

**OPERATION LIFELINE SUDAN (1986 – 1996)**

**By**

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The candidate confirms that the work submitted is his own and that  
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## ABSTRACT

This thesis examines the experience of humanitarian relief charity in the Sudan from 1986, the creation of Operation Lifeline Sudan (OLS) in April 1989 and its experience to 1996. This historical analysis also situates OLS within the international relief system. OLS experience generally provides an important case study in the mixture of motives and views in contemporary international affairs and the subsequent difficulty we have in theorising within that experience. Throughout 1989-96, OLS was able to establish an environment on which the rights of internally displaced persons to relief food and security was possible. This was within the context of a continuing civil war, where relief objectives were at odds with the military objectives of the combatants, the diverse views of the donor governments, and the technical difficulties of delivering aid in such circumstances. The instruments used by OLS to gain access to those needing aid involved the use of humanitarian norms, principles and agreements to shame and, sometimes, sanction those denying access. These rhetorical devices are relevant to other war affected areas and constitute a useful development in humanitarian intervention. The theoretical implication of this development for our understanding of international relations is briefly explained in the conclusion.

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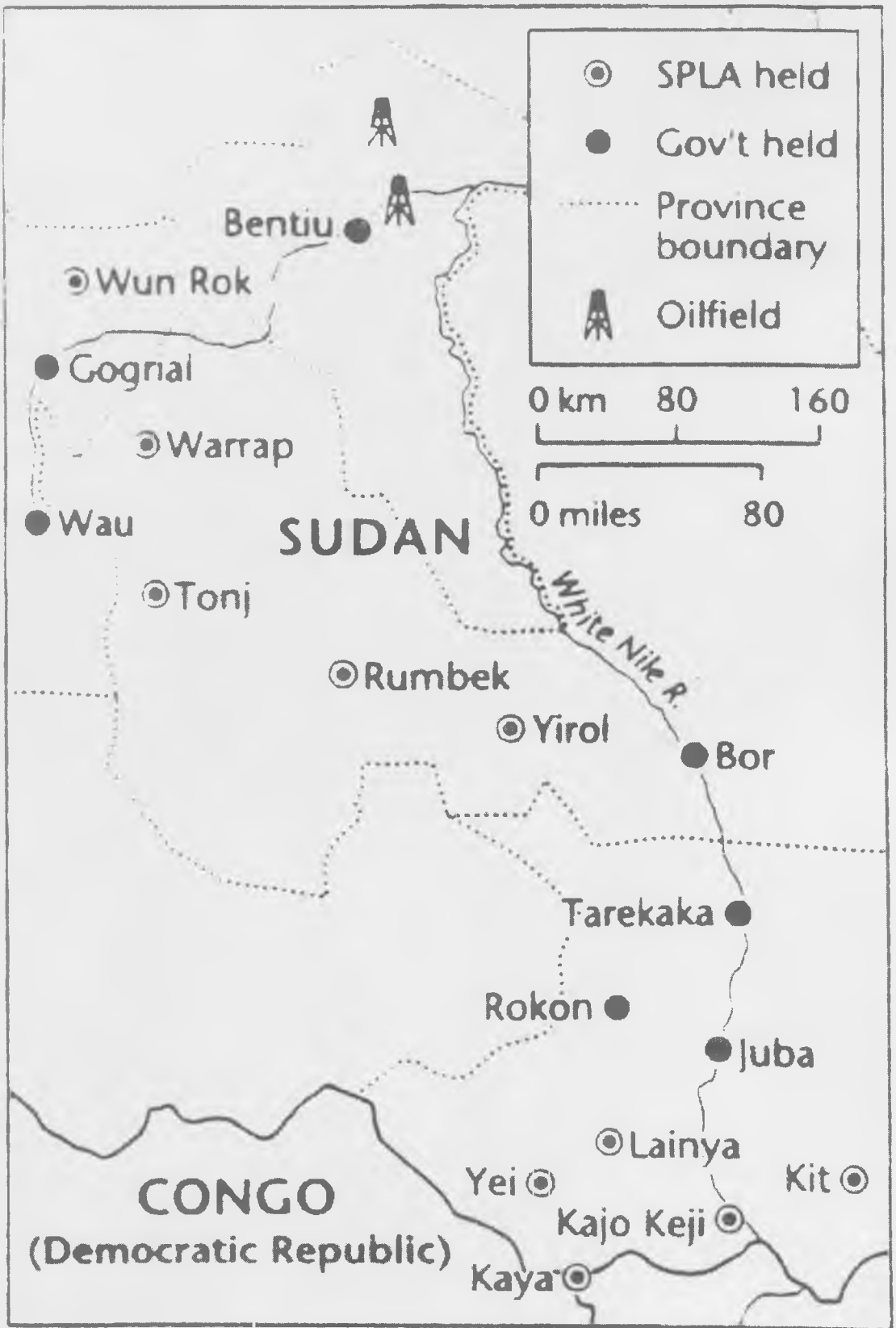
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## LIST OF ABBREVIATIONS

ACROSS	Association of Christian Resource Organisations Serving Sudan
ADRA	Association of Development Agencies
CAFOD	The Catholic Fund for Overseas Development
CART	Combined Agencies Relief Team
CEAS	Church Ecumenical Agency for Sudan
CRS	Catholic Relief Service
DHA	Department for Humanitarian Affairs (UN)
EC	European Community
ECHO	European Community Humanitarian Office
EU	European Union
FAO	United Nations Food and Agriculture Organisation
GOS	Government of the Sudan
IARA	Islamic African Relief Agency
ICRC	International Committee of the Red Cross
LWF	Lutheran World Federation
MSF	Medicins sans Frontieres
NSCC	New Sudan Council of Churches
NIF	National Islamic Front
NGO	Non-governmental organisation
NPA	Norwegian People's Aid
OAU	Organisation of African Unity
ODA	Overseas Development Aid
OFDA	US Office of Foreign Disaster Assistance
OLS	Operation Lifeline Sudan

RRC	Relief and Resettlement Commission
SCF	Save the Children Fund
SCC	Sudan Council of Churches
SCOVA	The Sudan Council of Voluntary Agencies
SINGOs	Sudanese indigenous non-governmental organisations
SUDRA	Sudan Development Relief Agency
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SPLM/A	Sudan People's Liberation Movement/Army
SRRA	Sudan Relief and Rehabilitation Association
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNDRO	United Nations Disaster Relief Organisation
UNICEF	United Nations International Children's Fund
UNEO	United Nations Emergency Office
US	United States
USAID	United States Agency for International Development
WFP	World Food Programme
WHO	World Health Organisation



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## PREFACE

The idea for this study grew out of my four years experience in the combat zones of Southern Sudan where, during its first eight years, the United Nations-led Operation Lifeline Sudan (OLS) was mounting major international humanitarian programme. This is the first comprehensive academic assessment of the effects of the broadly accepted international humanitarian norms<sup>1</sup> in OLS initial eight years history – 1989-96. Apart from numerous and discrete agency programme evaluations, and my own work<sup>2</sup>, the only other attempt to see OLS as a whole was in 1991.<sup>3</sup> While being an important contribution, this work did not assess in any greater depth the effects that humanitarian principles and rules have on the warring parties' behaviour. Even the comprehensive review of OLS<sup>4</sup>, which was commissioned by the Department for Humanitarian Affairs (DHA)<sup>5</sup>, did not address fully the impact of such political devices on the Khartoum government and the SPLM/A respectively. The 1996 OLS review made a comprehensive general evaluation of the impact of OLS programmes, the problem of co-ordination, and cargo prioritisation, subjects which are beyond the scope of this thesis. Nonetheless, together with my earlier work, these two publications have provided an inspiration for this thesis.

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<sup>1</sup> By defining "norms" as standards of behaviour and not just behavioural regularities, this thesis stress one important point. That is, norms are about behaviour, not directly about ideas. This accords with the best known definition of norms in the international relations theory literature, found in the regime literature which considers norms to be one component of regimes. According to Krasner, regimes are "principles, norms, rules, and decision-making procedures around which actor expectations converge in a given issue-area" that serve to "constrain immediate, short-term power maximization". Quoted in Ann Florini, "The Evolution of International Norms", *International Studies Quarterly*, Vol. 40, 1996, p. 364

<sup>2</sup> S. O. Efuk, *The Politics of Food in Sudan*, London, M. A. Dissertation, Department of Journalism, The City University, 1990

<sup>3</sup> Larry Minear, *Humanitarianism Under Siege: A Critical Review of Operation Lifeline Sudan*, Trenton, NJ., The Red Sea Press, 1991

<sup>4</sup> DHA, *Operation Lifeline Sudan: A Review*, Nairobi, Department for Humanitarian Affairs, July, 1996

<sup>5</sup> DHA has since been re-organised and is now known as the Office for the Co-ordination of Humanitarian Affairs (OCHA)

## METHODOLOGY

This thesis is based on fieldwork, and the basic methodology was that of open-ended and semi-structured interviewing, and documentary collection and analysis. The questions were largely formed through participant observation, as well as through a process of group discussion during workshops, conferences, analysis of documents, and field reports. Interviews were conducted with international civil servants, NGO officials, embassies of donor governments based in Nairobi (Kenya), Kampala (Uganda). Other sources of material included UN annual reports, assessment, reviews, reports and various NGO reports. Some of the official documents were from DHA offices in Geneva and New York. Within the framework of examining the *modus operandi* of OLS, the two studies of the Southern and Northern Sectors were chosen to contrast the usefulness of humanitarian principles and rules. From a combination of field visits and discussions with project staff, military commanders of the main armed movement, and beneficiaries, I collected perceptions, opinions and information on humanitarian principles and rules. However, three factors had complicated the process of gathering accurate and precise information about the effects of humanitarian principles and rules.

1. I was constrained by the unwillingness of my senior UNICEF/OLS colleagues to share sensible information.
2. Reliable information on the humanitarian efforts of non-governmental organisations – both national and international - was frequently unsatisfactory, and sometimes did not tally with findings on the ground. NGO field reports were often full of self-congratulatory material.
3. It was not possible for me to visit OLS Northern Sector because of the risk to my own personal security, but I was able to interview some visiting government officials, as well as make use of the official government and OLS reports and review documents.

Thus, this thesis reflects the perceptions of the Sudanese, donors and OLS aid agencies, situations, achievements in the context of humanitarian norms and principles, and challenges posed by war. Therefore, this thesis should be understood as trying to accurately portray the attitudes, insights and opinions of the humanitarian players, governments and their beneficiaries, rather than on a material analysis of aid and its consequences. In other words, the degree of the suffering or the impact of OLS programmes are not within the scope of this thesis.



## INTRODUCTION: ANALYSIS OF THEORETICAL PERSPECTIVES

### I. Overview

The conceptual framework of this thesis is that international humanitarian norms, principles and rules are intended to bring about communication and constructive dialogue over the issues such as humanitarian access, human rights and democratic governance in a civil war context. This thesis was inspired by disagreement between the Sudanese government and “international community”<sup>6</sup> on what Norms and Principles should govern a right to humanitarian operation. The ways that new “normative”<sup>7</sup> understandings emerge and become salient in domestic contexts, and then come to infuse international politics, is a worthwhile subject of analysis.<sup>8</sup> International norms can determine many elements of the ways in which states relate to each other. Norms, such as Geneva conventions and Convention of the Right of the Child, can affect both sources of disputes among states and patterns of humanitarian operation. There is an extensive literature on the effects of norms generally in international relations, and more specifically the effects of discursive practice on both states’ perceived interests and their behaviour.<sup>9</sup> This thesis is a contribution to that debate. Relevant to this study are claims made by Pluralists, Realists (neorealism and neoliberalism), Solidarists, and Social constructivists on the significance of norms in the international system. Despite the challenges posed by competing ethical traditions, these conflicting theoretical claims have provided

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<sup>6</sup> The concept of international community is used in this thesis to refer to the United Nations, donor states, international bodies and non-governmental organisations (NGOs)

<sup>7</sup> The word normative in this thesis refers to the setting of standards of behaviour in international relations which governments and non-state actors ought to meet.

