator assuages the factors that produce tension between the remaining two, as when a child brings parents together. More specifically, a non-partisan mediator “either produces concord of two colliding parties” before leaving the triad entirely, or “functions as an arbiter who balances […] their contradictory claims against one another and eliminates what is incompatible,” as when mediators boost negotiations between labor and management.

- A tertius gaudens (the third who rejoices) benefits from disagreement between the two, but does not cause it. His “advantage” either “result[s] from the fact that the remaining two hold each other in check and he can make a gain that one of the two would otherwise deny him,” as when a financial broker plays parties against each; or “because action by one of the two parties brings [advantage] about for its own purposes – the tertius does not

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6 For a theoretical critique of the kind of pairing of causes and consequences that mechanisms assume, see Steinmetz (2005). This study’s comparative (two cases) and relational (state-separatist-criminal triads) dimensions alleviate many of those concerns.
need to take the initiative,” as when foreign investments in a region increase as neighboring regions’ rioters disrupt each others’ economies.

- **A divisor et imperator** (divider and ruler): pro-actively creates conflict between the remaining two in order to secure a dominant position or other gains, as when empires create borders to sever ethnic/religious unity of potentially rebellious populations (Wolff 1950, p.146-7; p.154-62; p.162-9).

Applying these, I define four roles of organized crime vis-à-vis the host state and the separatist movement as follows (all six features must be satisfied for each role):

**Figure 1: Triad of Host State, Separatist Movement and Organized Crime**

Organized crime as **Bystander** when:

- A1 = Separatist movement **relies on** organized crime to build capacity, not to confront state.
- A2 = Organized crime **promotes** separatism indirectly for its own ends, if possible.
- B1 = Separatist movement **fails to confront** host state.
- B2 = Host state **fails to confront** separatist movement.
- C1 = Host state **relies on** organized crime for its own ends, not to confront separatists.
- C2 = Organized crime **does not confront** host state.

Organized crime as **Non-Partisan Mediator** when:

- A1 = Separatist movement **relies on** organized crime as much as the host state does.
- A2 = Organized crime **does not support** separatist movement.
- B1 = Separatist movement is disincentivized or disabled from confronting fight host state.
- B2 = Host state is disincentivized or disabled from confronting separatist movement.
- C1 = Host state **relies on** organized crime for its own ends.
- C2 = Organized crime incorporates elements of host state for its own ends.

Organized crime as **divisor et imperator** when:

- A1 = Separatist movement **relies on** organized crime for survival.
- A2 = Organized crime co-opts separatist movement.
- B1 = Separatist movement is incentivized and empowered to confront host state.
- B2 = Host state confronts separatist movement.
- C1 = Host state confronts organized crime.
- C2 = Organized crime is incentivized and empowered to confront host state.
Organized crime as *tertius gaudens* when:

A1 = Separatist movement *promotes* organized crime indirectly, as unintended consequence of confronting the host state.
A2 = Organized crime *promotes* separatism for its own ends, exploiting its weakness/division.
B1 = Separatist movement *confronts* host state.
B2 = Host state *confronts* separatist movement.
C1 = Host state *does not confront* organized crime sufficiently, or not at all.
C2 = Organized crime *confronts* host state, exploiting its weakness/division.

Countless other configurations could exist, though almost none have been explored for the sequences that bring them about or for their consequences. Applying these definitions, the divergent processes by which organized crime changed roles in Serbia and Georgia can be summarized as follows:

**Figure 2. Serbian Phases**

<table>
<thead>
<tr>
<th>Phase 1.</th>
<th>Phase 2.</th>
<th>Phase 3.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organized Crime as</td>
<td>Organized Crime as</td>
<td>Organized Crime as</td>
</tr>
<tr>
<td><strong>Bystander</strong></td>
<td><strong>divisor et imperator</strong></td>
<td><strong>tertius gaudens</strong></td>
</tr>
</tbody>
</table>

**Table 1. Main Effects of Relations on Separatist Success in Serbia**

<table>
<thead>
<tr>
<th>Relation</th>
<th>Effect on Separatist Success</th>
<th>Relation</th>
<th>Effect on Separatist Success</th>
<th>Relation</th>
<th>Effect on Separatist Success</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regime-generated organized crime emerges.</td>
<td>+</td>
<td>Organized crime strives for autonomy from state; used against Kosovo.</td>
<td>+</td>
<td>Organized crime fails in coup d’état; limited state crackdown curbs it.</td>
<td>+</td>
</tr>
<tr>
<td>Kosovo parallel institutions born with marginal criminal elements.</td>
<td>+</td>
<td>Organized crime ascends to mainstream of separatist movement.</td>
<td>+</td>
<td>Organized crime develops “Mafia state.”</td>
<td>+</td>
</tr>
</tbody>
</table>
Opportunity for criminal co-optation of separatist movement opened.  
<table>
<thead>
<tr>
<th>Relation</th>
<th>Effect on Separatist Success</th>
<th>Relation</th>
<th>Effect on Separatist Success</th>
<th>Relation</th>
<th>Effect on Separatist Success</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organized crime wins civil war, pervades host state; limited state crackdown curbs it.</td>
<td>+</td>
<td>Organized crime partially outlives state crackdown.</td>
<td>-</td>
<td>Comprehensive crackdown on organized crime.</td>
<td>+</td>
</tr>
<tr>
<td>South Ossetian organized crime born, acquires quasi-state.</td>
<td>+</td>
<td>South Ossetian organized crime flourishes.</td>
<td>-</td>
<td>Organized crime re-ethnicized; the factor curbing separatism is removed.</td>
<td>+</td>
</tr>
<tr>
<td>Failed reintegration mobilizes separatists.</td>
<td>+</td>
<td>Georgian co-optation fails, as does separatists’ strategy.</td>
<td>-</td>
<td>Assault on Ergneti revitalizes separatism, leads to war.</td>
<td>+</td>
</tr>
</tbody>
</table>

**Note:** 
White = organized crime–host state relations (C1 + C2).  
Light gray = organized crime-separatist movement relations (A1 + A2).  
Dark gray = host state-separatist movement relations (B1 + B2).
I argue that these changes are a critical reason for the higher success of Kosovo’s separatist movement compared to South Ossetia’s more limited success. Below I demonstrate that the movement between phases is propelled by reconfigurations of the triadic form of host state, separatist movement and organized crime. In each reconfiguration, organized crime is a decisive factor in at least affecting, if not defining, state-separatist relations. It was therefore instrumental in promoting and/or hindering the success of the separatist movement in this period according to its capacity and perceived interests.

Sources and Process Events

Process tracing was done by synthesizing secondary academic and specialist sources. These included ten scholarly and historiographic works on Georgia-South Ossetia (Nilsson 2014; Jones 2013; Souleimanov 2013; George 2009; Diasamidze 2003) and on Serbia-Kosovo (Ramet 2005; Guskova 2001; Popov 2000; Vickers 1998; Woodward 1995), and seven specialist or law enforcement analyses of organized crime in the two cases (Novakovic 2013; Slade 2013; Benedeck et al. 2010; Shelley, Scott & Latta 2007; Stojarova 2007; Sörensen 2006; Hajdinjak 2002). The author also traveled extensively across the obscure separatist sites in 2013-4 and conducted ethnography, expert interviews, and filed for two Freedom of Information requests for original documents.7


These sources provided for a reasonably comprehensive overview of 1989-2012 in regards to how major host state formations (the Milosevic, Djindjic and Tadic regimes in Serbia; the Gamsakhurdia, Shevardnadze, and Saakashvili regimes in Georgia), major separatist movement organizations (Ibrahim Rugova’s “parallel institutions” followed by the Thaqi-led KLA in Kosovo; Kulumbegov-Chibirov-Kokoity Councils in South Ossetia), and major mafias (Zemun Clan, JSO and KLA in Serbia-Kosovo; Mkhedrioni, National Guard, the Tedeyev Clan in Georgia-South Ossetia) interrelated. Critical categories of events included (with selected examples):

(1) Smuggling episodes consequential to separatism:

- Arms flow into Kosovo from Albania (1997-8), propelling KLA into separatist leadership;

(2) Host state repression campaigns:
- Brutal, indiscriminate military crackdown on Kosovo (1997-9);
- Georgia moves towards military solutions to Ossetian province (2000-2), including 18-month US-backed training of four brigades to curb terrorism;

(3) Major war events:
- Systematic elimination of non-KLA Albanian rivals (1996-9);
- NATO-backed separatist triumph over Serbian host state (1999);
- First deaths in Georgian-Ossetian clash (1989) provide impetus for formation of local armed bands and village-based paramilitaries;
- First South Ossetia War marks failure of Georgian confrontation, freezes conflict (1991-2). Ossetian militias assume defensive and reactive posture without intra-Ossetian violence, setting groundwork for Ergneti;
- Second Ossetian War (2008) reverses Ergneti’s integrative effects.

(4) Anti-separatist host state mobilization:
- Milošević speech in Gazimestan (1989), following rescinding of autonomy;
- Mass protests and riots responding to Kosovo purge (2004), attacks on Muslims and siege of Belgrade Mosque;
- Anti-separatist rally in Serbia (2008), burning of American Embassy and instrumentalization of right-wing extremist groups and narcotraffickers;
- Gamsakhurdia’s “March on Tskhinvali” (1989), repeal of oblast status;
- Major gathering in South Ossetia (1991), rallying protesters via paramilitary channels;
- Saakashvili’s public relations campaign to persuade Ossetians to reintegrate (2004-7), including an autonomy model trumpeted at the UN, generous investements into Tbilisi-controlled areas of South Ossetia, and advertising campaigns with German disco groups.

(5) Separatist mobilization:
- KLA escalation against Serbian targets between 1996 and NATO intervention;
- Kosovo’s 2008 declaration of independence;
- South Ossetian militias and locally-organized civilian baricades arise in 1989, block Georgian protestors from entering separatist capital;
- South Ossetia declares itself republic in 1990, appeals to USSR to annex it;
- Ossetian referendum in 1992 records 92% support for joining Russia;
- Kokoity’s removal of Tedeyev Clan members who had brought him to power, and 2003 reinstatement of calls for integration with North Ossetia in Russia.
Separatist de-mobilization:
- Popularity and membership of Ibrahim Rugova’s Democratic Alliance of Kosovo wanes in the post-Dayton period;
- South Ossetian parliamentary declaration states province would remain in Georgia (1996) if autonomy was formally reinstated; Chibirov tempers demands;
- Kokoity’s reinstatement of maximalist demands (2003) rendered impossible by Ergneti Market, discrediting separatist movement as a whole.

Criminal co-optation:
- of Serbian government by Zemun Clan and JSO coup d’état in 2003;
- of Kosovo separatist leadership by KLA in 1999;
- of Georgian government after civil war (1991-3), followed by integration of Mkhedrioni and National Guard into dominant state structures (1993-5);
- of Georgian negotiators (1996-7), as Shevardnadze rejects Ossetian offers for fear of alienating criminal inner circle standing to lose from political settlement and proper borders/custom controls;
- of Ossetian negotiators (1996-7), as Chibirov administration and Tedeyev Clan keep conflict “frozen” to maintain profitable smuggling over disputed borders.