<sup>8</sup> See, for example, Cortell & Davis, “Understanding the Domestic Impact of International Norms”, pp. 73-81; Ellen Carol Dubois, “Women Suffrage around the World: Three Phases of Suffragist Internationalism”, in Caroline Deleaney & Melainie Nolan (eds.), *Suffrage and Beyond: International Feminist Perspectives*, New York, New York University Press, 1994, pp. 252-274

<sup>9</sup> The structural realist paradigm is most persuasively detailed in Kenneth Waltz, *Theory of International Politics*, New York, Reading, Mass., Anderson Wesley, 1979; Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, New York, Columbia University Press, 1979; Robert W. Cox, “Social Forces, States and World Orders: Beyond International Relations Theory”, *Millennium: Journal of International Studies*, Vol. 10, 1981, pp. 126-155; Friedrich Kratochwill, “Errors Have Their Advantage”, *International Organization*, Vol. 46, No. 2, 1984, pp. 305-320

this thesis with the moral architecture necessary to critique and assess the behaviour of the parties to the Sudanese conflict, as well as the foreign policy behaviours of donor states. This author is sympathetic to the social constructivist claim because it does not deny that power and interests are essential elements for humanitarian action. Another usefulness of constructivist approach to this thesis is its encouragement of communication and dialogue as a way of internalising norms in state domestic affairs.

## II. Pluralist<sup>10</sup> International Society Theory

The relevance of this theory to this thesis is that it identifies state sovereignty as an obstacle to “humanitarian intervention”<sup>11</sup>. For pluralists, international relations are constituted through rational fixed principles of interaction and coexistence, for example, sovereignty, diplomacy and international law. Denying an analogy between national and international societies, a common identity or culture is not necessarily seen as a precondition of international society. Within this approach, states are the only members of international society.<sup>12</sup> This theory identifies an additional obstacle, namely, the problem of how to reach a consensus on what norms and principles should underpin humanitarian action.

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<sup>10</sup> The term pluralism here should not be confused with the idea of pluralism found in the literature on interdependence and transnationalism. Hedley Bull first used this term to refer to the debate within the international society tradition in his chapter on the “Grotian conception of international society in Herbert Butterfield and Martin Wight (eds.), *Diplomatic Investigation*, London, Allen and Unwin, 1966. See also Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society*, Oxford, Oxford University Press, 2000, pp. 27-32

<sup>11</sup> “International humanitarian intervention” here may be understood as the crossing of borders and infringements on sovereignty carried out in the name of the international community in form of the UN, states, and non-governmental organisations. In this thesis, thus, the term humanitarian intervention brings together many different parties and discourse communities in novel combinations. Intervention carried out with the permission of the legitimate government for the purpose of putting a halt to human rights violations committed, for instance, an insurgent faction or even recognise authority, in a civil war can be characterised as a humanitarian intervention. The concepts “intervention” and “humanitarian” are used here interchangeably. Both involve states and therefore international law and international relations, good governance, relief and development. For an analysis of these concepts, see Wil D., “Humanitarian intervention in the 1990s and Beyond: An International Law Perspective”, in Jan N. Pieterse (ed.), *World Orders in the Making: Humanitarian Intervention and Beyond*, London, Macmillan, 1998, pp. 181-206

<sup>12</sup> For a pluralist approach see Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, London, Macmillan, 1977, pp. 23-38

Hedley Bull defined the pluralist conception as one in which states are capable of agreement only for certain minimum purposes, the most crucial being reciprocal recognition of sovereignty and the norm of non-intervention.<sup>13</sup> The subject of humanitarian intervention is a difficult one for theorists of “international society”<sup>14</sup> since it is the archetypal case where it might be expected the society of states would agree to privilege individual justice over the norms of sovereignty and non-intervention. Pluralists are sensitive to considerations of individual justice, but argue that humanitarian intervention should not be permitted in the face of disagreement about what constitute extreme human rights violations in international society. For over three centuries, understanding of world politics has been structured around two intrinsically linked principles of international order associated with the Westphalian legacy: state sovereignty, and the norm of non-intervention.

The emergence of the modern state system, based on the secular sovereign nation-state, signified at its inception a fundamental choice to prioritise sovereignty over human rights, and order over justice, in the international affairs. Many pluralists are worried that in the absence of a legitimised consensus on what norms and principles should govern a right of unilateral or multilateral humanitarian intervention, such a right would undermine international order. This moral defence of the non-intervention principle is based on the United Nations (UN) Charter. The most important legal prohibitions against intervention are contained in Article 2.4 of the Charter, and it states that “No State has the right to intervene, directly or indirectly, for any reason whatever, in the internal affairs of any one State...”.<sup>15</sup> International order, and hence well-being of all individuals, is better served by upholding the principle of non-intervention than by allowing humanitarian intervention in the absence of a consensus on what considerations are to count as humanitarian. However, after the Cold War, these pillars of the Westphalian order have been exposed to growing pressures, leading many interventionists to argue that it is time to critically review Westphalia.

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<sup>13</sup> See Bull, *The Anarchical Society*, p. 67

<sup>14</sup> This author is aware of the theoretical contradictions as to what “international society” means. For the sake of this empirical thesis, “international society” is regarded as a socially and politically constructed phenomenon, with normative principles underpinning the construction process.

<sup>15</sup> Quoted in Kelly Kate Pease and David Forsythe, “Human Rights, Humanitarian Intervention, and World Politics”, *Human Rights Quarterly*, No. 15, 1993, p. 292

### III. Political Realism

Humanitarian intervention looks odd from realist perspectives on international political behaviour because it does not conform to the conceptions of interests that they specify.<sup>16</sup> Realists would expect to see some geostrategic or political advantage to be gained by intervening states. Neorealism and neoliberalism – the main theories about the content of international relations - might emphasise economic or trade advantages for interventions. Advocates of each approach have their own assumptions about the rules and principles that constitute international society. Neorealism and neoliberalism, see norms as standards of behaviour that can alter the calculations of costs and benefits and constrain the options available to policy makers, but again norms are exonerated. In neorealism, which focuses on security issues, norms reflect the distribution of power among states and have only limited influence as intervening variables between power distribution and international outcomes. Because this distribution of power is the main important determinant of actor behaviour, change in international relations, including norm change, comes about when this distribution of power changes.<sup>17</sup>

In contrast, neoliberals, who have worked primarily on economic interactions and have a relatively optimistic view of the likelihood of sustained international co-operation, tend to accord those intervening variables a more enduring and significant influence than do neorealists.<sup>18</sup> Yet in both approaches norms of international behaviour are dismissed as being determined by factors exogenous to the theory. Although international relations scholars have increasingly recognised the importance of humanitarian norms and ethical reasoning in international affairs, political realism continues to serve as the dominant paradigm in IR; and, though realism does not deny humanitarian principles, it allows little room for moral reasoning, focusing instead on the quest for national security and promotion of economic and social well-being. Thus, the realist attack on the role of humanitarian norms in international politics continues along three major lines. First, international

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<sup>16</sup> For a detailed analysis of the role of norms in international relations, see, for example, Martha Finnemore, *Defining National Interests in International Society*, Ithaca, Cornell University Press, 1996, chapter 1

<sup>17</sup> Ann Florini, "The Evolution of International Norms", 1996, p. 365

<sup>18</sup> *Ibid.*

code of “morality”<sup>19</sup> is lacking.<sup>20</sup> Other realists such as E.H. Carr argue that a common code of morality requires a common community.<sup>21</sup> The sharply divergent traditions, values, ideologies and behaviour of states are taken as evidence that either no international code of morality exists at all, or if it does, that it has no political value or meaning because it is so widely violated. Second, that international anarchy is inhospitable to humanitarian norms and principles. For realists, the lack of central global authority is one of the most prominent factors explaining the ineffectiveness of international norms of behaviour. The extreme form of this argument, based on a Hobbesian view of the international system, is that competition and lack of trust among states is so intense that security becomes an overwhelming preoccupation. This realist conception of the international system assumes that states act always and only in the strategic pursuit of predefined preferences. Such a conception of political behaviour corresponds with Habermas’ concept of strategic action: the instrumental pursuit of self-interest, cut off from public justification as states pursue their survival and self-interest in a competitive system.<sup>22</sup>

For many structural realists, national survival itself becomes the highest moral principle to which all other moral principles must be subordinate and that justifies the maximisation of national power. Third, that the ethics of responsibility preclude humanitarian principles. Arthur Schleister was quoted as saying: “Saints may be pure, but statesmen, alas, must be responsible”.<sup>23</sup> This statement implies that humanitarian norms may be useful for the lives of non-combatant civilian population, but are incompatible with the responsibilities of statesmen. The above analysis shows that realist and liberal approaches to international politics do not explain humanitarian action as a practice, much less change in that practice over

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<sup>19</sup> The word morality derives from the Latin *mores*, meaning custom, habit, and way of life. It typically describes what is good, right, or proper. According to Mark R. Amstutz, moral values have at least three distinguishing features: they command universal allegiance, they demand impartiality, and they are largely self-enforcing. *International Ethics: Concepts, Theories, and Cases in Global Politics*, Boulder, Rowman & Littlefield Publishers, 1999, p. 2

<sup>20</sup> David Halloran Lumsdaine, *Moral Vision in International Politics: The Foreign Aid Regime, 1949 – 1989*, Princeton, Princeton University Press, 1993, p. 9

<sup>21</sup> Edward Hallett Carr, *The Twenty Years’ Crisis, 1919-1939: An Introduction to the Study of International Relations*, 2<sup>nd</sup> ed., New York, Harper Torchbooks, 1964, p. 169

<sup>22</sup> Jürgen Habermas, *Between Facts and Norms*, Cambridge, M.A., MIT Press, 1996, p. 359; see also Marc Lynch, “The Dialogue of Civilisations and International Public Spheres”, *Millennium: Journal of International Studies*, Vol. 29, No. 2, 2000, pp. 307-330, p. 317

time, because of their exogenous and static treatment of interest. Investigating interests requires a different kind of approach. Attention to humanitarian norms and the way they structure interests in co-ordinated was across the international system provides such an approach.

#### IV. Solidarist International Society Theory

In contrast to Realism and Pluralism, the solidarist elements of the international society concept is underpinned by common humanitarian values as a standard of conduct. The normative underpinnings of the international society approach are expressed through the “ethical dimension”<sup>24</sup> within the English School tradition, recently reflected in their research on human rights norms in international politics.<sup>25</sup> Solidarists argue that there is a legal right and a moral duty of humanitarian intervention.<sup>26</sup> The distinguishing feature of this ethical dimension is the duality of its moral world, in which next to the political sphere, an individual sphere is established. According to Nicholas Wheeler, it is supposed that a sense of cross-border moral responsibility for humanity is based on an individual moral understandings of the good life and the principle of solidarity.<sup>27</sup> In this case, international relations are, thus, underpinned by political and personal moral values. For them, the concept of salience highlights the varying strength of norms of international behaviour – defined by Cortell and Davis as “prescriptions for action in situations of choice”<sup>28</sup> – within the domestic debates.

Humanitarian norms give rise to “feelings of obligation by social actors and, when violated, engender regret or a feeling that the deviation or violation requires

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<sup>23</sup> Quoted in Robert DeVries, “A Critique of Political Realism”, in Kenneth W. Thomson (ed.), *Community, Diversity, and a New World Order: Essays in Honor of Inis L. Claude, Jr.*, New York, University Press of America, 1994, p. 239

<sup>24</sup> The term ethical dimension is used in Nicolas Wheeler & Timothy Dunne, *Good International Citizenship: A third way for British foreign policy*, *International Affairs*, Vol. 74, 1998, pp. 847-870

<sup>25</sup> Vincent, *Human Rights in International Relations*; Wheeler & Dunne, *Good International Citizenship*

<sup>26</sup> See Robert O. Keohane, *International Institutions and State Power: Essays in International Relations Theory*, Boulder, Colorado, Westview, 1989, pp. 4-5; Kratochwil, *Rules, Norms, and Decisions*, pp. 61-63

<sup>27</sup> For an analysis of Solidarist perspective, see Wheeler, N.J., *Saving Strangers*, pp. 33-51

<sup>28</sup> Andrew P. Cortell and James W. Davis, “Understanding the Domestic Impact of International Norms: A Research Agenda”, *International Studies Review*, Vol. 2, Issue 1, Spring 2000, pp. 65-87

justification”.<sup>29</sup> Some International Relations scholars have reached similar conclusions from empirical research. For example, Kathryn Sikkink found that norms, rules and principles have important effects by way of domestic political processes, and they offer an important critique of the Westphalian state sovereignty as currently constituted.<sup>30</sup> Solidarists stress substantial values and a common tradition as the normative foundation of international society, which is based on the principle of solidarity. They emphasise an ethical universalism that is served as a moral standard of conduct. Within this approach members of international society are both states and human beings. Therefore, next to regulative norms emphasised by pluralists, humanitarian norms are stressed as essential constitutive elements of the international society.<sup>31</sup>

## V. Social Constructivism

Social constructivism addresses some of the same normative issues addressed by the English School (solidarist approach), but from a different vantage, and thus with different effects. Prominent institutionalists from the rationalist and constructivist schools argue that the strength of a norm is a function of its level of institutionalisation, which means the embedding of the norms tenets in the state’s constitutional, regulative, or judicial system.<sup>32</sup> However, recent constructivist approaches on norm internalisation point out that next to political pressure and

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<sup>29</sup> Cortell & Davis, “Understanding the Domestic the Impact of International Norms”, p. 69. For a similar view of salience, see Ian Hurd, “Legitimacy and Authority in International Politics”, *International Organisation*, Vol. 53, No. 2, 1999, p. 381

<sup>30</sup> Kathryn Sikkink, “Human rights, principled issue-networks, and sovereignty in Latin America”, *International Organization*, Vol. 47, No. 3, Summer 1993, pp. 411-441

<sup>31</sup> For a solidarist approach, see Vincent R.J., *Human Rights in International Relations*, Cambridge, Cambridge University Press, 1986

<sup>32</sup> Examples include Andrew Cortell and James Davis, “How Do International Institutions Matter? The Domestic Impact of International Rules and Norms”, *International Studies Quarterly*, Vol. 40, 1996, pp. 451-478; Audie Klotz, “Norms Reconstituting Interests: Global Racial Equality and U.S. Sanctions against South Africa”, *International Organisation*, Vol. 49, No. 3, 1995, pp. 451-478; Andrew P. Cortell & James W. Davis, “Understanding the Domestic Impact of International Norms: A Research Agenda”, *International Studies Review*, Vol. 2, Issue 1, Spring 2000, pp. 65-87

economic sanctions, “social learning”<sup>33</sup> and “complex learning”<sup>34</sup> are important factors in normative change. “Social learning involves a process whereby actors, through interaction with broader institutional context (norms or discursive structures), acquire new interests and preferences – in the absence of obvious material incentives. Put differently, agent interests and identities are shaped through interaction”.<sup>35</sup> The socialisation of norms is not explained as an outcome of interaction, but as an interaction-process with an open end, in which communication and dialogue are important mechanism to internalise a norm. Communication and dialogue are seen as necessary preconditions for long-lasting, peaceful, co-operation between actors. Thomas Rise suggests that social constructivism encompasses not only the ‘logic of truth seeking or arguing’.<sup>36</sup> ‘Arguing’ in this thesis implies that actors try to challenge the validity claims inherent in any casual or normative statement and to seek a communicative consensus about their understanding of a situation as well as justifications for the principles and norms guiding their action.<sup>37</sup> The goal of such communicative action is to seek a reasoned consensus; in arguing mode, humanitarian actors try to convince each other to change their casual or principled beliefs in order to reach a reasoned agreement about validity claims.<sup>38</sup> In contrast to solidarist approach, which treats actor identities by assumptions and thus their interests as fixed and given, these constructivists open up the black-box of actor’s identity by pointing to the transformation of material and ideal interests.

## VI. CIVIL SOCIETY

Apart from Solidarist and constructivist approaches, there is also a civil society perspective of the significance of humanitarian norms, rules and principles. The concept of “civil society” is taken here to refer to a political space where voluntary

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<sup>33</sup> Jeffrey Checkel, Sanctions, Social Learning and Institutions: Explaining State Compliance with the Norms of European Rights Regime, Paper presented at the workshop on ‘Why do social actors comply? Comparing European and International Norms’, European Consortium for Political Research, Mannheim, 1999, pp. 6-7

<sup>34</sup> For a detailed analysis of this perspective, see Alexander Wendt, *Social Theory of International Politics*, Cambridge, Cambridge University Press, 1999

<sup>35</sup> Checkel, *Sanctions, Social Learning and Institutions*, p. 6

<sup>36</sup> Thomas Rise, “Let’s Argue: Communicative Action in World Politics”, *International Organization*, Vol. 54, No. 1, Winter 2000, pp. 1-39, p. 6

<sup>37</sup> *Ibid.*, p. 7

<sup>38</sup> For a detailed analysis of the role of communicative action in world politics, see Jurgen Habermas, *Between Facts and Norms*, Cambridge, M.A., MIT Press, 1996, p. 359



associations seek to shape the rules ( in terms of specific policies, wider norms and deeper social structures) that govern one or the other aspect of social life. Recently, more attention is being paid to the role played by NGOs in shaping policy agendas and, in particular, in leading campaigns towards the establishment of global regimes for such developments as banning land mines, and so forth<sup>39</sup> For the sake of this study, this concept includes only religious organisations, local community groups, relief organisations, transnational human rights advocacy networks, think tanks, academic institutions, and peace movements. In the rural areas, these institutions of civil society are seen by many scholars as enunciating a more participatory, grassroots mode of operation, and were regarded as being effective in targeting the poor.<sup>40</sup> It is evident that NGO activities aimed at enhancing rural communities and exposing them to interactions with the state enable these communities to act on their own. In other words, for the rural communities, more NGOs means that more voices can be heard in the process of making and implementing policy, and participation in the voluntary associations fosters attitudes and practices of civility and compromise.<sup>41</sup>

However, in a civil war context, civil society is seen as being weak and vulnerable to domestic political pressure. The fact that the institutions of civil society claim to have developmental and human rights goals does not render them immune to particularistic interests, nor does it mean that they automatically contribute to democracy and equality.<sup>42</sup> Africa's history of ethnic division has not only communalised its political institutions but also its civic institutions. The problems that arise out of such a history were acutely aggravated by civil wars of the 1980s. In a war situation, civic institutions have generally tended to reflect the same divisions that have come to characterise the political system. According to Peter Uvin, during the Rwandan genocide of 1994, institutions of civil society were divided along ethnic lines: "There were many organisations and church leaders who

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<sup>39</sup> See, for example, Keith Tester, *Civil Society*, London, Routledge, 1992; Nelson Kasfir (ed.), *Civil Society and Democracy in Africa: Critical Perspectives*, London, Frank Cass, 1998

<sup>40</sup> For a detailed analysis of civil society in the Third World countries' rural areas, see, for example, Robert Chambers, *Rural Development: Putting the Last First*, Essex, Longman, 1983; Michael Cernea, "Culture and Organization: Social Sustainability of Induced Development", *Sustainable Development*, Vol. 1, No. 2, 1992, pp. 18-29

<sup>41</sup> Michael Cernea, "Culture and Organization: Social Sustainability of Induced Development", p. 24

<sup>42</sup> See Lemarchand Rene, "Uncivil State and Civil Societies: How Illusion Became Reality", *Journal of Modern African Studies*, Vol. 30, No. 2, 1992, pp. 177-91

subscribed to the dominant racism and eventually took active part in the genocide".<sup>43</sup> Indeed, in regions affected by civil wars, even the most neutral organisations such as religious institutions can become targets of repression or violence. In the Horn of Africa, for example, most civil society structures were destroyed, and several trade union leaders, academics and journalists either fled their respective countries or were imprisoned.<sup>44</sup>

Despite this grim civil war situation, I argue that the concept of civil society is useful for understanding the role of nonstate humanitarian actors in international relations. Like so many concepts of political theory, civil society has been invoked increasingly in recent IR theory.<sup>45</sup> It has been adopted in various formulations (such as global, transnational or international civil society) in order to analyse the increasing proliferation of non-state actors in world affairs. Thomas Risse-Kappen argues that the ability of transnational actors to promote norms (principled ideas) and influence state policy is dependent on domestic structures understood in terms of state-societal relations.<sup>46</sup> This means that the introduction of norms into the domestic discourse may come from state or societal actors and often takes the form of demands for a change in the policy agenda.

## VII. THE AIM OF THE STUDY

The issue of norms of international behaviour is an important case study of how states and parties to the conflict situation behave towards the starving and war affected populations. Thus, the aim of this thesis is to demonstrate, through the case study of Operation Lifeline Sudan (OLS), that the usefulness of humanitarian norms

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<sup>43</sup> Peter Uvin, *Aiding Violence: The Development Enterprise in Rwanda*, Kumarian Press, 1998, p. 172

<sup>44</sup> See Stephen N. Ndegwa, *The Two Faces of Civil Society: NGOs and Politics in Africa*, Kumarian Press, 1996

<sup>45</sup> See Margaret E. Keck & Kathryn Sikkink, *Activist Beyond Borders: Advocacy Networks in International Politics*, Ithaca-London, Cornell University Press, 1998; Charles Taylor, "Modes of Civil Society", *Public Culture*, Vol. 3, No. 1, Fall 1990, pp. 95-118; R. Tester, *Civil Society*, London, Routledge, 1992; Martin Shaw, "Civil Society and Global Politics: Beyond a Social Movements Approach", *Millennium: Journal of International Studies*, Vol. 23, No. 3, 1994, pp. 647-667; Ronnie Lipschutz, "Reconstructing World Politics: The Emergence of Global Civil Society", in R. Fawns & J. Larkins (eds.), *International Society After the Cold War*, London, Macmillan Press, 1996, p. 102

<sup>46</sup> See Thomas Risse-Kappen, "Bringing Transnational Relations Back In: Introduction", in Thomass Risse-Kappen (ed.), *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Institutions*, Cambridge, Cambridge University Press, 1995

and rules in a civil war setting strengthens the case against the Realist denial of norms significance under conditions of anarchy, and Pluralist claim that principles of sovereignty and non-intervention make humanitarian action in state's domestic affairs difficult.

In measuring behavioural changes resulting from international norms, this thesis will use Sikkink methodology. According to Sikkink, there are two stages upon which one can measure the effects of humanitarian/human rights norms on state behaviour.<sup>47</sup> The first stage start with the state denial of the legitimacy and refusal to co-operate with any international human rights pressures or interventions. In the second stage, the state would accept the legitimacy of international human rights practices, as evidenced by its statements in international forums, ratification of the relevant human rights treaties, and co-operation with international human rights organisations but not changes in domestic repressive practices. Sikkink argues that the passage from denial to lip service seem insignificant but suggests an important shift in the shared understandings of states that make certain justifications no longer acceptable.<sup>48</sup> In the context of this chapter, the endpoint of this continuum would involve the above recognition of legitimacy and co-operation and also a concrete response to international pressure that changes domestic human rights practices in the context of an intra-state conflict.

## **VIII. THE SIGNIFICANCE OF THE STUDY**

There are two main reasons why Operation Lifeline Sudan case study is significant. First, Sudan represents a case where we would not expect such norms of international behaviour to have any serious impact. This is because the hard-line Islamic regime in Khartoum was extremely resistant to compromising its notion of Islamic homogeneity. Even if not an accurate portrayal of Sudanese society, the ideal of Islamic culture was seen as contributing to the Sudan's national identity. In addition to this, the GOS was hostile toward Western values, and claimed that humanitarian principles and rules were nothing other than American conspiracy to undermine the emerging Islamic state in the Sudan. This has wider implication

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<sup>47</sup> Sikkink, "Human rights, principled issue-networks, and sovereignty in Latin America", p. 415

<sup>48</sup> Ibid.

because the content, the substance, the extent and limits of international norms within and without specific historical and ideological contexts is still hotly contested by the international relations scholars and practitioners.<sup>49</sup> It is clear, however, from the theoretical analysis above that the focus of scholarship on norms – like that of political realism – has been at the level of the international system, with norms held to affect state behaviour by providing solution to co-ordination problems<sup>50</sup>, providing language and grammar of international politics<sup>51</sup>, and constituting states themselves.<sup>52</sup>

Second, reconciling humanitarian values with those of the constitutive norms of Westphalian state sovereignty<sup>53</sup> has become a daunting task for both scholars and practitioners alike. In Sudan there was a contest over both sovereignty and the meaning of sovereignty between the state, the opposition movement, and humanitarian players. The context took place mainly in Southern Sudan, a swathe of land between territory controlled by the Government of the Sudan (GOS) and the Sudan People's Liberation Army (SPLA). This region was overseen and administered by a number of actors: the Sudan government, the SPLA and the United Nations and its major donors. This disjunction between the Westphalian