Applying the triadic model outlined above, I compare the two separatist trajectories.

Results

I divide the period into three phases for each case. They are not analogous or chronologically complementary across cases (e.g. Serbia’s Phase 1 is in some ways similar to Georgia’s Phase 3, in others completely different). Rather, the phases are separated by critical junctures that fundamentally transformed the role of organized crime in both the host state and the separatist movement. Furthermore, each new phase brought different organized crime effects on state-separatist relations. Though significant changes occur within each phase (and are noted), none are as drastic as the ones between phases.

Each phase is in turn examined in regards to two sets of relations: (1) the relation between the host state and organized crime; and (2) the relation between separatists and organized crime. A variety of important dynamics emerges, revealing different causal mechanisms by which organized crime can affect the successful progress of separatist struggle.

The first critical juncture in Serbia is 1996, when Serbian organized crime begins to expand and deviate from regime control, when the organized criminal fringe of the separatist movement first appears; and when Serbia turns its attention and repression to the separatist province after seven years of ignoring it. The second critical juncture is 2000, when the

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8 On critical junctures, see Mahoney (2000, 2004), Mahoney, Kimball and Koivu (2009), and Capoccia, Giovanni and Kelemen (2007). I use the term in a weaker sense, avoiding most of the “baggage” of a broader path dependency approach. These junctures simply mark historical developments in the trajectories of Serbia and Georgia that have considerably constrained most future possibilities – there is a “no turning back” quality to them. They also signify severances in the causal chains within phases, which are simply easier to trace than causal chains between phases. I do not imply any more sophisticated causal structures such as feedback loops, self-reinforcing/reactive sequences or the like (Katznelson 2003, p.290-2). The period under examination is too short, and the changes in relational configuration are so sudden and drastic, that any stronger sense of critical juncture would be foolish.
Bulldozer Revolution unseats Milošević with the support of criminal militias; when organized criminal networks reach their zenith; and when Kosovo’s *de facto* independence begins to grow under international supervision.

The *first critical juncture* in Georgia is 1995, when the state is consolidated after organized crime emerges victorious in the civil war; when separatist organized crime begins to emerge; and when state-separatist relations begin their “frozen” status supported by criminal interests on both sides. *The second critical juncture* is 2004, when the Rose Revolution brought Saakashvili’s anti-crime government to power; when a crackdown on the Ergneti market disrupted multi-ethnic criminal cooperation; and when the host state broke the “frozen” status by provoking a war with separatists.

On the whole, Serbia’s trajectory allowed for consistent separatist success across all phases. Georgia’s trajectory, however, was of the “rise and fall” variety for the separatists: initial separatist movement success was strongly interrupted in the middle phase, followed by a resurgence in the final phase. 2012 ends the rules of both Tadić and Saakashvili. It signals the beginning of new phases in both Serbia-Kosovo and Georgia-South Ossetia negotiations beyond this study’s scope.


In Phase 1, Organized crime played the role of bystander. Milošević’s host state generated and instrumentalized organized crime under pressure of war and sanctions; though growing enormously, these criminal networks remained dependent and hardly deviated from regime control – both largely ignored separatists. In Kosovo, criminal networks formed more gradually on the basis of separatist “parallel institutions” developing independently of Belgrade; this criminal activity was passive towards Serbia. Serbia largely ignored separatists and displayed its impotence in stopping separatist institutional drift; peaceful and moderate separatist leadership began to lose popular support to criminal elements.

The overall effect on separatist success was positive. First, Serbia failed to confront separatists – indirectly encouraging their mobilization, contention and capacity building. This was in large part an outcome of Serbia’s own criminalization. Second, Kosovo strengthened its capacity, though failing to confront the state. It was largely left to its own devices. Third, a foundation was set for organized criminal co-optation of the separatist movement – organized criminals were largely free to expand and develop autonomously.

**Milošević regime Generates Major Organized Criminal Networks**

Organized crime in Serbia had not emerged before the early 1990s, when the violent unraveling of Tito’s Yugoslavia began. After defeat in three wars, Serbia was put under crippling UN sanctions in 1992, bringing the war-drained economy to ruin. Hyperinflation was rampant: in the peak month of January 1994, the inflation rate reached a staggering 313 million percent (Sorensen 2003, p.62). The Milošević regime thus endured off the gray economy and instituted vast smuggling operations. Mihajl Kertes, Milošević’s close associate, was appointed Customs Director to oversee illegal flows. Initially, the principal smuggling operations were of oil, cigarettes and weapons; later, more profitably, of narcotics. Profits were spread across Russian, Chinese, Cypriot, Lebanese and Swiss accounts under names of Milošević’s family and associates. Precise estimates of regime plundering are imperfect, but they range in the hundreds of millions of dollars (Kaliterna 2005, p.32).
The benefit was twofold. First, the domestic population (including half-a-million refugees from war zones that flooded Serbia proper) was made dependent on the black market for survival and employment. Second, key political and quasi-military allies were rewarded and kept loyal. This period marked the beginning of a decades-long collaboration between State Security (Državna Bezbednost, or DB) and organized criminal enterprises (Anastasijevic 2010, p.154-8).

Within a few years, the Milošević regime spawned five major criminal groups, the Zemun Clan being the most influential. Its leading figure, Miroslav Ulemek, would become head of the most powerful quasi-state criminal network in Serbia’s postcommunist history. In 1991, Milošević formed the Special Operations Unit (JSO), a criminal paramilitary. Within three months, they began a decade-long series of political assassinations including assassination attempts at opposition leaders, state and police officials, journalists, and even former political allies of Milošević (notably, rival Ivan Stambolic). JSO’s routine activity, however, remained drug-smuggling, car theft and war-profiteering (Novakovic 2013). The Zemun Clan would gradually merge with the JSO to become two wings (state-sanctioned and unofficial) of the same criminal enterprise.  

Equally renowned was Zeljko Ražnatović, a notorious convict and later presidential candidate. Featured in Interpol’s most wanted lists throughout the 1970s and 1980s, he was on warrants for violent crimes in half-a-dozen European states. With regime nurturing, he would become Serbia’s richest man in the 1990s. His paramilitary Serbian Volunteer Guard was formed in 1990, consisting of football hooligans and ex-prisoners under his care. The militia fought in Croatia and Bosnia-Herzegovina (later in Kosovo as well) in the regime’s effort to maintain plausible deniability in its war efforts. Even as they earned a worldwide reputation for brutality, war crimes and looting habits, Ražnatović was immunized by a parliamentary seat in 1992. He continued to be a major influence on politics and business until he was assassinated in an unresolved incident (presumably an act of regime disciplining).

Reliance on organized crime gradually intensified, but for domestic purposes. With hundreds of violent foot-soldiers behind them, these figures became pillars of the regime through intimidation and beatings of opposition leaders. At major anti-regime demonstrations in Belgrade in March 1991 and several months in 1996-7, Zemun Clan members and Ražnatović loyalists were engaged as police provocateurs validating state repression. They served not only as bodyguards for the two major parties of Milošević and his wife, but as employers, providers, caretakers and enforcers of state justice in every major neighborhood in the capital.

Ražnatović and other criminals were also integrated into Belgrade football associations. Loyal convicts were appointed to head the clubs themselves or, more importantly, the fan organizations to train hooligans for political purposes. Fans were indoctrinated with nationalist fervor and recruited as regime voters, militia volunteers and local extortionists. Arms and drug deliveries often followed recruited hooligans to and from the various fronts.

Though publicly presented as national heroes defending Serbian rights, the criminal heads were recruited with little or no military experience, simply for their prison credentials (Nielsen 2012). Most fought on battlefields in Croatia and Bosnia in paramilitary groups; after returning to Serbia, they were tasked by the security apparatus in assassinations, kidnappings, robberies, racketeering, money laundering and blackmail. Some six-hundred murders of state

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9 Ulemek’s Zemun Clan would later assassinate the first post-Milošević prime minister (see Phase 3 below).
10 For an overview of the role of football in Serbia’s nationalist wars, including the deliberate recruiting of violent criminals in particular, see Čolovic (2000). On contemporary legacy of sports club- and hooligan-related organized crime, including its instrumentalization by the Serbian government, see three-part series by B92’s “Insajder” investigative journalists, Nemoč Države, broadcast in November/December 2009.
officials and mafia figures were executed in Serbia proper under Milošević. The state-wide murder rate almost tripled from Milošević’s ascent to power in 1989 to 1997 (Kaliterna 2005, p.33). Almost all of these murders are believed to have been committed by the government through “thugs-for-hire.”

Both the host state and organized crime, therefore, were tied by profit, reputation and security to Serbia itself. Rising from petty convicts to state-backed national heroes, the new criminal class remained largely under regime control. It deviated from state policy only partially and rarely. For the most part, the regime oversaw them and – not infrequently – murdered them when they disobeyed. Criminal clients executed orders directly or indirectly sanctioned by Milošević. Since the regime itself was preoccupied elsewhere and isolated by sanctions, neither they nor their criminal instruments confronted Kosovo separatism.

Kosovo Separatists Develop Parallel Institutions

In July 1990, Kosovo’s parliament issued a declaration of independence. A series of unilateral legislative acts transferred state-like capacities from Belgrade to Priština. In subsequent years, parliamentary, financial, educational and surveillance/intelligence capacities were developed outside Yugoslavia’s state apparatus. Renaming itself a Republic, Kosovo created its own police and military organs, hospitals, chambers of commerce, educational boards and municipalities. Not least of these was the organization of armed defense units throughout the province; these included defense committees, coordinated military staffs, armed units at every municipality, foreign instructors (primarily Albanian in this period), a surveillance/intelligence network of informants, and a police force. Though dormant in this phase, these formed the basis for future criminal hierarchies (Mijalkovski and Damjanov 2002, p.89).

Serbia’s treatment of the province unwittingly catalyzed the parallel institutions. Initially, Yugoslav aid to separatist institutions made them less reliant on organized crime. As Priština’s divergence began, Serbia’s investments in Kosovo continued to be disproportionately large compared to other regions (a legacy of Titoism). But they declined sharply in the first half of the 1990s. From 1990 to 1995 (at which time reliable data on Serbian aid to Kosovo disappears), the amount of aid was roughly halved. The bulk of it ended up in the hands of Kosovo separatists, who channeled them into the parallel institutions. Embezzlements of various sorts were developed until host state aid became negligible. One such scheme was defrauding the pension system through family ties and bribery. Fake pensioners would continue to withdraw host state funds for deceased friends and cousins. In one instance, a 112-year-old’s pension was discovered to have been withdrawn regularly every year by the deceased’s family, through an accomplice clerk (Ljepojevic 2006, p.34-6). Similar networks began to extract resources out of the industries around Kosovo’s meager natural resources, notably at the Trepca Mines.

Organized criminal profit began to compensate for the decline in host state aid. Neighboring Albania, itself criminalized beyond comparison in Europe, became a major source of illicit funding for the newly-formed separatist administration. Albanian mafia smuggling operations, partially state-sanctioned, sponsored the budding quasi-state structures. Most trafficked commodities were not illicit in this phase, though the arms and drug trades were substantial. The latter two were unusual because they concentrated on arming marginal separatist militants, not on profit-making itself (Mijalkovski and Damjanov 2002, p.90-1).

The emerging organized crime associated with Kosovo’s parallel institutions was mostly nonviolent and aimed at capacity-building, not separatist confrontation. It paved the way for escalation by creating patronage networks, channels of distribution for goods, and money laundering sites. There were at least ten known clans (fis), for which kinship loyalty was
exceptional (far stronger than ethnic loyalty), and which nurtured a tradition of blood feuds (Kaltcheva 2009; Djurić 1998). These networks began experimenting with illicit trading and coercion-backed brokering of criminal deals at the municipal level. The permeability of Albania’s border allowed for unprecedented movements of people in the early 1990s. A training period ensued as Kosovo residents easily connected to their militant co-ethnics in Albania, often traveling elsewhere with their help. Some 250,000 fighting-able Albanians scattered throughout Western Europe as political exiles. Thousands of them attained military experience fighting in Slovenian, Croatian and Bosnian military formations. Just as in Serbia proper, fortunes were made from war profiteering, creating a class of criminal entrepreneurs with nationalist credentials.

In 1990, the first armed group designated by Belgrade as “terrorist” was discovered. Its size and strength was negligible. Between 1991 and 1997, 377 attacks were recorded. Targeting Serbian policemen and state officials, the perpetrators were undertrained, moderately-armed bands without apparent coordination or clear hierarchy. Two armed formations existed in the early 1990s: the (poorly) Armed Forces of the Republic of Kosovo founded by exiled nationalist Buyara Bukosya, and the Kosovo Liberation Army (KLA), led by drug smugglers and arms traffickers. Both were organizationally modest in this period. Even Serbian military propagandists conceded that Kosovo separatist violence in this phase “did not represent a serious danger to the security of vital interests of the [then] Yugoslavia” (Mijalkovski and Damjanov 2002, p.75-6; p.61). Most criminal activity was channeled primarily to criminal profit, secondarily to funding and developing Kosovo institutions – not armed struggle.

Notwithstanding the growth of separatist institutional capacity, serious confrontation with Serbia was impossible without international partners. Kosovo remained utterly isolated in international affairs, like Serbia as a whole. International support was not only nonexistent, but the sanctions on Yugoslavia revealed “the West’s contradictory indifference towards ethnic Albanian Muslims in Kosovo – who […] suffered more under the same sanctions” (Brock 2005, p.273). This isolation would ultimately contribute (1) to the popular frustration that enabled organized crime to ascend to the separatist mainstream, and (2) to the reorientation of the separatist movement to internationalize the conflict, a task that the Albanian mafia was best suited for.


In Phase 2, organized crime assumed the role of *divisor et imperator*. The Bulldozer Revolution is critically assisted by Milošević’s criminal apparatus; organized crime is more autonomous of the state than ever. In Kosovo, organized crime ascends to the mainstream of the separatist movement when the KLA eliminates rivals, solidifies its leadership by force and confronts the host state violently. When Serbian repression mobilizes Albanians around the KLA, NATO is provoked into war on behalf of the separatists.

The overall effect of organized crime’s role was again positive on separatist success – even more so than in Phase 1. First, the Serbian use of criminal militias against separatists worsened the backlash against repression. Serbian organized crime was no longer merely ignoring Kosovo, it was proactively molesting it. Second, the Kosovo separatist movement gained unprecedented credibility and capacity through criminal empowerment – this eventually secured NATO support, an accomplishment that had eluded noncriminal separatists. Third, the KLA co-opted the separatist movement and triumphed over the host state.

**Organized Crime Spreads Its Wings vis-à-vis the State**
What Milošević had created during the Yugoslav wars was “effectively the largest criminal organization in the Balkans” (Anastasijevic 2010, p.154). The chain of command was: Milošević to Chief of Security Command (Jovica Stanisic before 1998, Rade Markovic after), via a mediator from the JSO (Franko Simatovic) to its head, Ulemek. Thus the Zemun Clan/JSO – with monopoly positions on virtually all profitable smuggling markets – was between Serbia’s first- and second-in-command. The “tribute income from cross-border trade stayed within this command structure, under the control of the president, without ever being recorded or transferred to the Federal Government” (Sorensen 2006, p.328). It is thus more appropriate to speak of private ownership of an entire import/export economy than of a trading nation-state.

The postwar transition from killing enemies of the Serbian people far away to killing co-nationals and associates “at home” reconfigured criminal hierarchies. It was only a matter of time before organized crime began to significantly deviate from regime control. By 1996, the Zemun Clan and JSO effectively served as loyal private armies protecting vast criminal enterprises. Two important developments contributed to their increased autonomy and – ultimately – to their survival after the Milošević regime.

First, the lifting of international sanctions following the Dayton Accords in 1995 suddenly opened one of the most isolated countries in the world to international markets. The peace period (1995-9) provided the opportunity to refocus on profitable crime within Serbia proper and Kosovo. Appetites grew. The criminal class was far wealthier than before the wars. Even low-level militia fighters became enriched as so-called “weekend volunteers,” who briefly traveled to battle fronts to pillage before immediately returning to a patriotic hero’s welcome. Their war profits were readily transferred into business ventures in Belgrade. They could even finance activities without state support (Grubac 2009, p.703). High-level crime figures like Ražnatović strengthened their private criminal firms, including his football club. No longer serving as a para-military training ground, it became a center for money-laundering, racketeering and sports fraud (including embezzlement through trading of players and personal threats of beatings by Ražnatović to anyone who scores against his team). Ražnatović also seems to have mobilized great numbers of hooligans to selectively produce disruption on demand from various clients – essentially selling riots (Stewart 2008; Novakovic 2013).

Second, there were schisms within organized criminal circles in 1996 and 1997. Disputes between Milošević supporters, “possibly on the division of the assets from areas in Croatia and Bosnia,” solidified into factions in Belgrade as well as Montenegro, Yugoslavia’s only access to sea smuggling routes (Sorensen 2006, p.328). The Montenegrin regime, in particular, had been instrumental in cigarette and oil smuggling with several kinship connections to the major Belgrade clans. These newly-emerging rifts disrupted the hierarchy leading up to Milošević. A maneuvering space opened for alternative political alliances, greater deviation from the state center, and increased competition. Rouge elements of the Milošević apparatus were killed in the dozens in unresolved Belgrade murders – including Police Chiefs, Ministers and military officers. Ražnatović’s unresolved assassination in 2000 removed a major criminal figure from the scene. The Zemun Clan killed at least three rival narco-traffickers in 1999.

After eleven years of authoritarian rule, Milošević was to be replaced with pro-Western reformists. The Zemun Clan could not risk their hostility. As the October 5th, 2000 Bulldozer Revolution brought the opposition into the streets, demonstrators paralyzed Belgrade and besieging the parliament. The JSO sought out negotiations with Zoran Djindjic and other soon-to-be statesmen. They promised their loyalty to the new authorities and a commitment to maintaining law and order. Though anticorruption was by no means in the fore of the
opposition’s platform, smaller criminal clans also preemptively agreed to lend their support to the protest.

Organized crime was thus directly indispensable to Milošević’s removal. Had the JSO obeyed regime orders (as when Milošević turned tanks on Belgrade protestors in 1991), it is questionable whether the Bulldozer Revolution would have succeeded – at the very least, it could not have been bloodless. Organized crime had declared its independence from a bygone regime with minimal concessions to the new authorities. The Zemun Clan would continue to thrive until their panicked coup attempt backfired three years later.

**Triumph of the KLA over Separatist Rivals**

As in the host state, organized crime in the separatist region attained a dominant position. In February 1996, a then-obscure militant wing of the separatist movement – the Kosovo Liberation Army (KLA) issued a widely-ignored statement to the press. This marginal group, consisting of mercenaries, convicted exiles, sex entrepreneurs and admirers of Enver Hoxha (Albania’s late Stalinist ruler) would quickly lead the separatist struggle to record victories. From the militant fringe of the movement, it became its most successful mainstream representative with vast international support.

Led by some of Europe’s most wanted fugitives, The KLA was by far the most criminalized sector of the then-diverse separatist movement (Public Safety Bureau 1999, p.25-7). It was also the most militant. It not only boycotted the 1998 elections that brought Rugova to power; it condemned him to death for negotiating with the host state, compelling him to flee the region repeatedly. Their disagreement with him was not only tactical – he explicitly condemned their criminality and took steps to curb their influence. KLA head Hashim Thaqi (nicknamed “The Snake” in the drug traffic) perceived Rugova as a personal threat more than as a traitor.

The key breakthrough in criminal co-optation of the separatist movement was 1997’s anarchic breakdown of the Republic of Albania. More than 750,000 weapons were stolen and taken to Kosovo, most of them ended up in KLA hands within weeks through Thaqi coordination. Dozens of Albanian criminal figures in exile returned to fight as well as to expand their criminal enterprise. Prominently, Ramush Haradinaj (who fled in 1990 to avoid conviction) returned to Kosovo to assume a leading role in the KLA; he “was particularly active in cigarette and oil smuggling, as well as extortion rackets” (Pean 2013, p.194).

Practically overnight, the KLA was able to become a fully-fledged fighting force without an international patron (as Russia was for South Ossetia). They initiated attacks on postmen, policemen, government officials and civilians, eliciting a brutal crackdown by Serbian forces. The recruitment rate skyrocketed. There were 20,000 armed members of the KLA stationed in training camps in Albania in 1998-1999 across nine camps. Violent crime soon overtook daily life in Kosovo, seizing credibility from Kosovo’s parallel institutions. Immediately after the arms flow from Albania, the first gruesome acts followed. In Klecka, rapes and mutilations were documented at a crematorium also used as an internment camp (Public Safety Bureau 1999, p.26; p.4). The objective was not merely ethnic polarization, but to establish a militant profile in clear contrast to Rugova’s pacifism.

Indeed, ethnic violence was – contrary to both Serbian and Albanian narratives – not an apparent primary motivation in pre-NATO fighting. The KLA concentrated on its Albanian rivals and on establishing a reputation of fear to enforce obedience within the ethnic community. A Council of Europe investigation found that “the KLA fought just as hard, and devoted arguably more of its resources and political capital, to maintain its advantage over its ethnic Albanian rival factions as it did to carry out co-ordinated military actions against the Serbs”
(Marty 2010, p.13). One estimate found that between 1996-8, more than half of KLA victims were ethnic Albanians accused of “collaboration” (Chossudovsky 1999). Precise data confirmed that in peak-violence year 1998, 45% of civilians killed by the KLA (77 out of 173) were ethnic Albanians opposed to violent tactics or KLA leadership. In addition, 72 Albanians were beaten or otherwise severely injured for standing in the way of KLA dominance. These included at least three prominent “demonstration cases,” when weak targets were made examples of: a woman and her twelve-year-old daughter were murdered and placed on the side of a busy road for publicly condemning KLA tactics; a man was assaulted and his wife raped in front of him because his father allegedly voted for Milošević; a household accused of harboring Serb-loyalists was besieged overnight, injuring two pregnant women (Public Safety Bureau 1999, p.8).