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<sup>49</sup> For a discussion of the heightened complexity of humanitarian assistance see, Adam Roberts, "Humanitarian Action in War: aid, protection and impartiality in a policy vacuum", *Adelphi Paper*, No. 305, 1996 ; Paul Taylor, "Options for the reform of the International system for humanitarian assistance", in John Harrison, (ed.), *The Politics of Humanitarian Intervention*, London, Pinter, 1995; Mark Duffield, "Complex Emergencies and the Crisis of Developmentalism", *IDS Bulletin*, Vol. 25, No. 3, October 1994; Kevin Cahill, (ed.), *A Framework for Survival, Human Rights and Humanitarian Assistance in Conflicts and Disasters*, New York, Council of Foreign Relations and Basic Books, 1993

<sup>50</sup> Arthur A. Stein, "Coordination and Collaboration: Regimes in an Anarchic World" in Stephen Krasner (ed.), *International Regimes*, Ithaca, New York, Cornell University Press, 1983, pp. 115-140; Liisa Martin, "Interests, Power, and Multilateralism", *International Organization*, Vol. 46, No. 4, 1992, pp. 765-792

<sup>51</sup> Friedrich Kratochwil, *Rules, Norms, and Decisions: On the Conditions of Practical and Legal Reasoning in International Relations and Domestic Affairs*, Cambridge, Cambridge University Press, 1989; Nicholas Onuf, *World of Our Making: Rules and Rule in Social Theory and International Relations*, Colombia, University of South Carolina Press, 1989

<sup>52</sup> See, for example, William Coplin, "International Law and Assumptions about the State System", *World Politics*, Vol. 17, No. 4, 1965, pp. 615-635; Martha Finnemore, *National Interests in International Society*, Ithaca, New York, Cornell University Press, 1996

<sup>53</sup> This thesis treats the notion of sovereignty as a "social contract". It is an idea devised by social beings. It can change along with changing circumstances. Thus, state sovereignty is not some immutable principle decreed in fixed form once and for all time, but rather an argument about state authority whose meaning and scope are constantly subject to re-evaluation. See Thomas J. Biersteker & Cynthia Weber (eds.), *State Sovereignty as Social Contract*, Cambridge, Cambridge University Press, 1996

organising principles and international humanitarian norms had created dilemmas for the UN agencies working in the Sudan during 1986 to 1989. However, much of OLS rational diplomacy during the period 1989-96 was to deal with this contradiction between the affirmation of universal humanitarian norms and the reaffirmation of the international society (society of states) principles of territorial sovereignty and non-intervention in domestic social issues.

## **IX. ORGANISATION OF THE CASE-STUDY MATERIAL**

In order to understand the technical sophistication of OLS in tackling the mixture of motives and views prevalent in such politically charged operational war environment, this thesis was guided by four questions: what were the obstacles which led to the establishment of OLS as a solution?; What policy instruments did OLS use to dialogue with the parties to the Sudan conflict and the donor states?; What effects did these rhetorical devices have on the behaviour of the Sudanese government, the rebel movement and the donor governments?; and what lessons can we learn from the experience of OLS for our understanding of international relations? Thus, this thesis was structured into six chapters as follows:

Chapter 1 examines the multifaceted context of humanitarian crisis in Sudan by answering the question: what were the obstacles which led to the establishment of OLS as a solution? The chapter answers this question by first providing a historical overview of the issues in the Sudan conflict, and their consequences in terms of humanitarian emergency.<sup>54</sup> These issues – economics, religious and identity – are important and relevant to this study because they form the background of the current humanitarian disaster in the Sudan on which the UN has been called upon to intervene. This will then be followed by a typology of famine, and the events leading to the establishment of OLS as a solution to the obstacles to external intervention. Chapter 2 answers the second question by describing the debate on the local legitimacy of the OLS normative position, the plans of action, and the

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<sup>54</sup> The inclusion of post-1996 literature should be seen as an attempt by the author to show that at the time of writing up this thesis OLS was still surviving against the odds of its uncertain operational environments. Substantive case study chapters 2, 3, 4, and 5 contain some post-1996 data on OLS.

agreement over humanitarian norms and principles that underpin humanitarian operation.

Chapters 3, 4 and 5 are case studies and they answer the third question. That is, these broadly accepted international policy instruments (norms, principles and rules) will be assessed in order to show their strengths and weaknesses in a civil war situation.

Chapter 3 examines the different agendas of the donor states, and assesses whether these agendas were influenced by humanitarian norms and principles or that these rhetorical devices were merely state instruments of foreign policy. Accordingly, the focus here will be to examine the difficulties that humanitarian action presents for states and the moral considerations applied in the decisions of leaders of states to commit their resources to intervention in support of the Sudanese citizens. The impact of such political devices will be seen from the extent to which Western and neighbouring states – USA, European and IGAD – acted as regard the declared aim of promoting OLS humanitarian programmes, and democratic governance in the Sudan.

The significance of chapters 4 and 5 is that they are an attempt to compare and contrast the effects of humanitarian norms and principles in areas controlled by the sovereign authority in Khartoum determined to protect its territorial integrity and those controlled by the Sudan People's Liberation Movement and Army (SPLM/A). Chapter 4 examines the effects of the Ground Rules – which were established as framework for OLS interaction with the opposition movement - on the behaviour of the SPLM/A, and the extent to which such change in behaviour allowed the implementation of programmes such as good governance, capacity building and development in the Southern Sector. Chapter 5 assesses the impact of these policy instruments or technique on the behaviour of the host government.

Chapter six contains thesis summary and conclusion. The conclusion of this thesis is that throughout 1989-96, Operation Lifeline Sudan (OLS) was able to use international humanitarian norms and principles to create a conducive environment on which the rights of internally displaced persons to relief food and security was possible.

## CHAPTER ONE

### BACKGROUND TO MULTIFACETED HUMANITARIAN CRISIS IN SUDAN.

#### 1.1. OVERVIEW

This first chapter provides a background to the Sudan multifaceted humanitarian relief crisis, and it does this by answering one specific question: What were the problems for which the international community established OLS as a solution? The argument of this chapter is that the armed conflict in Southern Sudan illustrates that action resulting in internally displaced persons is an intentional, deliberate strategy of the parties to the internal conflict, and not just a consequence or unintended effect of the hostilities between the Government of the Sudan (GOS) and the Sudan People's Liberation Movement and Army (SPLM/A).<sup>55</sup> Parallel to the main argument, is a consideration of the role of the international community in the form of the UN in the Sudan disaster relief management response. Therefore, the successful launching of OLS as a UN humanitarian programme is viewed here against the absence of effective international humanitarian intervention in 1986-88, when the deaths of half a million persons from the famine and war are believed to have occurred.<sup>56</sup>

In early 1984, a UN good offices mission, within which the United Nations Emergency Office for Sudan (UNEOS) represented the humanitarian component, was based in Khartoum. The UNEOS, the first in the line of international agencies concerned with disaster emergencies, was responsible for emergency relief in the Sudan from 1984-1986 when the Government of the Sudan closed it down.<sup>57</sup> During this period, UNEOS was co-ordinating relief efforts in the areas of the north affected

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<sup>55</sup> The strategic use of displacement by the parties to the conflict has become common in intra-state conflict. But the solutions to them are seems not to be the same. For example, on the Kosovo conflict, see William Haiden, "The Kosovo Conflict: The Strategic Use of Displacement and the obstacles to International Protection", *Civil Wars*, Vol. 2, Spring, 1999, pp. 35-68

<sup>56</sup> Alex de Waal, "Starving Out the South, 1984-9" in Daly M.W. and Ahmed Alawad Sikainga (eds.), *Civil War in the Sudan*, London, British Academic Press, 1993, pp. 165-72

<sup>57</sup> *Ibid.*, p 161

by drought, and not mandated to deal with the problem of the internally displaced population in the south of the country. During that period, donor states were still unwilling to yield authority to the UN agencies, and they sought once again to limit UNEOS responsibilities owing from the emerging displaced persons problem.<sup>58</sup> Thus, UNEOS was created as a temporary, small international agency that would pose no threat to state interests or national sovereignty, imposed no financial obligations on states, and provided no commitment to internally displaced persons. When the natural disasters ended in early 1986, UNEOS was then forced to hand over all its relief activities to the government owned Relief and Rehabilitation Commission (RRC). It was only in April 1989 that assistance to the southern Sudan's displaced persons was organised within the framework of the United Nations-led Operation Lifeline Sudan (OLS). OLS was a political arrangement between the Government of the Sudan (GOS), the UN and member states, and its mandate was to deliver relief aid to all internally displaced population in areas controlled by the parties to the conflict. During 1989-96, OLS was responsible not only for protecting the internally displaced in the Sudan war zones, but also for catalysing and co-ordinating the efforts to assist them materially.

Operation Lifeline Sudan had a lynchpin position in these networks and had set its headquarters in Lokichoggio, northern Kenya, for direct liaison with the numerous international and local relief agencies operating in the rebel controlled territories. The importance of OLS is that throughout the period discussed in this thesis, it provided the international community – governments, UN and NGOs - with a moderate voice in a violent “civil war”<sup>59</sup> setting. As the story of OLS was rooted in the Sudan's history, I will therefore begin this chapter with an overview of the war. A brief historical description of the issues in the conflict will give the reader a panoramic view of the humanitarian challenges facing the United Nations and other major players. The usefulness of revisiting these historically important issues in the Sudan conflict is based on the understanding that most humanitarian operations fail because those who carry out such activities are not often aware or informed of the complexity of the conflict. After analysing the structures and attitudes prevalent in

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<sup>58</sup> UNICEF/OLS, *Humanitarian Principles*, Nairobi, 1990, p. 1

<sup>59</sup> “civil war” refers to violent conflicts between two or more parties for control of political authority in a state or part of it. Such conflict can take the form of conventional battles or prolonged guerrilla warfare.



the Sudan conflict, the chapter will then describe the different stages of famine, followed by an analysis of the reasons, which made the international community establish OLS as a solution.

## 1.2. THE NATURE AND EXTENT OF SUDAN CRISIS

An brief analysis of the nature and extent of Sudan's political, social and economic crisis is important because it has influence on how OLS framed humanitarian norms and principles to guide its programmes in a civil war setting. The various Sudanese scholars have different analyses of Sudan political, economic and social problems, and the different proposals for the future, but they are in fundamental agreement that the answers to those problems lie in a national solution. However, a section of this length cannot be expected to deal thoroughly with such issues; all it can do is to map out briefly the main issues in the conflict which have created the humanitarian crisis in which Operation Lifeline Sudan was established to solve. There is a traditional literature which clearly show that identity, religion and economic marginalisation were the factors which led to the outbreak of North-South conflict in 1983. For example, Peter Woodward argued that the forces of sectarianism have resulted in the development of 'symbolic' nature to both ethnicity and religion in Sudan<sup>60</sup>:

*The three major elements of Sudanese politics – religion, ethnicity, and class – all relatively fluid structures in a changing society, were being employed for the maintenance of the multiparty system. But clientelism through which that operated was necessarily selective, and so regions deprived on one or more count were particularly likely to feel neglected or worst. The south was effectively excluded on all three accounts. The south lacked economic development and an indigenous trading class out of which some effective party base might have been constructed; it was largely alienated on the religious score; and its indigenous ethnic structures had never been as effectively tied into the state as was the case in the north.<sup>61</sup>*

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<sup>60</sup> Peter Woodward, *Sudan 1898 – 1989: The Unstable State*, Boulder, Lynne Rienner Publishers, 1990, pp. 180 - 185

<sup>61</sup> *Ibid.*, p. 134

Woodward explained that various religious political parties in the North used symbols and language of ethnicity and religion in response to social forces in order to maintain a sense of culture and community. To expand further Woodward arguments above, this thesis divides Sudanese Muslim political thought into three categories, each with a different approach to the multinational nature of the Sudanese state but seems to be united in their desire for an Arab national identity. The first may be called the “secularist” because it rhetorically embraces the legitimacy of Sudan multinational territorial state. Its proponents – most of whom are drawn from the Sudanese Communist Party – may be further divided into two strands. One strand of “Islamically sensitive” secularists attempts to appropriate, co-opt, or coexist with Islam in mutually supportive but separate spheres. Islam is regarded as a key source of national identity but otherwise devoid of practical political significance. Another strand sees organised Islam as a threat to national integration or modernisation and therefore attempts to eliminate Islam from the Sudanese public life. However, these two strands share one thing: pan-Arab nationalism. As the events in the Sudan show, the Sudanese Communist Party has yet to disengage convincingly the link between religion and politics. Not surprisingly, the Party remains peripheral to the Sudan Islamic discourse.