There was even criminal rivalry within KLA ranks. By May 2000, as many as 23 commanders of the narco-militia were killed by colleagues at the presumed order of Thaqi. 87 Albanians were kidnapped, including dozens given ultimatums about opposing factions before being released (Ibid, p.19). Ali Uka, a journalist generally supportive of the KLA, was murdered for expressing a mildly critical opinion. Akmet Krasniqui, the head of the rival Armed Forced of Kosovo, was assassinated. By the end of 1997, the KLA was the undisputed political, military and cultural center of the separatist movement. By mid-summer 1998, it controlled 40% of Kosovo territory. Smuggling across the Albanian border was never done more openly than between late 1997 and March 1999.

**Phase 3 in Serbia: Djindjic, His Successors and Kosovo Independence (2000-12)**

In Phase 3, organized crime played the role of *tertius gaudens*. Organized crime stages a failed coup d’état and assassinates the Prime Minister, exploiting host state weakness and its confrontation with Kosovo. Serbia’s crackdown on organized crime is limited, anti-corruption reforms are retarded and later reversed. In Kosovo, organized crime acquires a “Mafia state,” diversifies, expands internationally and ethnically homogenizes Kosovo in the face of host state incapacity. Separatists acquire *de facto* independence, gain international recognition and disregard the host state; Serbia engages in symbolic, futile measures in confronting Kosovo. Organized crime on each side (non-overlapping) survives and thrives on Serbia-Kosovo disputes.

In sum, the final phase was likewise highly conducive to separatist movement success. First, Serbia’s confrontation with separatists is crippled by an organized criminal assault on the host state. Second, Kosovo’s organized crime expands and solidifies independence for the separatist movement. Third, Kosovo acquires sufficient capacity to simply disregard the host state and to pursue state-formation within the bounds of the international presence – its organized criminal base is entirely independent of organized crime in Serbia.

**Limited Crackdown after Failed Coup**

With the fall of Milošević, Serbian organized crime began to spread its wings. When the democratic opposition besieged the capital in September 2000, reformist leaders negotiated with criminal factions to ensure the regime’s downfall. The Žemun Clan and JSO, as well as other para-military cliques, were prepared to violently crush the uprising at the orders of the beleagued state security apparatus. Their leverage in the host state made them an unavoidable negotiating partner for the incoming pro-Western reformers. The compromise that was reached

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ensured that the Buldozer Revolution was a bloodless one. But it also allowed criminalized elements of the former regime to emerge virtually unscathed (Sekelj 2001).

In 2002, the State Security agency was disbanded and replaced with a body (BIA) accountable exclusively to the government, not the Ministry of Internal Affairs that had hiterto controlled its death squads. Though BIA’s central task was to curb organized crime, after initial enthusiasm, its results were modest. The pillars of the outgoing regime – including Zemun Clan representatives – merely switched positions from the previous institutional arrangement into a new one. When a campaign against organized crime was attempted, and especially when the extraditions of Serbian leaders to the Hague Tribunal began, it met fierce resistance. Key cabinet ministers unanimously deny that they even had any meaningful control over the unreformed, criminalized state security agencies. In late 2001, JSO blocked Belgrade’s main highway in fully-armed war gear and blackmailed the reformist Prime Minister, demanding his resignation along with the Minister of Defense’s. This armed insurrection by the country’s most powerful criminal militia was a precursor.

Among other points of contention, fears of persecution for Kosovo war crimes were at the center of JSO and others’ resistance to reform. Government strategy against Kosovo combined sovereignty demands with promises that those who terrorized Albanian civilians will be brought to justice. This included international assurances of extradition in order to legitimize domestic court cases in the future, when Serbian judicial reform was to be completed. This maneuver was primarily aimed at Kosovo, not at organized crime itself: to remove post-war issues from Western courts thought to be partial to the separatists. Indirectly threatened, organized crime thus exploited this host state-separatist confrontation by severing it.

When the government took further steps, including the passage of witness protection legislation, and the preparation of a special court targeting organized crime in particular, the JSO and Zemun Clan felt existentially threatened. With more than fifty assassinations, a dozen known kidnappings, and links to Colombian narco-cartels on their record, they felt confident enough to plan a coup d’etat. Three separate assassination attempts were made on Prime Minister Zoran Djindjic, each revealing the state’s feeble response (Kalitera 2005, p.37). On one occasion, the perpetrator of a failed highway assassination in full view of the Prime Minister’s state security was released the same afternoon by local police.

In March 2003, the Zemun Clan succeeded in assassinating Djindjic, possibly with the complicity of retired military officials. The single greatest Serbian crackdown on organized crime ensued, never to be repeated or outdone. A months-long police action in a nation-wide state of emergency detained 12,000 people. Most of the Clan was arrested or killed. Sixteen hitherto-unresolved murders and eight kidnappings involving tens of millions of Euros were resolved; 200 cases of drug-smuggling and thousands of other crimes were uncovered.

Arguably the most important result was the stigmatization of para-state militias as criminal. 73% of the Serbian population supported the crackdown (Gordy 2004, p.10-7). For a decade, criminal bosses were celebrities – mythical “Robin Hood” idols. The brutality of the Clan’s highest-ranking members was publicly revealed over the coming years for the first time. The Spanish police discovered a 2006 murder of one of their own members feared to want to testify. After torturing him, they minced his body through a meat grinder and ate him.12 Reports of audio-recorded jokes about the cannibalism were publicized, dispelling popular perceptions of the JSO as mere soldiers and national heroes. The idea of Kosovo’s independence gained

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popularity internationally and even domestically in Serbia proper, as those who fought separatism were exposed as gangsters.

Following the crackdown, however, the status quo was largely restored without the JSO. High-level political figures, policemen and BIA elements were involved in the Zemun Clan’s drug traffic and political assasinations. Some of them assumed key positions in the state apparatus under Koštunica (2004-2008). Though Boris Tadić (2008-2012) oversaw minor improvements in border-control and legislation allowing state seizure of organized criminal property in 2009, the unreformed security apparatus largely escaped unscathed. In particular, “the police remain[ed] largely unreformed, suffering from overcentralization and lack of external control,” as did BIA as a replica of DB (Anastasijevic 2010, p.155).

Serbian capacity and credibility in dealing with the Kosovo dispute was thus chronically compromised. Although a single, all-powerful criminal clan was no longer functioning, remnants of the Zemun Clan and their competitors – numbering at least four, divided by major Belgrade neighborhoods – continued to maintain close ties to government. Major organized crime groups remained an integral part of Serbian politics, though less centralized.

**Kosovo Becomes de facto State, Criminal Hub of Europe**

After the formal disbanding of the KLA, its commanders used Kosovo government positions for narco-trafic expansion. Prime Ministers – Thaqi, Agim Cheku and Haradinaj – were Interpol-wanted criminals at the top of a world-class drug-smuggling hierarchy. With the resurgence of the Balkan Route, Italian, Chechen and Middle Eastern drug cartels found partners in the Kosovo authorities. Though Kosovo’s share in the arms trade waned, the drugs traffic skyrocketed. With revitalized ethnic ties to Albanians in Serbia and Macedonia, Kosovo Albanian drug smugglers came to account for 70% of total drug transport into Europe from the east. Major smuggling routes now utilized air transportation for the first time. Priština Airport became a hub of massive criminal transfers, the subject of seventeen UNMIK reports between 2004-7 (Ljepojevic 2006, p.98). At least one accomplice in traffic at the airport was killed. The use of air transport made illicit traffic more voluminous, while risk and cost decreased tremendously.

With the drug domain growing, other smuggling operations also expanded to include a wider range of commodities. One was an elaborate human organ-trafficking ring run by Thaqi’s Drenica Group (Marty 2010). As unemployment ranged between 40-70%, hundreds of millions were embezzled from government funds or laundered through nepotistic privatization schemes. In a much-quoted report from the post-war period, a journalist observed the

…installation in Kosovo of a paramilitary regime with links to organized crime. Indeed, Kosovo may become the world’s first Mafia state. […] Much of the KLA is criminalised, with war criminals, common murderers and drug traders forming an “interim administration” (Pilger 2000).

The NATO-led Peacekeeping Force (KFOR) and its European successor, the European Union External Action in Kosovo (EULEX), were unsuccessful in curbing the “Mafia state.” Some international officials were complicit in corruption (Ljepojevic 2006, p.95), but most were

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13 All the UNMIK reports have become public and are available at Wikileaks.org under “UNMIK Reports into Corruption at Priština Airport.”
simply impotent compared to KLA factions. Indigenous law-enforcement institutions were either nonexistent or rudimentary in the 2000s. Consequently, the international administration largely avoided anti-crime tasks, especially before 2009. Chief Soren Jessen Peterson stated publicly that addressing corruption and organized crime is not part of the organization’s mandate (the UN would later accuse Peterson himself of corruption in 2006). The persisting clan structure of the organized criminal patronage networks dominated the territory. Police faced pervasive fear of retribution from KLA remnants above the law, with their former commanders in the highest offices still running clan branches (Marty 2010). Apparent instances of drug and other crime-related murders to protect criminal secrecy numbered in the hundreds between 2004-2012.14

Finally, the KLA’s postwar criminal activities expanded beyond the separatist region, before retracting in the late 2000s. Police reports from various countries suggest that Kosovo Albanian crime rings expanded their influence in Switzerland, Italy, the UK and Macedonia (Anastasijevic 2010, p.159). Furthermore, efforts were made to spread ethnic violence to neighboring states. KLA-marked uniforms began appearing through the Preševo, Bujanovac and Medvedje Liberation Army, referring to three southern Serbian towns with substantial Albanian populations (Simovic and Karanovic 2004). Albanians in Macedonia were also provided arms and funding during an insurgency in 2001. For many, the war was not over and the Albanian minorities in neighboring states were encouraged to follow Kosovo’s example.

**Phase 1 in Georgia: Gamsakhurdia and Civil War (1989-95)**

In Phase 1, organized crime played the role of *tertius gaudens*. Organized crime effectively wins the Georgian civil war at its zenith. Once consolidated, the host state is pervaded by criminal networks. Shevardnadze’s crackdown is limited, crippled by separatist pressures. South Ossetian organized crime is born as a reaction to the First South Ossetia War. Initially rudimentary, it arises as mimicry of the Tbilisi organized crime scene; Ossetian elites gradually monopolize smuggling, but not unruly militias. Georgia’s failed reintegration mobilizes separatists, provokes Russian support, and unites the Ossetian separatists. Organized crime is largely reactive and defensive, as is the South Ossetian separatist movement.

The overall effect on separatist success is positive. First, Georgia’s civil war and its aftermath make South Ossetian separatism feasible by provoking mobilization for war and discrediting the host state. Second, the separatist movement acquires Russian patronage and organized criminal capacity – the latter in large measure as a reaction to Georgia’s aggressive criminal militias. Third, the South Ossetian population is united and mobilized behind the separatist leadership because the sheer criminal chaos of the host state leaves little alternative.

**Organized Crime Wins Civil War**

Dissident and writer Gamsakhurdia was Georgia’s first elected president.15 His brief, tumultuous rule (formally November 1990 to April 1991) was marked by civil war (1991-3)

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14 On ICTY-related “cover-up” murders, see Trotter (2012). See also UNMIK Police Annual Reports from the 2000s. On popular support for the KLA leadership compared to support for Rugova and his LDK in the immediate postwar period, see Hudson (2003, p.136).

15 It may even be argued that Gamsakhurdia’s rise to power was aided by organized crime, not merely his fall from it. Dissident Merav Kostava co-founded with Gamsakhurdia the youth organization “Gorgasliani” and was jailed by the Soviets for it. The prominent Georgian independence activist and human rights agitator was killed in an automobile accident in 1989 – an incident concluding weeks of death threats and at least one failed KGB attempt at his life. His death is widely regarded as a Soviet murder by the Georgian population at large. Perhaps the most
followed by a disorderly interval (1993-1995) before Shevardnadze consolidated his newly acquired position. The government’s capricious and aggressive attitude towards opponents quickly united civil society against it. The crucial element that ensured this opposition’s (costly) triumph was the involvement of organized criminal militias that nearly single-handedly unseated the unpopular president. The lawless years following the civil war were defined by in-fighting among two rival criminal gangs: the Mkhedrioni and the National Guard, both of which would become integrated into the early Shevardnadze administration.

The Mkhedrioni were the only credible armed opposition. Created in 1989 by criminal kingpin Dzaba Ioseliani, the group gradually established regional racketeering and smuggling networks. His militia “relied entirely on illegal sources of income,” especially gasoline supplies (Collier et al. 2005, p.272). They violently overtook the “protection market” from the traditional *thieves-in-law* that had monopolized it in Soviet times, thereby Mkhedrioni “deputies took stakes in many of the private businesses that got started in Georgia in 1993-4” (Slade 2013, p.126-7). By 1995, Ioseliani himself was known to have committed at least thirty serious criminal offenses, including bank robbery and murder. His Soviet-era criminal legacy attracted a loyal following among convicts, drug abusers and the Russian underworld.

The National Guard was headed by Tengiz Kitovani. Supposedly a pillar of state integrity, its financing, arming and recruiting was entirely based on organized crime. As the Guard was staffed by volunteers with their own weapons, its finances could be sustained by trading in the abundance of illicit arms. Secondarily, like the Mkhedrioni, it was sustained through “targeted taxation of various shadow businesses […] through a soft extortion racket” (Collier et al. 2005, p.271). The Guard’s rivalry with the Mkhedrioni was only partial because of the difference in illegal commodity interests (oil vs. arms), but soon disappeared when they united to protect both markets from legalization.

Having initially benefited from both militias, Gamsakhurdia sought to diffuse them at a time when the nonviolent opposition to his rule (ranging from liberals to communists) had unified (Souleimanov 2013, p.92). The gangs’ disarmament would have signaled their demise as profitable smugglers and racketeers. On the other hand, their firm control over large swaths of territory and their capacity to exert violence rivaled anything the state itself could boast of. Political and ideological camouflage served to conceal that their coup was of a “greed-driven nature,” “need[ed] to secure their monopoly on the extortion racket” (Collier et al. 2005, p.272).

Kitovani took matters into his own hands. Allied with Ioseliani, he ordered five hundred National Guardsmen into the streets of Tbilisi, occupying government buildings by force in a coup d’état. Thousands of Mkhedrioni effectively took control of much of the capital. In the coming years, they would combine street-fighting with theft, murder and racketeering aimed at consolidating their criminal turf – all with suitable patriotic rhetoric. Publicly they presented themselves as part of the democratic opposition through a coalition with Gamsakhurdia’s former Prime Minister, Tengiz Sigua. Like many intellectuals, journalists and Soviet-era dissidents, Sigua made an uneasy alliance with the militias in the absence of any alternative force for regime change. Internally to the militia hierarchies, however, criminal profiteering and territorial control were unambiguously the goals.

The criminals were also instrumental in securing foreign support to a degree that the civic, nonviolent opposition could not match. Towards the end of 1991 and beginning of 1992, Russia reinforced any gangsters it could to ensure Gamsakhurdia’s replacement with

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important outcome of the death was that Gamsakhurdia became “the only widely known person in public life credited with being a dissident” – a significant reason he ascended to power in Georgia. See Souleimanov (2013, p.91).
Shevardnadze. It provided military equipment (including tanks and heavy artillery) to Ioseliani and Kitovani (Souleimanov 2013, p.156). Russia even sent a modest number of soldiers to join opposition troops in street-fighting. Gamsakhurdia quickly fled the country, as it became apparent that he “could not fight for more than a week” (Collier et al. 2005, p.267).

As host state breakdown progressed, Ioseliani’s ties to regional mafias (including Soviet) proved firmer than any commitments to Georgia, let alone Russia. The host state collapsed, leaving the country in the hands of

...paramilitary clans-cum-mafias fighting for power, gun-toting brigands collecting their own ‘taxes’ on the roads, and merchants wishing only for more orderly and predictable racketeers (cf. George 2009, p.109).

Separatism in the Ossetian north was the least of Tbilisi’s worries, as the entire country was “divided into fiefdoms presided over by warlords and their private armies”; no-one, least of all the state, could control the “gangs and paramilitary thugs [who] roamed the streets and terrorised towns and villages” (Slade 2013, p127). The Mkhedrioni and National Guard set out, in effect, to centralize and discipline the criminal branches. They thus acquired the closest approximation to a monopoly of violence in Georgia.

Indeed, the chronology of the civil war suggests that pillaging and banditry was the criminals’ only coherent strategy in the early years, with state-capture coming only as an afterthought (Baev 2003). The course of civil war soon relegated ethnic/nationalist issues to secondary ones. Widespread in-fighting between renegade, criminalized sectors of the state apparatus (the coercive ones, no less — military, police and National Guard) overtook the pro- and anti-Gamsakhurdia camps. Fierce battles were conducted over precious buildings, roads and bridges of strategic importance for smuggling routes, weapons depots, and disused factories.

The dysfunctional central state was compelled not only to suspend Georgian-Ossetian enmities, but Georgian-Russian ones as well. Perhaps the most telling indicator of the power and national neutrality of organized crime during the civil war was when, in 1993, the Tbilisi chief of police asked Russian troops to help curb crime in the streets. Much of that crime was an unintended consequence of Russian aid to criminal cliques that were well-organized for systematic racketeering, but less efficient at maintaining public order.

In part by murdering their chief criminal rivals, the thieves-in-law (Slade 2013, p.126-7), Mkhedrioni and National Guardsmen eventually fortified their positions. They created political parties, ran for office, and assumed government positions. Their commanders were encouraged by mainstream elements of the Georgian state to participate in the 1992 elections. As they served in Parliament for the next three years, “Kitovani and Ioseliani did not weaken their links with the criminal world, as was hoped” (Jones 2013, p.97; p.90). On the contrary, the Mkhedrioni expanded their campaign of extortion and terror throughout the country, particularly Tbilisi and its suburbs. While the quasi-state gangs even began to attract “violent young men of good Tbilisi families” (Shelley, Scott and Latta 2007, p.53), most recruits continued to be veteran criminals driven by profit. Georgia’s dilapidated prison system replaced the education system as the genuine place for skills training, advancement and acquiring social honor.

Organized crime thus assumed a state mantle. By 1992, the Mkhedrioni and the now-overlapping National Guard “controlled the newly constituted Military Council, the black economy, and most of the regions” (Jones 2013, p.77). Their cigarette and arms smuggling operations were done with full cooperation from the Ministry of Internal Affairs, now absorbed into the militia hierarchy. The Georgian state apparatus was permeated by guerrilla partners at
the highest levels. Mkhedrioni commander Temuri Khachishvili, “a twice convicted criminal,” was even Minister of Internal Affairs for a brief period (Ibid, p.83). Ioseliani quickly managed to eliminate rival militias and consolidate his criminal turf. Now with unrivaled control over Georgia, Ioseliani became instrumental in summoning presidential successor Shevardnadze from Russia.

Limited Ossetian Organized Crime is Born in Wake of War

Though large-scale organized crime was almost non-existent before the late 1990s, the foundations for later criminal networks were set in this phase – particularly locally-based militias with connections to Russian smuggling routes. The province’s utter lack of resources in the 1990s was a mixed blessing. On the one hand, “South Ossetia was the first target of Gamsakhurdia’s program,” a major analysis concludes, “in part because it lacked resources” (George 2009, p.112). The region had boasted profitable mines for zinc and lead, factories for wood products, and beer/fruit juice plants. Modest to begin with, these quickly shut down in the civil war chaos anyway. Impoverished South Ossetia was mistakenly considered an easy target. The Ossetian organized crime that emerged was indeed modest and dependent on Russian peacekeepers as senior partners. The need to make smuggling profitable followed the need for creating militias, and not vice versa.

On the other hand, Georgian organized crime was not as motivated to place the region under its control. For its part, Kitovani’s “National Guard had little interest in protracted warfare in a province with no lootable resources” (Collier et al. 2005, p.268). Nilsson, in his analysis of Georgia’s conflicts, agrees: “key actors on the Georgian side simply lost interest in reasserting control over South Ossetia due to lack of lootable resources” (Nilsson 2014, p.107). In this sense, Russian-Ossetian smuggling ties were free to gradually develop without much interference or competition.

At the very earliest stage of separatist conflict, Boris Yeltsin and Gamsakhurdia signed the “Qaybegi Compromise,” which envisioned the disarmament of illegal groups in South Ossetia by a joint Russian-Georgian force (Jones 2013, p.64-5). As street-fighting and chaos crippled Tbilisi, this was never implemented. On the contrary, the civil war period instituted habits that plagued South Ossetia for two decades. Politicians, remnants of the Soviet apparatus, businessmen and wealthy private individuals all developed routines of hiring entire armed gangs for protection. Criminal rivalries became part of the political culture. Illicit profiteering by unaccountable armed bandits became inseparable from formal institutional exercises of bureaucratic coercion. Even Georgia’s forces in the First South Ossetian War (1991-1992) were largely uncoordinated bands - roughly six separate formations of 50 to 200 men each. At least one of them “was made up of common criminals” (International Crisis Group 2004, p.7), while all of them engaged in pillaging as much as fighting.