The second category is that of the “Islamic pragmatists”, and they are mainly members of the Umma and Democratic Unionist Party (DUP) respectively.<sup>62</sup> Their aim is to reconcile Islamic ethical ideals with the prevailing Sudanese realities (the multinational nature of the Sudanese state). Several pragmatist thinkers, including Sadig al-Mahdi, the leader of Umma party and Mohammad Uthman al-Mirghani, DUP leader, have acknowledged that the country is facing identity crisis and that something must be done to reconcile Sudan perceived Islamic and Arab identity with those of the African ethnic groups. President Omer Beshir, who is a member of the Khatmiyya sect, belongs to this category.

The third category comprises those who may be called the “Islamic cosmopolitans”, and who are drawn from the ranks of National Islamic Front (NIF). The latter argue that Sudan must be an Islamic state, and that the country’s national identity should be Islamic. Islamic thinkers such as Hassan al-Turabi, the leader of

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<sup>62</sup> For an analysis of the impact of these parties on Sudanese political system, see Sidgi Awad Kabalo & Ray Bush, “The Sudan State: continuity and change”, in *Sudan: Environment and People*, Durham University, Sudan Studies, 8-11 April, 1991, pp. 185-209

NIF, believe that any compromise solution to the North-South conflict will undermine Muslim solidarity, and thus stop the progress of Islamic project. As stated above, all these three categories share the believe that Sudan national identity should be Arab, though each have different strategies of how such a vision should implemented. The real challenge facing this Sudanese Muslim political thought is the war in the south of country, where the Sudan People's Liberation Army (SPLA) is fighting for the right to self-determination for the people of Southern Sudan. As Martin Daly has observed, looking inside the country appears to reveal two different national visions, which are increasingly proving to be irreconcilable:

*The civil war that has been under way since 1983, no less than that which lasted from 1955-1972, has as one of its principals causes fundamentally opposing views of what it means or should mean to be a Sudanese....Resolution of the conflict may therefore involve a major change in the social and political structure of the Sudan".<sup>63</sup>*

What Daly seems to be saying is that since these two identities appear to be incompatible or irreconcilable, unless one side succeeds in imposing its will to the other, the country may have to accept partition. For Daly, the demise of the Addis Ababa arrangements and evident failure of the process of national recociliation occurred against a background of economic crisis.<sup>64</sup> While Daly and Woodward have emphasised the role of religion and identity as contested issues in the North-South relations, other scholars have paid attention to the socio-economic condition of the country as one of the factors in the civil war. One of the scholars that has written on the impact of the North-South conflict on the Sudanese economy is Mark Duffield, and his work has been cited throughout this thesis. In his recent to report to the European Community Humanitarian Office, Duffield explained that since the nineteenth century Sudan's commercial economy had been concentrated in the Nile regions of the north.<sup>65</sup> He explained that an important and long-term characteristic of

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<sup>63</sup> Martin W. Daly, "Islam, secularism, and ethnic identity in the Sudan", in Gustavo Benavides & Martin W. Daly (eds.), *Religion and Political Power*, New York, State University of New York Press, 1989, p. 83

<sup>64</sup> Daly, M.W., "Broken Bridge and Empty Basket: The Political and Economic background of the Sudanese Civil War", in M.W. Daly & Ahmad Alawad Sikainga (eds.), *Civil War in the Sudan*, London, British Academic Press, 1993, p. 21

<sup>65</sup> Mark Duffield, *Sudan: Unintended Consequences of Humanitarian Assistance*, A Report to the European Community Humanitarian Office, The University of Dublin, Trinity College, November, 1999, p. 53

this economy was that its profitability had depended upon the existence of cheap labour which, to a significant degree, lacked freedom, citizenship and political rights: "...Sudan post-colonial governments have progressively undermined the position that southerners (the people of Southern Sudan) had achieved in the colonial local government structure. This process has been taking place over several decades and significantly deepened during the current war. While southerners are by law Sudanese citizens, their incorporation into the northern economy coincided with the Islamisation of elite politics and the decline in secularism..."<sup>66</sup> Other scholars have also examined the Sudanese political crisis from socio-economic perspective. For instance, Sidgi Kabalo and Ray Bush pointed out that the post-colonial Sudanese state was characterised by political instability and poor economic performance.<sup>67</sup> They provided statistical evidence, based on the World Bank 1990 report, to prove their case: "...Total long term outstanding debt and disbursement is US\$ 8.4 billion which is equal to 74.6% of Sudan's gross national product..."<sup>68</sup> The effects of this poor economic performance, coupled with unfair distribution of these scarce resources between the North and the South, has indirectly fuelled the civil war.

Sidgi and Bush also share Woodward's view that the failure of the successive Sudanese government to resolve regional and ethnic disparities was a significant element in the crisis of the state soon after independence.<sup>69</sup> Douglas Johnson extended this analysis of the crisis of the Sudanese state to include the 1972 Addis Ababa Agreement, among others, as one of the main reasons for the outbreak of the conflict in 1983. According to Johnson, the humanitarian crisis, that have encouraged the international community to intervene on behalf of the civilians displaced by war, arose as a result of the failure of the Addis Ababa Peace Agreement "to secure significant political autonomy for the south; to establish a measure of regional control over the south's autonomy and the direction of its development; to include the south in any significant way in the running of the central government; (4) to resolve the issues of the border territories of Hofrat an-

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<sup>66</sup> Duffield, M., *Sudan: Unintended Consequences of Humanitarian Assistance*, p. 53

<sup>67</sup> Sidgi & Bush, "The Sudan State: continuity and change", pp. 186-7

<sup>68</sup> *Ibid.* p. 186

<sup>69</sup> *Ibid.*, p. 187

Nahas/Kafia, Abyei and Chali”.<sup>70</sup> Interestingly, Johnson’s analysis shows that the failure of the Addis Ababa Agreement to bring political stability and economic development for the Southern region had provided the basis for the 1983 rebellion against the Sudanese state.<sup>71</sup> In summary, most of the scholars cited above have identified three main reasons which led to the outbreak of the conflict in 1983.<sup>72</sup> First, there was considerable suspicion at the announcement that Egypt and Sudan would jointly build a canal at Jonglei to provide 4.7 billion cubic metres of water annually. In addition to the charges of southern neglect, Jonglei was seen as an example of Sudanese-Egyptian integration in practice, and this too was deeply feared in the South as leading to further marginalisation and discrimination against the region. Second, the issue of equity of access to state power and resources have been determined in a pre-emptive fashion in favour of the hegemony of the northern Arab Sudanese. For example, the economic benefits which southerners had hoped for, and been promised in 1972 by the ruling elite in Khartoum, did not materialise, despite the discovery of oil in the south.<sup>73</sup> The third was the redivision of the south into weak autonomous regions and the imposition of *Sharia* law in September 1983. President Nimeri decision redivide the South into three weak autonomous region was seen by southerners as further evidence of Arab northern attempt to suppress and marginalised the region politically and economically.

The analysis above shows that there is a very strong concern nurtured within the northern elite about the necessity of promoting a strong state that has effective authority that cannot be contested by the peripheral regions, non-Arab and non-Muslim ethnic groups. This was seen by the manner with which the military junta in Khartoum attempted to institute authoritarian Islamic federal framework as the only legitimate framework for articulating, mobilising and aggregating diverse demands and claims on the state. Racial, linguistic and religious categories have become the basis for crucially important power relations that have resulted in the peoples who

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<sup>70</sup> Douglas, “North-South Issues”, p. 120

<sup>71</sup> *Ibid.*, p. 119

<sup>72</sup> Woodward, “Sudan: Threats to Stability”, *Conflict Studies No. 173*, London, The Institute for the Study of Conflict, February 1985, pp. 1 – 22; Douglas Johnson, “North-South Issues”, in Woodward, *Sudan After Nimeiri*, pp. 119 – 138. For a recent detailed analysis of the Sudanese conflict, see, for example, Ann Mosely Lesch, *The Sudan – Contested National Identities*, Indianapolis, Indiana University Press, 1998

live in the northern and central Nile Valley wielding disproportionate political and economic power.<sup>74</sup> Indeed, throughout the years following independence, the Khartoum government, with its military machine and unshakeable electoral majority, was under no pressure and felt no need to make overtures to the African people in the south of the country. The South affected by exclusionary and discriminating policies reacted in frustrated opposition and withheld support for the political system which it considered of questionable legitimacy. Relevant to this thesis is the fact that the conflict has led to the collapse and destruction of institutions in virtually all parts of Southern Sudan and fringing areas such as the Nuba Mountains and the Blue Nile. All parties to the conflict were human rights abusers. In terms of humanitarian consequences of the war, the scale of suffering was staggering. The UN estimated that some three million Sudanese were displaced in 1986-88, and that half a million deaths resulted from disease and starvation.<sup>75</sup> The section below will identify the events leading to mass starvation in Southern Sudan.

### 1.3. THE TYPOLOGY OF FAMINE CRISIS

The realist will argue rightly that destabilisation and displacement of non-combatants were strategic imperatives for both parties to realise their objectives. It is these strategic imperatives that led to famine in Southern Sudan during 1986-89.<sup>76</sup> Three principal stages can be identified in the genesis of the famine from 1986 to the period when the international community launched OLS. The first stage, which began from January to December 1986, saw an intensification of the war, including SPLA laying siege to government-held garrison towns, and increased use of militia forces by the government. Throughout the year, the SPLA attitude to relief was uncompromisingly hostile. The most important causes for this famine were the results of deliberate policies adopted by the insurgents. Both the government and the SPLA denied food to the civilian population in the war zones. The policies of

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<sup>73</sup> For a discussion of oil politics in the Sudan, see Raphael Badal Koba, *Oil and regional sentiments in Southern Sudan*, Discussion Paper No. 80, Department of Geography, Syracuse, Syracuse University, 1983

<sup>74</sup> Ann Mosely Lesch, *Sudan: Contested National Identities*, Indianapolis, Indiana University Press, 1998, p. 3

<sup>75</sup> DHA, "Emergency Assistance to the Sudan: Summary of Urgent Humanitarian Requirements", UN General Assembly document A/43/755, Geneva, October 27, 1988

denying relief did not create the famine, but made it much more severe when famine occurred. These tactics included obstructing relief supplies, distorting commercial food markets and preventing famine-stricken populations from following “coping” strategies (for instance searching in the bush for wild foods).<sup>77</sup> Even where these activities did not directly create starvation, they left rural people so destitute that even mild climatic adversity, such as drought or flood, made them vulnerable to famine. The government attitude hardened in the second half of the year. The argument of the national authorities was that by not adhering to the laid down government policies – which included supervision of relief aid going into the rebel-held areas – the UN and NGOs were flouting the constitutive norms of state sovereignty. Given the importance of such norms to the pluralist international society theory, this left no room for Western donors and relief agencies to operate policies based on the neutrality of aid without alienating the government. The donors chose to go along with the government relief directives.<sup>78</sup>

The second stage, which was from December 1986 to September 1988, saw a slow build up of the famine, culminating in the mass deaths by starvation of displaced people from Bahr el Ghazal during the middle of 1988.<sup>79</sup> The two years-long fighting between the SPLA and the government forces and the resulting destruction of infrastructure, compounded by successive years of drought in the south as well as in the central and western parts of the Sudan, have generated greatest number of the world’s internally displaced population.<sup>80</sup> According to *World Refugee Survey* 1993, the number of the displaced in the Sudan hovered around 5 million by the time international community was struggling to establish OLS. In Khartoum, displaced persons were believed to constitute approximately 40

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<sup>76</sup> For an analysis of the degree of famine and suffering, see Millard J. Burr, *Quantifying Genocide in the Southern Sudan, 1983 – 1993*, Washington D.C., US Committee for Refugees, 1993

<sup>77</sup> Alex e Waal, “Some comments on militias in the contemporary Sudan”, in Daly M.W. and Ahmed Alawad, *Civil War in the Sudan*, p. 150; see also, David Keen, “The Functions of Famine in Southwest Sudan: Implications for Relief”, in Macrae J. & Zwi A. (eds.), *War and Hunger*, pp. 111-122

<sup>78</sup> Millard J. Burr, *Quantifying Genocide in the Southern Sudan*, p. 15

<sup>79</sup> UN, *Emergency Situation in Sudan: Urgent Humanitarian Assistance Requirements*, Geneva, DHA, November 10, 1988, pp. 4 - 11

<sup>80</sup> UNHCR, *UNHCR’s Operational Experience with Internally Displaced Persons*, Geneva: Office of the United Nations High Commissioner for Refugees, Division of International Protection, September, 1994, p. 50

per cent of the city's population.<sup>81</sup> This massive displacement resulted from raiding by government militias, and scorched-earth tactics of the regular army and the SPLA, which rendered much of northern Bahr el Ghazal and central Upper Nile a wasteland. The SPLA siege of government-held towns was tight, and army officers were said to have made private fortunes from speculating in grain and other commodities in short supply. During this period, relief programmes were mostly ineffective.