The birth of Ossetian organized crime followed as a reaction – and a mimicry. Unsettled by Gamsakhurdia’s anti-Ossetian gangs, a 2,500-strong National Guard was hastily formed within a year. In early 1990, they numbered only 300-400; within six months, 1,500 in addition to 3,500 volunteers. As in Georgia’s civil war, convicts and violent offenders were vastly overrepresented. They were of a far lesser caliber than Ioseliani and Kitovani. Volunteers included Ossetians from North Ossetia, as well as from Georgia proper to a lesser extent. Russian arms from garrisons in North Ossetia flowed to the fighters. Formally free, they were of course sold and resold by villagers and border officials.
Organized crime quickly exploited the market demand as well as the collective ethnic mood. Smuggling became a necessity because separatist sentiment skyrocketed in reaction to Georgia’s incursion:

…the idea of South Ossetia’s secession from Georgia prior to early 1991 [when war broke out], floated only by part of Georgia’s South Ossetian community, found support with the overwhelming majority of [the] Ossetian population. From this moment on, those South Ossetian politicians championing the conception for the “Ossetians’ organic bond” with Georgia came to lose support (Collier et al. 2005, p.271; cf. Souleimanov 2013, p.128).

With Georgia torn in its own civil war, with an economic blockade from Tbilisi, and with Russian troops entering the province as peacekeepers, South Ossetian leaders were left with no alternative to finance the newly-created militias. Lyudvig Chibirov, chairman of the separatist Parliament (1993-6) “maintained a good position to exploit illegal trade and smuggling” through family ties to the Tedeyev clan, “one of South Ossetia’s most powerful families” (Nilsson 2014, p.116). Chibirov’s son, furthermore, was deputy head of the republic’s KGB, making Russian collaboration easy to secure. The volume of illicit trade was so low that the Chibirovs and Tedeyevs monopolized it entirely for lack of any recognizable rivals.

Self-defense militias rose to the demand for protection of smugglers. With 80% unemployment, rampant poverty, and no “lootable resources” to speak of, the most desperate and violent inhabitants were the easiest to recruit. Furthermore, weaponry was readily available, Russian peacekeepers were willing collaborators (sometimes instigators) of unofficial cross-border trading, and – due to the war’s brevity – war making activities quickly became obsolete, freeing armed bands to work on the traffic.

Finally, smuggling routes were established as a byproduct of refugee flows northward. By March 1992, some 100,000 refugees had registered in North Ossetia’s capital Vladikavkaz – the true figure is surely greater (George 2009, p.111). Many had family in Russia, while those who did not established previously nonexistent ties. Russian producers and distributors of gas, oil and electricity – all of which were intermittently shut down to punish the separatist territory – met new business partners. Smuggling was most intense between the 1992 cease-fire and the 1994 creation of the Joint Control Commission (JCC, consisting of Russia, Georgia, and North and South Ossetia), which installed a trilateral Joint Peacekeeping Force (JPKF). The JPKF was less conducive to smuggling. Nevertheless, a harbinger of the all-important Ergneti Market was created.


In Phase 2, organized crime played the role of *divisor et imperator*. In this unique Phase, conditions were unfavorable for separatist success. The host state crushed organized crime that threatened its stability, but maintained profitable patronage networks that enabled the Ergneti Market to develop. South Ossetian organized crime flourished through Ergneti, steadily alleviating ethnic tensions and pacifying separatism. Georgian co-optation attempts and separatist maximalist positions both fail because criminal interests on both sides of the border preferred the status quo.

The overall effect on the success of the separatist movement in this unique phase was negative. First, since Georgia’s organized crime survived the post-civil war crackdown, it
became an accomplice in curbing separatism for its own criminal interests. Second, and most importantly, the Erneti Market grows in this phase. It pacified separatism and fostered multi-ethnic cooperation through massive, routinized and systemic smuggling. Third, separatist elites became unable to mobilize the Ossetian population, which increased their dependence on Russian support. Thus irredentism became the only feasible separatist demand, and weak at that.

Shevardnadze Curbs Organized Crime Partially, Co-opts the Rest

Shevardnadze’s administration took unprecedented steps against organized crime, but ambivalent ones. His primary goal was to consolidate power by reinstating law and order after a chaotic civil war. To that end, he “avoided overt confrontation […] when crime or corruption did not lead to instability” (George 2009, p.130). This practically meant that he exercised benign neglect over nonviolent corruption, but took significant steps in delegitimizing the criminal power centers around militias. The “unholy alliance of convenience” with “Ioseliani the ‘godfather’ who had sponsored Shevardnadze’s return to Tbilisi” was coming to an end (Slade 2013, p.213).

In 1995, Shevardnadze ordered the Mkhedrioni to be disarmed, blaming one of several failed assassination attempts on him in August of that year on Ioseliani. The militia leader apparently ordered renegade subordinates in the Security Service to help replace the president. Ioseliani was arrested and imprisoned, and the organization publicly stigmatized as criminal. Over 200 Mkhedrioni members were jailed (Jones 2013, p.104). Kitovani’s power was severed when he allegedly also plotted a separate coup against Shevardnadze. Having forced Kitovani’s resignation as Minister of Defense, Shevardnadze purged every national security-related position of Kitovani loyalists. The founder of the National Guard remained a low-level middle-man in Georgia’s “energy mafia,” relying on his ties to the Russian Minister of Defense (Trenin 1996). In 1996, Shevardnadze arrested Kitovani for organizing 700 lightly-armed men to protest developments in Abkhazia; his eight-year prison sentence was later cut in half for medical reasons with a presidential pardon.

Anything reminiscent of the violent skirmishes, overt racketeering and public coercion of the civil war days was dealt with swiftly. Shevardnadze’s crackdown, through the new Minister for Internal Affairs (arguably the first noncriminal one in Georgia’s independence period – “effective, but excessively cruel”) (Tchantouridze 2013, p.685), Shota Kviraia, spawned infighting within the criminal clans. Several top Mkhedrioni leaders were murdered. A wave of arrests was even made within the Security Service and other violence-related sectors.

These anti-crime efforts are often neglected because Shevardnadze’s rule became synonymous with organized crime after the Rose Revolution, and because of the far more aggressive crime-fighting policies of his successor. Nevertheless, they marked the first successful shift in post-Soviet Georgia from violent, private gangs to state institutions with at least formal oversight. The transition from the once-prevalent violent racketeering and extortion to silent, “invisible” racketeering and extortion via political favoritism, is a significant one.

Simultaneously, however, Shevardnadze co-opted criminal networks to preserve his own power and strengthen state capacity. Chronic intra-state divisions enabled criminal networks to increase their influence. In the late 1990s and early 2000s, “Ministries of Internal Affairs, Security and Defense became competing fiefdoms” (Jones 2013, p.164). Their heads sought to instrumentalize street gangs, prisoners, etc. to strengthen their independence from the state. Though never reaching prior standards in this domain, these “fiefdoms” often forced concessions from the president and his inner circle.
Shevardnadze also pro-actively created corrupt networks in private enterprise as well as
government bureaucracies. Over almost a decade, he surrounded himself with allies that drained
the economy through nepotism, kickbacks and plain theft. His inner circle and family extracted
vast wealth from Georgia’s railroad, energy, aviation, telecommunication and banking sectors
(Scott 2007, p.18-9). Ministers of Interior, Defense and Security all participated in smuggling
operations in contested territories under Shevardnadze, who was often compelled to ensure their
loyalty by “allowing state or public theft.” Internal conduct by ministry officials was beyond
external control. Most income sources were unregulated by legislation or presidential decree,
ensuring that “[t]hey cooperated with their Russian counterparts and criminal networks to control
drug flows and trafficking across Georgia’s borders” (Jones 2013, p.165; p.197). Finally,
Georgia became a money-laundering destination for entrepreneurs benefiting from the collapse
of the USSR, from every corner of it. A single bank from the Shevardnadze era was found to
have laundered $1 billion for transnational organized crime.

Ironically, Georgian reintegration into the world was another Shevardnadze policy that
contributed to the Rose Revolution and thus his resignation. Having consolidated the Georgian
state to resemble a single, recognizable government entity, Shevardnadze opened the society to
Western INGOs and markets. Georgia became the greatest per capita US aid recipient of all the
ex-Soviet territories. Except for the brief Gamsakhurdia period, every post-Soviet Georgian elite
would remain dependent on Western aid. It began membership with the IMF, the World Bank,
the OSCE and the Partnership for Peace as soon as its recovery from civil war allowed.
Shevardnadze pledged to bring Georgia into NATO, which the US was highly receptive to as the
furthest reach of eastward NATO expansion. These integrative processes brought new
obligations and expectations by foreign evaluators. Georgian organized crime was now a matter
under international scrutiny. Local civil society monitoring organizations gradually sprouted
with Western aid, insisting on transparency and accountability. Some 4,000 NGOs were
registered during this phase.

By the time of the Rose Revolution in November 2003, international and local campaigns
to expose the level of corruption brought public pressure to a boiling point. Though the
immediate occasion for the popular uprising was electoral fraud (as it was with Serbia’s
Bulldozer Revolution), the single most conspicuous demand of the movement was an end to
organized crime. Analysts have named it “Georgia’s anti-corruption revolution” (Shelley 2007,
p.5). After twenty days of protest, Georgians replaced the longest-standing regime in post-Soviet
national history. Saakashvili, promising fierce, systemic reform came to power peacefully with
no known negotiations with criminal power centers.

### Smuggling Becomes Multi-Ethnic Pillar of Separatist Economy and Politics

From June 1992 until the outbreak of the Second South Ossetia War in 2008, a mixed
contingent of peacekeepers remained deployed in the province. Though Russian-dominated, it
was at least formally committed to the pretense of multilateralism and impartiality. This allowed
South Ossetian smuggling to develop *somewhat* independently of Russian mafia operations. It
was not until 1995, after peacekeeping reconfigurations, that Russian criminal interests were
solidified in the region. By 2000, they became an essential element in sustaining separatist
leaders and their economy. Before then, South Ossetia was forced to sustain itself through an
informal economy that made separatist progress impossible.

The Ergneti Market was born in 1996, and would last until 2004 (see Chapter 3, and
below). The lack of oversight by Georgia after the first war thus boosted South Ossetia’s
economic capability, albeit illegal and ethnically inclusive. The duty-free northern border
quickly spawned massive smuggling of food and foodstuffs, oil, cigarettes, alcohol, stolen cars and (to a lesser extent) drugs and weapons. Georgian investment in South Ossetia was practically non-existent in the 1990s, including to Georgian villages. A Russian pipeline through North Ossetia (intended to bypass Chechnya) and the construction of the corollary Dzuarikau–Tskhinvali pipeline fastened South Ossetians to North Ossetians.

The naissance of this illegal economy in turn restricted separatist politics. Whereas statements of support for independence through dialogue with Georgia could be heard in the 1990s, the growing dependence on smuggling to and from Russia left only irredentist separatism as a viable demand by the early 2000s. Not a single Ossetian leader would ever again recommend negotiation with Georgia. This rejectionist position was buffered by the fact that illicit economic transactions between South Ossetia and Russia vastly exceeded formal and informal transactions with Georgia. By 2000, the region’s “ability to overcome trade blockades with smuggling and contraband traffic” created a network of entrepreneurs with a vested interest in the lack of a settlement: the “frozen conflict” status quo, with its disputed borders and jurisdictional confusion, became the core of organized criminal profit. Separatist leaders were well aware of the fact that their survival depended on Ergneti.