The third stage, which was from October 1988 to September 1989, saw the situation improved in the rural areas following the military gains by the SPLA, which prevented raiding by government militias. In the garrison towns, however, the famine intensified, as the SPLA noose became tighter. The famine also came to world attention at this point. The donors tried to initiate relief efforts while still conciliating the government. By December 1989, the failure of the policy of conciliation became increasingly apparent. For the first time Western donors took decisive action at the cost of opposing the policies of the government, and took initiatives to influence the course of events.<sup>82</sup> The SPLA was also influenced by the donors to change its tactics and to accept food relief. But as the international community was trying to establish a mechanism for relieving the suffering of the civilian population, the war broke out again, and the government, under pressure from the military establishment, announced its intention to crush the SPLA by force of arms. A combination of deliberate policy and ineptitude served to deny relief food to the needy population of Southern Sudan during the years 1986-88.<sup>83</sup> The deliberate policy operated at several levels. In Khartoum, the government and the Military High Command made a series of decisions that effectively prevented relief programmes.<sup>84</sup> As Mark Duffield explained:

*...Merchants, militia leaders, politicians and army officers connived together to cause and profit from this famine. They armed militia groups, organised the sale of looted livestock, put captive labour to work on commercial farms, prevented relief from reaching the area and, through*

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<sup>81</sup> UNHCR, Operational Experience with Internally Displaced Persons, p. 50

<sup>82</sup> Haider A., Note for the Record: Sudan Donor's Meeting, 23 March, 1989, New York, March 28, 1989

<sup>83</sup> Millard J. Burr, Quantifying Genocide in the Southern Sudan, p. 2

<sup>84</sup> Alex de Waal, "Starving Out the South", pp. 165-9



*circuits of the informal economy, dispatched some of the proceeds abroad as capital flight. Although the poor suffer as a result of the 'disaster' of war and famine, through the process of actual adjustment the powerful and well-connected frequently gain.<sup>85</sup>*

These decisions may not have been made with the deliberate intention of creating starvation, but that was one of their foreseeable consequences. In addition, the GOS connived in and implicitly encouraged local administrators and military commanders to obstruct relief.<sup>86</sup> The government, like the SPLA, hampered the relief effort by bombing towns, and restricting aid flights to the south. Not surprisingly, the situation of persons displaced as a direct result of the conflict in the south was particularly worse than those affected by the drought. Subjected to appalling living conditions in camps and shanty towns around the country, used as pawns by both parties to the conflict for which denial of humanitarian assistance became a political and military tool, and forced to endure a coercive policy of relocation, the majority of the internally displaced southerners had found themselves in an extremely vulnerable situation. NGOs such as the Sudan Council of Churches (SCC), Sudanaid, Oxfam-UK, Medecins sans Frontieres (MSF) and the International Committee of the Red Cross (ICRC) alerted governments and UN agencies to the food shortages in the south in 1986.<sup>87</sup> The NGOs also sought to mount their own relief initiatives, which lacked the international visibility and political support, which might have helped sustain them.<sup>88</sup>

But as described in the next section below, the humanitarian imperative to provide food and protection for non-combatants in the Sudan was decisively limited or effectively impaired. The realists argue that when both parties to the conflict turned to the use of force in the above setting, invariably strategic calculations on the utility of forced displacement had overridden international normative prohibitions against violating the human rights of non-combatant civilians. This

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<sup>85</sup> Mark Duffield, "Where Famine is Functional", *Middle East Report*, September/October 1991, p. 29

<sup>86</sup> S.O. Efuk, *The Politics of Famine in Sudan*; de Waal, "Starving Out the South", p. 171

<sup>87</sup> At the same time as famine occurred, the Sudan government did its best to invoke sovereignty and use bureaucratic obstructions to keep relief food from starving southerners (the people of southern Sudan). See, Françoise Jean (ed.), *Life, Death and Aid*, the Medecins Sans Frontieres Report on World Crisis Intervention, New York, Routledge, 1994, p. 18

<sup>88</sup> Weiss T. & Minear L., "Do International Ethics Matter? Humanitarian politics in the Sudan", *Ethics & International Affairs*, Vol. 5, 1991, p. 200

poses virtually insurmountable obstacles to giving effect to international humanitarian action. Thus, the section below describes the earlier humanitarian relief obstacles that led to the launching of Operation Lifeline Sudan as a solution. Such a description is necessary because the failure of such earlier relief efforts and the human suffering that became an embarrassment to the international community as pictures of starving women and children were flushed all over the world, forced the Sudanese authorities and the UN to overcome the obstacles posed by pluralist international society theory.

### 1.3.1. SOVEREIGNTY AS OBSTACLE TO INTERVENTION

Pluralist claim that the constitutive principles of state sovereignty and non-intervention make intervention difficult in states' domestic affairs is useful in understanding why it was difficult for international community to intervene into Sudan internal affairs on humanitarian grounds. In 1986-88, the UN, donor states and NGOs encountered six major obstacles which directly resulted from GOS use of its sovereignty. The first obstacle was in March 1986 when the GOS threatened to close down CART (Combined Agency Relief Team)<sup>89</sup> because of policy differences. CART was set up in the Southern Sudan capital, Juba, with the support of the European Community (EC), and its aim was to relieve the suffering of the displaced population in areas held by the government. CART operated on the solidarist principle that aid should be neutral and accounted for; no CART relief was to be transported by military convoy.<sup>90</sup> Under CART, several NGOs began to assist the civilian population in the south of the country, and these included Norwegian People's Aid (NPA), Oxfam, and World Vision International. But such efforts were vulnerable to political pressure. While Sudan government was perhaps less frontal in its assault on relief efforts, it used its territorial prerogatives to frustrate CART attempts to supply civilians in the south. It maintained that relief could only be provided in the areas it controlled, where it supervised relief activities closely, and withheld permission for agencies to operate elsewhere. Towards the end of 1987, CART was forced to close down as the situation of the war became more

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<sup>89</sup> CART was a consortium of non-governmental organisations working in areas held by the Sudan government. The NGOs involved in this consortium were composed of secular and ecumenical organisations.

complicated, with each warring party determined to frustrate international relief efforts.

The second obstacle was an attempt in 1986 to run a joint UN relief programme code-named “Operation Rainbow”. This was a relatively modest attempt to provide relief to civilians in the government held towns, particularly Juba, using one Hercules aeroplane. Winston Prattley, the UN Resident Representative in Sudan, directed it. Prattley estimated that 960,000 people in Southern Sudan faced famine. “I think a lot of people will certainly die”, said Mr. Prattley<sup>91</sup>, and he appealed for food truce to allow relief to reach famine-affected civilians in the combat zones. In May that year, reports in the international press told of 600,000 people driven from their homes by militia activities in one province alone.<sup>92</sup> Mr. Prattley was involved in delicate negotiations with both the government and the SPLA. His appeal for a food truce was unsuccessful because the government of the Sudan (GOS) was outraged by the very fact that the UN Resident Representative was talking to the “terrorists”, a reference to the SPLA. The GOS not only prevented Operation Rainbow from proceeding, but it also expelled Prattley himself. Mr. Prattley was accused by Khartoum of “political meddling” and was expelled in October 1986.<sup>93</sup> Under most circumstances the expulsion of the most senior UN representative in a country would have elicited some form of reactions from the major donor states involved in the Sudan disaster emergencies.

Given the fact that “Operation Rainbow” was set up by the international community, why were the strongest members of this community ( the donors) silent over the expulsion of the UN Resident Representative? The international civil servants (officials working within the UN system) reacted from a pluralist perspective by arguing that the donor community acted responsibly by not publicly condemning the sovereign government in Khartoum. According to these officials, any condemnation at that time would have made the government more uncooperative.<sup>94</sup> What was needed in such a delicate situation, they argued, was

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<sup>90</sup> NGOs, Internal Report on the Situation in Juba, Juba, South Sudan, August 25, 1992, p. 6

<sup>91</sup> S. O. Efuk, *The Politics of Famine in Sudan*, p.

<sup>92</sup> Sheila Rule, “Khartoum Suspected of the Role in Raids on African Tribesmen”, *International Herald Tribune*, 7 May 1986, p. 11

<sup>93</sup> Minear L., *A Critical Review of Operation Lifeline Sudan*, p. 9

<sup>94</sup> Interview with Christopher Jaeger, UNDP Programme Resident Coordinator, Nairobi, March 12, 1996

behind-the-scene diplomacy. In fact, from this author's own experience, some of the donors privately welcomed the expulsion, because the UN, the European Community (EC) and the United States Agency for International Development (USAID) were all competing for influence and programmes in the Sudan.<sup>95</sup> In fact, Washington's dislike of the World Body is well documented.<sup>96</sup> According to MacKinnon, relations between the US and the UN "had been a steep decline during the preceding two and a half decades: as the 1970s and the Carter administration gave way to the 1980s and the Reagan administration, the United Nations increasingly found itself on the very periphery of American foreign-policy thinking".<sup>97</sup> Even bad news for the Organisation was the strong criticisms of the UN by members of both Republican and Democratic parties in the US Congress. Representatives and Senators (both conservatives, and unilateralists) alike eyed the UN with a great deal of suspicion, leading them to aim at the Organisation, and its programmes.<sup>98</sup> In the Sudan, this hostility towards the UN was very much in the air. According to one NGO official, the contempt held by USAID for the UN programmes was no secret, while the EC sought to exploit any opportunities opened by the government.<sup>99</sup>

Whatever the reasons behind the donor states silence, the triumph of the government's hard-line policies over humanitarian needs were achieved because – as pluralists rightly claimed - it had exposed the impotence of the UN and its member states in dealing with the sovereignty issue. Some scholars have proved that many of the moral dilemmas with which humanitarians are faced in the international arena today arise from uncertainty over the relative value to be attached to sovereignty and to human rights, to states and to human beings.<sup>100</sup> In international relations humanitarian norms often conflict with the principle of sovereignty. Sovereignty in its classical realist interpretation is an expression of the principle of non-intervention and self-determination in the sense that domestic policies are not a

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<sup>95</sup> Millard J. Burr, *Quantifying Genocide in the Southern Sudan*, p. 19

<sup>96</sup> See, for example, Michael G. MacKinnon, *The Evolution of US Peacekeeping Policy Under Clinton: A Fairweather Friend*, London, Franc Cass, 2000, p. xiv

<sup>97</sup> *Ibid.*

<sup>98</sup> *Ibid.*

<sup>99</sup> Interview with Vilagio Omoi, MSF Field Officer, Lokichoggio, February 9, 1997

concern of international politics. The most important legal prohibitions against intervention are contained in the UN Charter, which states (Article 2.4) that the UN members are obligated to “refrain in their international relations from the use of force against territorial integrity or political independence of any other state.” Moreover, in 1965, the General Assembly passed Resolution 2131, which states in part: “No State has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic, or cultural elements are condemned”.<sup>101</sup> Five years later, the General Assembly passed Resolution 2625, titled the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States, which reiterated the non-intervention norm. This means that within this self-governing territory, the sovereign state has undivided jurisdiction over all persons and ideas they might hold. Thus, donor governments’ muted response to the dismissal of a top UN official should be seen from the way they value the constitutive principles of the Westphalia state sovereignty.