Thus “South Ossetia’s zero-sum independence position emerged” (George 2009, p.134), but was hardly sincere. The separatist movement could not but foster the multi-ethnic basis of Ergneti, which necessitated good relations with Russia (i.e. an irredentist stance) and Georgia (i.e. informal partnership through smuggling). Despite separatist rhetoric, the President of South Ossetia even publically supported Shevardnadze’s bid for the Georgian presidency in early 2000, a reflection of the true state of the separatist movement: utterly demobilized. The South Ossetian population as a whole was simply not inclined to jeopardize Ergneti and thus their livelihoods for separatist escalation – not at 70% unemployment among the youth.

Russian peacekeepers, Ossetian separatists and Georgian officials alike inadvertently perpetuated Ergneti through official agreements. In 1995, Georgia signed the Russian-Georgian Agreement on the Stationing of Military Bases, consenting to Russian military installations on its territory. Ossetian leaders essentially leased their land through a 49-year defense agreement with Russia. Georgia joined the CIS and even supported Russian intervention in Chechnya, further emboldening South Ossetia’s own collaboration with Russian peacekeepers. Though numerous contracts called for demilitarization, rebuilding of infrastructure, employment and the return of refugees, none of these were achieved. Ethnic relations were hostile, but at least frozen.

Organized criminal activity, on the other hand, took on a multiethnic, nonviolent character and achieved many of these broken promises. Both ethnic communities “voted with their feet” on a daily basis by doing business through Ergneti. Georgian car thieves initiated cooperation in stolen vehicle traffic through South Ossetia. Even when dangerous commodities such as drugs and weapons were involved, ethnic collaboration among Russian peacekeepers, Georgian policemen and South Ossetian politicians characterized the period. Shevardnadze’s own nephew was in charge of petroleum smuggling through South Ossetia on the host state side of the border (Nilsson 2014, p.111). Later (in the early 2000s), a deputy governor of a Georgian region – along with three members of the national parliament – controlled these flows on the Georgian end. Former separatist leader Chibirov’s son controlled the traffic on the Ossetian end. Violence never exceeded exceptional, minor scuffles – all over criminal turf or profit, none ethnically-charged. In 1999, the quadrilateral JCC concluded in a report that the “crimes and incidents taking place [in South Ossetia] did not have an ethnic character” (International Crisis Group 2004, p.10; p.23). They single out drug-dealing and car theft as the major forms of smuggling. Ergneti was by far the most prolific employer of all parties to the conflict.
The multi-ethnic atmosphere spread throughout the region by the turn of the decade, sometimes leading separatist authorities to forcefully remind their own constituency of the anti-Georgian cause. For instance, while Georgian aid to South Ossetia was nonexistent in the 1990s, in the 2000s it began but was largely restricted to Georgian villages in the province. More than any partiality on the smugglers’ part, this measure made the criminal networks operating in South Ossetia less ethnically neutral in public perception. It forced Ossetian villages to rely on organized crime while their Georgian neighbors had an alternative lifeline, however miniscule. South Ossetian police, in turn, demonstratively arrested several individuals for accepting Georgian aid (George 2009, p.179-80). Separatist authorities routinely misrepresented Ergneti transactions as Georgian conspiracies or downplayed their multi-ethnic character. Similar acts of desperation failed to stop the daily mingling of the growing open-air market, which grew from hundreds of daily attendees in 1997 to thousands in 2003.

Ergneti also catalyzed unprecedented migration. The separatist region is populated overwhelmingly by Russian passport holders. Indeed, not only have the majority of Ossetians in South Ossetia acquired Russian citizenship between the two wars, but the number of dual citizens (Georgian and Russian) is thought to be half the number of Russian-only citizenship holders who alternate between North and South Ossetia.16 A 2002 Russian citizenship law ensured that practically every family in South Ossetia had at least one Russian passport. Accordingly, “every South Ossetian family depends on Russian pensions, Russian aid, remittances, or smuggling” (Jones 2013, p.258). The last two of these made the Ergneti Market flexible and inclusive. Ethnic Georgians also had indirect access to Russian goods and business contacts.

Finally, Ergneti hampered separatist progress for the simple reason that armed force was diverted to profitable, nationally-neutral ventures. The militias that sprang up to resist Georgian ones reapplied their skills to market demands. Fully one-fifth of the population of Georgia and South Ossetia fled the country between 1991 and 2003 – over a million (mostly) educated, skilled and urban people. They left behind those without the connections and resources to travel, deepening poverty and hence reliance on black markets. Many emigrants paid extravagant figures to illegal travel liaisons, giving birth to trafficking cartels and revitalizing out-of-work militias as providers of secure transit. Since a sizable proportion went to Russia, South Ossetia’s militias found their place as bodyguards, travel agents, customs liaisons, escorts and private security advisors. Between 1999 and 2002, they also assisted movement from the nearby Pankisi Gorge bordering Chechnya, “a haven for Chechen rebels and transnational criminal networks” (Nilsson 2014, p.108). This is, however, a rare and marginal example of Ossetian criminals acting against Russian interests. The bulk of criminal activity was ethnically impartial.

Phase 3 in Georgia: Saakashvili, Second War and Stalemate (2003-12)

In Phase 3, organized crime played the role of bystander. Georgia comprehensively cracks down on organized crime at all levels, rekindling separatist hostility and eliminating crime-driven ethnic reconciliation. The closing of the Ergneti Market eliminates the central force suppressing separatism, as the separatist elite exploits popular support for smuggling. Organized criminal unity is ethnically re-divided. Tensions over the closing of Ergneti quickly escalate into war, rekindling separatism further. Having been deprived of organized criminal partners

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16 Personal interview with Marina Lyudvigovna Chibirova, South Ossetian Minister of Education, conducted by author in Tskhinvali, March 2014.
confronting the host state for so long, South Ossetian separatism fails to confront Georgia single-handedly or sustain autonomy without Russian dominance.

After the retarding effects of the nearly decade-long Ergneti Market, the separatist movement was again in conditions favorable to success in the final phase. First, Georgia not only failed to confront the separatists but revitalized them by assaulting Ergneti and waging war. Second, South Ossetian separatists regained popular support from their (previously demobilized) constituency, though they remained incapable of confronting the host state independently of Russia. Third, organized criminal activity ceased to promote reconciliation, returned to the status of mere instrument of the separatist movement.

Crackdown on Organized Crime

Appealing to popular resentment of organized crime, Saakashvili (2004-2012) implemented the most sustained and aggressive anti-corruption reforms in Georgian history. Indeed, they were “the first anti-corruption revolution in the Soviet Union” (Kukhianidze 2009, p.225). By strengthening border controls, removing power from regional politicians and non-institutional power centers, and firing corrupt policemen and other state officials, the new administration reformed Georgia proper. However, when he attempted to reintegrate Ossetians under the banner of curbing corruption, he destroyed the only remaining adhesive between the host state and the separatist territory. This culminated in war, which in turn worsened the organized criminal landscape in South Ossetia.

Saakashvili installed the first non-criminalized set of statesmen to the highest positions. These technocratic, pro-Western professionals purged the judiciary, the state financial apparatus, and – most importantly – the police force. Its most corrupt branch was, understandably, traffic police who were indispensable conduits for drug and arms trafficking in addition to petty bribery. Public sector reform targeted inefficient bureaucratic duplication, the lack of budgetary transparency, and suspicious personnel salaries (Machavariani 2007; World Bank 2012, p.91-9). Border patrols, human trafficking specialists, and organized crime investigators were trained and given fresh funding. Legislation allowing for confiscation of criminal property and easier arrests increased incarceration rates. Hundreds of thousands of dollars were added to the central budget. Reported cases of bribery nationally were halved by 2008 (Kukhianidze 2009, p.227).

A turning point came in March 2006, when a violent riot broke out in Ortachala Prison no. 5 in the capital. Prisons were notorious breeding grounds for criminal recruits, as well as known coordination centers for influential thieves in law. A chronic difficulty in crime-prevention was that incarceration often did little to remove power from imprisoned criminal bosses. Making an example of them, Saakashvili ordered special units into the prison, tranquillizing the riot and killing seven inmates. After-the-fact analyses discovered that the threat of the riot spreading and culminating in yet another coup attempt were exaggerated. In fact, Saakashvili’s reforms had already incapacitated any such possibility – and the criminal class knew it (Slade 2014, p.90). Though unrelated directly to the Ergneti Market, this sent shivers down the spines of its principal beneficiaries.

These policies left behind mere “elite corruption,” all of it non-violent and far-reduced. The organized criminal connections that used to pervade the highest echelons of the executive branch shifted to the Georgian parliament (Shelley 2007, p.7-9). This meant that criminal clans could not bribe or coerce their way to a given outcome as easily because decision-making in the legislative branch was itself so divided and slow. Perhaps most importantly, the political culture

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17 On “elite corruption” remaining, see Kukianidze (2009).
had transformed profoundly. Non-transparent conduct was now stigmatized and under state-encouraged NGO scrutiny. It was this new set of norms that (tragically) provided useful ideological cover for attempting to confront separatism. The attempt not only failed, but was directly counterproductive from the host state’s perspective.

Closing of Ergneti Market Reignites Separatism

The Ergneti Market – in full bloom by 2004 – seemingly did the impossible. It reversed South Ossetia’s economic turn northward, which had begun with the 1990s economic blockade to punish the separatist parliament for its independence declarations. Having been turned exclusively to Russia, the separatists were gradually turned “back” to the Georgian economy. Ergneti brought Ossetian, Russian and Georgian criminal enterprises together in profit, including individuals who directly fought each other on the battlefield.\(^{18}\) Finally, it sustained an entire quasi-state apparatus on a territory devoid of revenues, international support and even enough people. In sum, a major study of separatism in Georgia concluded that “corrupt ties can mitigate ethnic violence,” while “anticorruption movements such as the Rose Revolution in Georgia destabilized, rather than stabilized, the country’s ethnic political situation” (George 2009, p.7; p.11).

This destabilization ultimately led to war because the organized criminal stakes had become too high. South Ossetian politicians and businessmen had no realistic prospects of industrializing their region or discovering resources in it. Their one and only advantage was their geographic position as a bridge to Vladikavkaz, the capital of North Ossetia. While the separatist government’s annual budget was a shy $1 million, an OSCE official estimated the value of smuggled goods across its northern border at $60-$70 million (Jones 2013, p.258). Since “South Ossetia did not receive sustained support from Russia” before 2000, smuggling was a necessity for the survival of the separatist cause for more than a decade (Casperson 2012, p.59). Russian goods and capital were reserved for a handful of South Ossetian Russophiles, including former KGB officers and ethnic Russians serving in low-level administrative positions. Even at the height of pre-2008 Russian aid, smuggling accounted for more than half of the South Ossetian apparatus.