The third obstacle was in June 1986 in which the Sudanese churches and a group of aid agencies launched an appeal for relief for the famine-stricken areas, thus supporting Mr. Prattley earlier appeal for a food truce, which they saw as an essential precondition for a relief operation. Mark Duffield, then Oxfam Field Director, said: “Aid agencies decided to bring out the statement because they think it is getting near the end of the line in southern Sudan. There’s going to be nothing left in the south”.<sup>102</sup> Nothing came of the appeals for a food truce in 1986. In fact, towards the end of that year, the central government embarked upon a more comprehensive campaign of misinformation. In December 1986, relief agencies proposed a relief programme for 1987. This proposal had two key elements.<sup>103</sup> One was an estimate of need amounting to seventy one thousand tonnes of relief food for

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<sup>100</sup> Caroline Thomas & Melvyn Reader, “Human Rights and Intervention: A Case for Caution”, in Jan Nederveen Pieterse (ed.), *World Orders in the Making: Humanitarian Intervention and Beyond*, London, Macmillan Press, 1998, p. 111

<sup>101</sup> Quoted Mark R. Amstutz, *International Ethics: Concepts, and Cases in Global Politics*, Boulder, Rowman & Littlefield Publishers, 1999, p. 120

<sup>102</sup> Quoted in Gill Lusk, “Appeal for Truce to Save Sudan Starving”, *The Times*, 14 June 1986

<sup>103</sup> UN, Technical Co-ordinating Committee, Khartoum, December 15, 1986, p. 4

the first six months of 1987.<sup>104</sup> The agencies wanted the government to forward this to the donor countries as an official request. This would obviously have involved the government declaring a famine emergency in the south. The second element was that the relief should be neutral and should be accounted for. Normal practice was for the GOS to endorse the figure, and to use it as the basis of an appeal to the donors for food and resources to transport the food. However, at the two aid co-ordinating meetings held in December, chaired by Kamal Shwagi, the head of the government-owned Relief and Rehabilitation Commission (RRC), the government blocked these proposals.<sup>105</sup> The Sudanese government refused to endorse the agencies' estimate of need, though it passed it to the donors and the UN as an 'information briefing'.<sup>106</sup> This intransigent position by a sovereign authority forced the donors to rethink their position with regard to the situation. Although there was a consensus that something must be done to relieve the suffering of the civilians caught in the war zones, no donor was prepared for a confrontation with the Khartoum government. In fact, the expulsion of Winston Prattley served as a warning to those contemplating a confrontation with the sovereign authorities. It was not surprising, therefore, that the donor community, and the relief agencies chose to placate the government and work for change through cooperation and quiet diplomacy. But this policy yielded no fruits.

The fourth obstacle has two stages. The first stage was the decision by the GOS to close down the UN Emergency Office for Sudan (UNEOS) itself, on the grounds that the famine was over. The famine they referred to was, of course, the 1984/5 famine in Western Sudan, rather than the developing famine in South Sudan. Again, the UN did not object, and UNEOS was closed down and its assets and responsibilities were transferred to the government owned Relief and Rehabilitation Commission (RRC). No UN agency even considered providing relief aid to SPLA-held areas during 1987 and most of 1988. A second stage was that UNICEF opened a small co-ordinating office in Nairobi to assist NGOs that were beginning small-scale operations in non-government held areas.<sup>107</sup> But in a meeting on 3<sup>rd</sup> October 1988, Dr. Hussein Abu Salih, the Sudanese Foreign Minister, objected to James

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<sup>104</sup> Alex e Waal, "Starving Out the South", p. 170

<sup>105</sup> UN, Technical Co-ordinating Committee Report, Khartoum, December 15, 1986, pp. 1-5

<sup>106</sup> Efuk, *The Politics of Famine in Sudan*, p. 12

<sup>107</sup> Scott-Villiers, Report Submitted to V.O. Reilly, Nairobi, UNICEF/OLS, April 21, 1988

Grant, then Director of UNICEF, that this was in violation of Sudanese sovereignty.<sup>108</sup> Unhappy about foreign interference in its domestic affairs, the GOS insisted on being kept fully in the picture and on playing a major role itself.

This brings us to the fifth obstacle, and that is the failure of donor policy of appeasement. Before the establishment of OLS in 1989, donors' relief agendas had three main limitations.<sup>109</sup> The first limitation was that donors did not concern themselves with tackling the underlying processes of famine, concentrating instead on reacting to the final stage when in the middle of 1986 half a million Sudanese civilians were said to have starved to death.<sup>110</sup> One way of addressing underlying processes was through political pressure on the Sudanese government. The opportunity to exert such pressure – whether to check raiding and associated human rights abuses or to advance peace negotiations – existed.<sup>111</sup> Western donors were providing roughly half of the recurrent government expenditure in Sudan in the winter of 1988-89.<sup>112</sup> There were those who argued that withdrawing aid would not have changed the views of the GOS towards external intervention. But I argue that during 1986-88, the GOS was weakened by domestic factors. The first factor was that the coalition government of Prime Minister Sadig el Mahdi was unstable because one of its partners, the Democratic Unionist Party (DUP), was in favour of ending the war in the south, and had made contacts with the SPLA. Another factor is that Sudan was economically drained by the civil war, and the impact was felt in the streets of Khartoum in the form of anti-government demonstrations. For these reasons, the GOS was vulnerable both at home and outside. Yet no linkage between continued aid and reducing conflict was made, with donors also eschewing public criticism of the Sudanese government until March 1989. As late as November 1988, the key UN document that purported to address the issue of the displaced made only

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<sup>108</sup> See, for example, Minear, L., *A Critical Review of Operation Lifeline Sudan*, 1991

<sup>109</sup> For a discussion of donor limited agendas, see Keen D., "The Functions of Famine in Southwestern Sudan", p. 116

<sup>110</sup> For detail report on the nature and degree of starvation, see Sudan Council of Churches, *Regional Situations: Especial Report on South Sudan*, Khartoum, February, 1987; UNICEF, *Note for the Record*, visit to El-Meiram, Khartoum, 27-28 October, 1987; Africa Watch, *Denying the "Honor of Living": Sudan, A Human Rights Disaster*, New York, 1990; Concern, *Situation Report on Relief Operations*, Khartoum, 1988; Medecins Sans Frontieres-France, *El Meiram Situation Brief*, Khartoum, 22 December, 1988.

<sup>111</sup> Interview with Ambassador Anderson, former US ambassador to Sudan, Nairobi, March 4, 1996,

<sup>112</sup> David Keen, "The Functions of Famine in Southwestern Sudan: Implications for Relief", p. 116

one reference to militias in 164 pages.<sup>113</sup> Donors had downplayed the militias' links with the Sudanese government and stressed their defensive role<sup>114</sup>; the research available to donors showed clear links between the Baggara militias and the government, and demonstrated the militias' aggressive role.<sup>115</sup> In other words, the US and its Western allies were very much aware of who was most responsible for creating such massive displacement of civilian population in the south, but they chose to listen to the advice of the national government.<sup>116</sup> The second major limitation in donors' policies was their concern with getting relief to "accessible" areas, largely accepting government definitions of what these were. The government's expulsion of the UN's Special Representative Winston Prattley in 1986, which drew scant protest from the major donors, had put an end to donor attempts to reach beyond the government garrison towns. The incident also convinced most private relief agencies that channelling relief to rebel-held areas of Sudan would not be tolerated by the Sudanese government, nor be supported by donors.<sup>117</sup> The activities of various Western governments, among them the US, showed how the donor community remained faithful to the principles of state sovereignty. During the years preceding OLS, the US and Britain channelled aid to the Sudan largely through their Khartoum ally. As a result, they assisted people in government-held areas only.<sup>118</sup>

For the pluralists and realists, this is inevitable, because, according to the Westphalian conception, a government's claim to be recognised as sovereign was not dependent upon how it behaved towards its citizens. Thus, the norm of non-intervention is a description of state sovereignty, for without the former the latter is impossible.<sup>119</sup> As far as the Sudanese government was concerned, the international community was interfering in what was its domestic affairs. The GOS protection of its territorial integrity was justified because during that period, there were no

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<sup>113</sup> UNEO (United Nations Emergencies Office), *The Emergency Situation in Sudan: Urgent Humanitarian Requirements*, Geneva, November, 1988

<sup>114</sup> See US Congress, *Ethiopia and Sudan: Warfare, Politics and Famine*, Hearing before the Select Committee on Hunger, House Representatives, serial No. 100-30, Washington D.C., 14 July, 1988

<sup>115</sup> See Mahmud U. & Baldo S., *Al Da'eim Massacre: Slavery in the Sudan*, Khartoum, 1987

<sup>116</sup> *The New Yorker*, March, 1989, p. 12

<sup>117</sup> Keen D., "The Functions of Famine in Southwestern Sudan", p. 118

<sup>118</sup> *Ibid.*, p. 115

<sup>119</sup> Mark R. Amstutz, *International Ethics*, p. 120



internationally recognised laws to protect the internally displaced, other than national laws. In the minds of the government bureaucrats in Khartoum, Sudanese internally displaced population were within the borders of the Sudan and were therefore the responsibility of the government. The implication of this line of argument is that the international protection of internally displaced populations is severely limited by the national context. In spite of the existence of international humanitarian actions to assist the internally displaced Sudanese, there was still a lack of an entitlement to international protection and assistance.<sup>120</sup> The donor governments' silence is understandable, because 'realism', as practical possibility and political necessity is a sufficient explanation. Besides the ritual associated with the sanctity of the state sovereignty, donors' failure to put pressure on the government of the Sudan can also be described in terms of the Cold War politics which was very much in the minds of Western governments. The post-war world was one dominated by bipolarity, and the Cold War conflict between the West, led by the United States, and the East, controlled by the Soviet Union.

Thus, a concern for stemming the spread of communism was a central Western policy to the Third World. During this period, at least in Africa, geopolitical considerations were given more attention by states at the expense of humanitarian imperatives. In the Horn of Africa, for instance, frenzied competition between communism and anti-communism, promoting political ideology became more important than humanitarianism.<sup>121</sup> Thus, the attitude of the donor states was one of disinterest in the famine but diplomatic support to the government, which was viewed as friendly and pro-western. This disinterest amounted to censorship, comparable to that in Ethiopia during 1982-4. It stood in marked contrast to the huge international concern with the perceived impending famine in Ethiopia during 1987-89. The donor governments were more concerned with the possible famine in Ethiopia than with the exceptionally severe famine already occurring in Southern Sudan. According to Larry Minear, predominant geopolitical considerations made

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<sup>120</sup> In this thesis humanitarian relief assistance is also defined as foreign intervention designed to prevent and minimise gross human rights violation and the promotion of good governance and development.

<sup>121</sup> Thomas G. Weiss & Larry Minear, *Humanitarianism Across Borders: Sustaining Civilians in Times of War*, Boulder & London, Lynne Rienner Publishers, 1993, p. vii; David Halloran Lumsdaine, *Moral Vision in International Politics: The Foreign Aid Regime, 1949-1989*, Princeton, Princeton University Press, 1993, p. 55

the Sudan the largest recipient of the US aid in sub-Saharan Africa during the eighties.<sup>122</sup> In fact, in 1986-88, forceful public US criticism of Khartoum policies on humanitarian and human rights for its grounds was muted by US interest in continued base rights for its rapid deployment force and access to the Red Sea, strategic proximity to Marxist Ethiopia, support for the Sudan's ally Egypt and for the Sudan government itself, which alone among other Arab governments had backed the Egypt-Israel Camp David Agreement. It must also be recognised that outside of diplomatic condemnations or using international forums such as the UN and the EC to denounce human rights and humanitarian violations, there was no effective machinery to directly compel the Sudanese government to change its policies. By the time the international community made the decision to threaten the use of sanctions to compel the GOS to comply with the international demands, the damage had been done and the GOS had achieved some of its goals.