Thus, paradoxically, the separatist movement was compelled to fight over the closing of Ergneti, even though the organized criminal enterprise had greatly retarded their ability to mobilize separatist sentiment for years. They were simply too weak and unpopular to confront the state. Their only chance was to provoke Russian support. However, it would be misleading to treat South Ossetia as a mere instrument of Russian foreign policy. On the contrary, Russian customs officers and criminal distributors were integrated against Moscow’s will into a durable, multi-ethnic partnership with Georgian criminals and corrupt state officials. The Russian government was in favor of a political settlement (preferably merger), while Russia’s criminal circles colluded with South Ossetia’s to promote the status quo. Organized crime on all sides favored disputed borders to an international consensus on how to regulate them. “In South Ossetia,” King noted,

\[\text{...the illegal trade benefits all sides. The South Ossetian government receives money from resale and haphazardly applied “transit taxes,” while Georgian authorities, especially the interior ministry, are able to take a cut by exacting fines from truck drivers}\]

\(^{18}\) Personal interviews with veterans, conducted by author in Tskhinvali, March 2014.
Indeed, given the level of Georgian and Russian cooperation with South Ossetian smugglers, the cordiality was due to “the lack of a final settlement,” not in spite of it.

When Ergneti was forcefully closed, the Russian government rejoiced. Formal Russian policy and its preferred separatist, Kokoity, were arguably the greatest victors of the clampdown. The Kokoity regime in South Ossetia was extremely unpopular – a fact that Tbilisi misguidedly attempted to rely on. Its proposal to merge South Ossetia with its northern neighbor was a minority view among the South Ossetians prior to Georgia’s anti-corruption offensive. Informal South Ossetian estimates put Kokoity’s popularity at less than 20% while Georgian estimates put it at 2% before May 2004. Within two months of Tbilisi’s onslaught on Ergneti, his popularity soared to 96%. A previously reluctant population, 95% of South Ossetians now rejected Georgian sovereignty and a staggering 78% reported being prepared to “personally fight if need be” (International Crisis Group 2004, p.13). Russia freely provided low-level state employees to serve in the South Ossetian governing apparatus. After the 2008 war, they tripled South Ossetia’s budget within two years, relying on the people they have staffed. Roughly 3,000 regular troops remained in South Ossetia after the 2008 war, replacing a Georgian-Russian-Ossetian criminal network with a Russian-Ossetian one. Though kept alive, the separatist movement failed to confront the host state or even to achieve any increased autonomy.

Conclusions

I have argued that the trajectory of Kosovo’s separatist movement was one of continuous uninterrupted progress, while the trajectory of South Ossetia’s separatist movement was one of interrupted progress. The principal reason for this divergence was the different series of roles that organized crime has played in the two cases. Organized crime was central insofar as it retarded separatist success mid-trajectory in Georgia but was consistently promoting separatist success in Serbia.

The divergent processes reveal that organized crime can assume a variety of roles, supporting or impeding separatist success in underappreciated ways. To reiterate, the trajectory of Serbia/Kosovo has consisted of three phases that favored separatist success. Phase 2 in particular, when criminals acted as divisor et imperator, affirmed Kosovo’s separatist movement most. But the trajectory of Georgia/South Ossetia has had a Phase 2 – with organized crime as non-partisan mediator – that hindered separatist success. It is worth reflecting on effects of the middle phases in particular. Organized criminal influence set limits and even defined state-separatist relations through a variety of causal mechanisms. These causal chains included the following:

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Table 3. Selected Effects of Phase 2

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<th>Shared feature</th>
<th>Because Organized Crime was Non-Partisan Mediator:</th>
<th>Because Organized Crime was divisor et imperator:</th>
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<tbody>
<tr>
<td>Host state consolidated after war, chaos, economic disaster…</td>
<td>⇒ …becomes collaborator, partner in crime.</td>
<td>⇒ …is attacked, provoked into war.</td>
</tr>
<tr>
<td>Host state aid to separatist territory wanes…</td>
<td>⇒ …Ergneti emerges.</td>
<td>⇒ …”mafia state” emerges.</td>
</tr>
<tr>
<td>Host state crackdown on organized crime…</td>
<td>⇒ …reignites separatism.</td>
<td>⇒ …is not attempted.</td>
</tr>
<tr>
<td>Gangsters with quasi-state credentials…</td>
<td>⇒ …become businessmen, entrepreneurs, institutional gatekeepers, unwitting agents of inter-ethnic cooperation.</td>
<td>⇒ …become nationalist heroes, freedom fighters, martyrs, statesmen.</td>
</tr>
<tr>
<td>Unruly militias with nothing to do…</td>
<td>⇒ …became bodyguards, travel agents, inter-ethnic cooperators.</td>
<td>⇒ …became tools of war profiteering.</td>
</tr>
<tr>
<td>Inter-ethnic relations in separatist community…</td>
<td>⇒ …improved.</td>
<td>⇒ …deteriorated.</td>
</tr>
<tr>
<td>Intra-ethnic relations in separatist community…</td>
<td>⇒ ….undisturbed.</td>
<td>⇒ ….disturbed.</td>
</tr>
<tr>
<td>Immunity for criminal kingpins…</td>
<td>⇒ …is ensured by widespread collaboration (everyone “in on it”).</td>
<td>⇒ …is ensured by intimidation, terror, nationalist stigmatization (of “traitors”).</td>
</tr>
<tr>
<td>Host state leaders seeking to co-opt separatist leadership…</td>
<td>⇒ …are made unpopular, incredible.</td>
<td>⇒ …serve as excuse for gangsters to co-opt separatist movement.</td>
</tr>
<tr>
<td>Separatist movement leaders seeking to mobilize support…</td>
<td>⇒ ….are made unpopular, incredible.</td>
<td>⇒ ….are empowered through coercion.</td>
</tr>
<tr>
<td>Victims of criminal turf-wars…</td>
<td>⇒ …are few, and do not contribute to ethnic mobilization.</td>
<td>⇒ …are many, are justified as collateral damage of liberation struggle, and contribute to ethnic mobilization.</td>
</tr>
<tr>
<td>Eager patron state…</td>
<td>⇒ …is used as supplier of oil, cigarettes, everyday goods.</td>
<td>⇒ …is used as supplier of arms, intelligence contacts, militant training camps, anti-host state resources.</td>
</tr>
</tbody>
</table>

Thus we see that a more micro-analytic focus on causal mechanisms can uncover counterintuitive developments. Namely, not only does organized crime have the capacity to generate outcomes against both state and separatist movement tendencies, but it has the capacity to both hinder and advance separatist success. Similar if not identical features of the host states or separatist movements (left-hand column) can lead to diametrically opposite effects, depending on what role organized crime is playing at that moment in the process. These causal chains,
furthermore, suggest that states, movements and mafias can be conceptualized as interactive, relational triads.

Process tracing has returned us to the conclusion that sequences matter in processes of separatist movement development (Mahoney 2003 p.363–4; Rueschemeyer 2003, p.325). The temporal ordering of events related to state-separatist-criminal relations clearly influenced outcomes. Even in such a short historical period as the one under analysis, we have seen quite a variety of effects of organized criminal involvement. For instance, organized crime served as a central link in the causal chain from state disintegration to state consolidation through coup d’état (Phase 1 in Georgia); at another time, as a link in the opposite direction, from state consolidation to near-disintegration through coup d’état (Phase 3 in Serbia). Similar causal mechanisms – linking state repression against separatists, separatist instrumentalization of criminal resources, and criminal mediation and profiteering – have generated different effects depending on whether they operated before or after a war, a democratic transition, a massive ethnic mobilization, or a birth/disbanding of a criminal militia. As Pierson (2000) remarked in relation to sequence analysis, the issue is not just what, but when. The impact of organized crime, in other words, depends on whether its particular relational role is assumed before or after critical junctures.

Additionally, four less abstract conclusions are worth stressing. First, the customary emphasis on foreign military intervention as the necessary condition for separatist success begs the crucial question of how such foreign support is secured. Organized crime has the potential to “make or break” ethnic polarization, which in turn can secure foreign allies in war. Serbia’s Phase 2 and Georgia’s Phases 1 and 3 demonstrate that organized crime may be a crucial element in attracting or repelling an external army. One possibility is that mafia-militias get greater international support than their non-criminalized separatist colleagues because they have greater credibility and capacity to attract attention (as with the KLA before the Kosovo war). Another possibility is that international partners with the potential to intervene are reluctant because their own criminal networks are as invested as the host state is in maintaining an ambiguous status quo with disputed borders (as with Ergneti before Saakashvili).

Second, organized crime must not be relegated to a side-effect or mere trigger of host state action. Its capacity to challenge the host state directly through co-optation determines the very nature of the state or the pace and direction of its development. Mafias are just as relevant as military juntas – when successful – in determining state capacity and policy. Whether the state instrumentalizes the criminals (as with Serbia’s Phase 1) or the criminals instrumentalize the state (as with Georgia’s Phase 1) is an all-important difference. The centrality of Georgian organized crime in causing civil war and replacing one elite with another (in Phase 1) is arguably a greater factor in South Ossetia’s separatist progress than anything the host state did to the separatist movement directly. The Milošević-generated criminal class could not – and did not – challenge the state in any systematic way in Serbia’s Phase 1, let alone attempt a coup of the sort that unseated Gamsakhurdia. In Serbia’s Phase 3, when organized crime did partially instrumentalize the state after killing Djindjic, Serbia-Kosovo relations were directly affected.

Third, the marginality or centrality of organized crime within a separatist movement may determine state-separatist relations regardless of levels of violence. It is not simply the (intuitive) case that criminalized separatists have more difficulty negotiating, affirming legitimacy and extracting compromises. If organized crime is central to the separatist movement, it may provoke – and defeat – host state repression which in turn solidifies criminal statehood. Serbia’s Phase 2 features the 1999 Kosovo war: it resulted from a host state crackdown on both a highly-criminalized and violent movement. However, organized crime can be central to the separatist movement and be completely nonviolent (and, indeed, promoting ethnic reconciliation), yet still
provoke host state repression that results in separatist success. The 2008 South Ossetia war (Phase 3) was a result of Georgia’s crackdown on the multiethnic, peace-preserving Ergneti Market. Indeed, these instances show that the level of violence is itself a by-product of the kind of organized crime in question.

Finally, host state success in curbing its own organized crime has direct effects on developments in the separatist movement – even when multi-ethnic organized crime is non-existent. Georgia’s zenith of organized crime (Phase 1) during the civil war was reflected in South Ossetia’s reactive mimicry of host state militias, a criminalized political culture, and an ethnic “cover” for illegal profiteering. Saakashvili’s contribution to reversing this trend (Phase 3) is clearly reflected in increased capacity to (at least attempt) reintegration. The transition from Milošević to the post-Bulldozer Revolution in Serbia (Phase 2 to 3) shows how fatal host state anti-crime failures can be on sovereignty over separatists. Georgia and Serbia effectively lost sovereignty over their separatist regions to the same extent (in 1991 and 1999, respectively), but the former’s capacity to regain it was incomparably greater because it decriminalized itself.
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