The sixth obstacle is to do with the impotence of domestic and international press throughout the period discussed above. Since the experience of Ethiopia in October 1984, relief agencies regard the press as a natural ally in their struggle to attract the attention of the donors to a famine. In the immediate aftermath of Band Aid, the press had played this role across Sahelian Africa, notably in Western Sudan. However, the experience of Southern Sudan throughout 1980s shows that there is a limit to which the press can be relied upon to galvanise international community on behalf of relief agencies. Throughout 1986-88, the Sudanese government had embarked upon a more comprehensive campaign of the mainstream newspapers which catered for a reading public in Khartoum who considered the war and famine, at worst, as embarrassing irritation.<sup>123</sup> On June 6, 1988, Prime Minister Sadiq el-Mahdi spoke against "elements in the Sudanese media, in co-operation with the foreign media, who have been attempting to create an impression that there is racial and religious conflict in Sudan".<sup>124</sup> The GOS was even more hostile towards the Western press. Several constraints were imposed on international press. One constraint was restricted access for journalists, who could not obtain permits to travel to rural areas of the South. They mostly travelled with relief workers to

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<sup>122</sup> Minear., *A Critical Review of Operation Lifeline Sudan*, 1991, p. 76

<sup>123</sup> For a discussion of the difficulties faced by the press in reporting the humanitarian crisis in the Sudan, see S.O. Efuk, *The Politics of Famine in Sudan*, p. 10

<sup>124</sup> *Ibid.*

government held towns and therefore did not visit the areas inaccessible to relief. Thus, most press coverage of Southern Sudan during 1986-88 consisted of the story "aid is getting through". While a little aid was getting through to the areas to which relief agency personnel had access, this story-line was not true for other areas and allowed an unwarranted degree of complacency. A second and related constraint was that relief agencies and journalists made repeated claims that several million people faced famine and starvation. These claims could not be verified because neither the agencies nor journalists had access to the opposition controlled areas in the south.<sup>125</sup> The Western donors considered these un-verified claims to be unreliable and developed a cynicism redolent of Ethiopia during 1982-4. The journalists needed pictures to substantiate the numbers at risk, and these were not available. Moreover, following the expulsion of the UN Resident Representative, and four other relief agencies from the country, the humanitarian organisations themselves encouraged self-censorship by the journalists for fear that exposure of the causes of famine would lead to them being permanently expelled from Southern Sudan.

It is clear from these six obstacles that the GOS had used its sovereignty to obstruct the efforts of humanitarian organisations to engage in in-country activities that might have given some effect to international protection and reduced the human suffering and material destruction caused by the conflict during that period. The triumph of the government's hard-line attitude towards humanitarian needs of its population in areas controlled by the rebel movement was achieved because of the disarray among Western donors and the obstacles imposed by the norms governing the Cold War international system. However, towards the beginning of 1989, humanitarian considerations received higher priority as lessened superpower tensions and the Prime Minister Saddig el Mahdi government's cultivation of Libya altered political calculations. This changed international political climate is the topic of the next section below.

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<sup>125</sup> S. Efuk, *The Politics of Famine in Sudan*, p. 12

### 1.3.2. THE CHANGED INTERNATIONAL CLIMATE

The easing of Cold War tensions from 1989 reduced the perceived benefits of shielding a “friendly” Sudanese government from criticism. For the first time Western donors took a decisive action at the cost of opposing the policies of Khartoum, and took the initiatives to influence the course of events.<sup>126</sup> Although this change of policy could be said to have emerged as a result of the relaxation of the East-West tension, the international media could arguably be said to have influenced donors’ robust position on relief emergency in the Sudan. While some analysts may disagree, the media and public opinion are key factors that pushed the momentum for change among the donor governments. Considerable responsibility for conveying the challenges of the Sudan humanitarian predicaments also lay with policymakers and international governmental and non-governmental organisations. But even the most astute policymakers must rely on the media for information and to communicate their views. The CNN and the BBC coverage of the Sudan famine in 1986-88 had pressured, and shamed Western governments into a confrontation with the Khartoum government over its obstruction of humanitarian relief assistance to areas controlled by the SPLA.

Donors who had earlier avoided any confrontation with the Khartoum government could no longer have any excuses for inaction. Diplomatic discourse during this period concerning the increasing obstruction of relief aid in the Sudan communicated the international community’s anxieties over the two problems of human rights-humanitarian protection and the delivery of aid to those in need. The principal states involved in designing an effective response, including possible unspecified punitive measures, to the growing Sudan emergency disaster (the US and the EC member states) issued diplomatic statements that defined their position with regard to the two problems. Although the United States policies will be discussed in detail in chapter 3, the reader should bear in mind that Washington played an important role in pushing for the establishment of OLS. Before the launching of OLS, two prominent Americans, Julia Taft of the Office for Foreign Disaster Assistance (OFDA) and Congressman Mickey Leland, had travelled to Sudan and became personally involved in the twin causes of peace and famine

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<sup>126</sup> Efuk, *The Politics of Famine in Sudan*, especially chapter 2

relief.<sup>127</sup> The fact that the politico-military strategy of both the GOS and the SPLA was designed to displace civilian non-combatants as war-security aims, presented the US and its Western allies with a set of problems regarding human rights and humanitarian relief aid. Unfortunately, however, the US framed the problems generated by the escalation in famine by both its failure to undertake early preventive action and the flawed assumptions on which its conflict management efforts were based. These problems fall into two principal categories – human rights and humanitarian aid assistance. In terms of human rights and humanitarian protection, the Reagan administration response was limited to condemnations. But these verbal expressions of moral condemnation by representatives of the US government did not go far enough in persuading the parties to the conflict to modify their relief aid policies. Thus, Washington’s response to the problems of protection of human rights in the context of the war resulted in a substantial failure to engage in either a timely fashion appropriate to the risks the conflict posed both to human life and to any potential political resolution. It was only after President George Bush came to power that humanitarian emergency in Southern Sudan began to be seriously taken by the bureaucrats in Washington.

OFDA initiated a review of the US relief policy towards the Sudan, which reached fruition at the time of the inauguration of George Bush as President. In January 1989, the incoming US Administration spoke about the possibility of cross-border operations to the SPLA-held areas, made public with a demand by the new Secretary of State James Baker that the GOS should allow relief to go to all needy people.<sup>128</sup> In regard to human rights and humanitarian protection, James Baker declared that the US was not going to “stand by and watch the Sudanese authorities deny the people of Southern Sudan their rights, and that the international community does not see the Southern Sudan emergency as an internal problem but as an affront to universal standards of human rights which the donor community pledged to uphold”.<sup>129</sup> This public demand was backed up by a threat of economic sanctions,

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<sup>127</sup> Millard J. Burr, *Quantifying Genocide in the Southern Sudan*, US Committee for Refugees, p. 21

<sup>128</sup> US AID/Bureau for Humanitarian Response/OFDA, *Situation Report No. 4: Sudan*, Washington, D.C., USAID, April 12, 1989, p. 5

<sup>129</sup> Africa Watch, “Sudan: A Human Rights Disaster”, *An Africa Watch Report*, London, March, 1990, p. 133

and other unspecified measures.<sup>130</sup> Washington's position was also echoed in other European capitals; some countries such as the Netherlands and Norway hinted at economic and diplomatic measures if Khartoum did not yield to the international pressure for access to the needy population in non-government held areas. As mentioned above, the television images of the Sudanese war-victims touched the hearts and minds of the American public, and it undoubtedly facilitated the vigorous US action. Having been enthusiastic supporters of 'Africa's newest democracy' a year or so previously, the U.S. now began to hint at its support for a military government if the democratically elected government of Prime Minister Sadiq el Mahdhi would not allow the UN and NGOs access to areas under the control of the SPLA.<sup>131</sup> With the looming military threat from the US and the shaming behaviour of the international community, the stage was thus set for Operation Lifeline Sudan (OLS).

### 1.3.3. LAUNCHING OF OPERATION LIFELINE SUDAN

As international pressure increased, the Government of the Sudan, in June 1988, requested UN Secretary General Javier Perez de Cuellar to appeal for international assistance to prevent starvation in the south and among displaced in Khartoum. After receiving the Secretary General's assessment of the situation, the UN General Assembly in October 1988, following a review of the Secretary General's recommendations, requested him to mobilise and co-ordinate a major relief and reconstruction effort.<sup>132</sup> The Secretary General then declared an emergency, issued an appeal for funds, and instructed the UN staff in Khartoum to step up existing relief activities and planning.<sup>133</sup> Before ending its 43<sup>rd</sup> session in mid-December 1988, the General Assembly approved a resolution that called for an international conference to address Sudan's seemingly intractable problems.<sup>134</sup> The Sudanese

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<sup>130</sup> US Department of State, Country Reports on Human Rights Practices for 1992, Washington D.C., 1993, p. 256

<sup>131</sup> Collin Campbell and Deborah Scroggins, 'Officials: U.S. may Welcome Coup in Sudan; Military Rulers Might Improve Famine Relief', *Atlanta Journal and Constitution*, 27 January 1989

<sup>132</sup> Weiss T. & Minear L., "Humanitarian Politics in the Sudan", p. 202

<sup>133</sup> UN, Emergency Assistance to the Sudan: Summary of Urgent Humanitarian Requirements, UN General Assembly document A/43/755, Geneva, October 27, 1988, pp. 1-8

<sup>134</sup> Cf. "Special Economic and Disaster Assistance: Special Programmes of Economic Assistance," UN General Assembly document A/43/918/Add. Geneva, 1, December 2, 1988

government agreed to host such a conference, and on behalf of the Secretary General, the Executive Director of UNICEF, James Grant, led a high level delegation to a meeting in March 8, 1989, in Khartoum. The conference was jointly convened by the government and the UN, but with joint participation of the major donor governments, the ICRC and other NGOs. The Khartoum Humanitarian Relief Conference took place in an atmosphere of widespread scepticism.<sup>135</sup> As Minear rightly puts it, “the challenge confronting the international community was daunting”.<sup>136</sup> In spite of doubts expressed by some relief agencies regarding the commitment of the warring parties, the conference was a success. After two and half days of conference, the UN and the Khartoum government came up with the Plan of Action.<sup>137</sup>

#### 1.4. UNITED NATIONS PLAN OF ACTION

The decision of the Sudanese government to allow international community to violate its sovereignty on humanitarian grounds was a victory for the solidarists who have long been advocating for the rights of war-victims to external relief aid. The UN Plan of Action laid down the general principles upon which Operation Lifeline Sudan (OLS) was based. The 1989 UN Plan of Action principles, which established OLS, as a UN-led humanitarian relief programme, were based on the International Committee of the Red Cross (ICRC) principles. The father of the ICRC’s Fundamental Principles, Jean Pictet, defined each principle as “a rule, based upon judgement and experience, which is adopted by a community to guide its conduct”.<sup>138</sup> The UN and the warring parties, following the establishment of OLS in April 1989, endorsed these principles. Over time, the humanitarian principles were distilled into a set of statements covering independent access, neutrality, and transparency. Moreover, in this agreement, the principles included a range of actions to be undertaken by the GOS and the international community within a specific Plan of Action. Regarding access, the Plan of Action established the following points:

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<sup>135</sup> Weiss & Minear, “Humanitarian Politics in the Sudan, p. 202

<sup>136</sup> Minear L., A Critical Review of Operation Lifeline Sudan, p. 30

<sup>137</sup> “Plan of Action: Sudan Emergency Relief Operations,” mimeographed conference document, Geneva, March 14, 1989

<sup>138</sup> Jean Pictet, “The Fundamental principles of the Red Cross”, *International Review of the Red Cross*, No. 210, May-June, 1979, p. 135

“the neutrality of humanitarian relief should be recognised; free access should be guaranteed to UN, donor, and NGO personnel participating in relief activities, enabling them to reach all civilian non-combatant populations in need of emergency relief throughout Sudan; aid convoys will only carry humanitarian assistance”.<sup>139</sup> The UN Plan of Action estimated that it would cost about US\$ 133 million to avoid a repetition of 1988 disaster, and it also identified the major corridors<sup>140</sup> through which assistance was to be channelled.<sup>141</sup> In the UN Plan of Action, there were many corridors through which supplies were to be delivered: - by rail from central Sudan to the South, along the Nile, by road from Uganda, Kenya and Ethiopia. The UN proposal was that the tranquillity could either be a period of a month or two months, or more limited options such as corridors of tranquillity through which supplies could be sent. Although the UN Plan of Action was governmental in nature, the opposition movement areas were to be serviced and co-ordinated by UNICEF and an agreement was reached regarding the relationship between the SPLM/A and the United Nations. Here, the UN agencies were allowed to interact with the leaders of the rebel movement without fear of any diplomatic fallout with the Khartoum government. At a May 1989 press conference in Nairobi, James Grant cited agreement between the warring parties as one of the twin miracles of the UN, the other being the prompt and generous response of donor governments to the UN appeal. Grant said:

*I had the privilege of negotiating the SPLA's adherence to the agreement. They agreed it, except that rather than accepting a month of tranquillity, corridors of tranquillity were proposed... This is the first time in history in the midst of conflict that both sides in the war agreed on a common plan of action to reach the people. They made it feasible by agreeing that there ought to be some form of tranquillity that would allow this to function.<sup>142</sup>*

Although many UN bureaucrats were optimistic about this political arrangement, there was nonetheless an atmosphere of doubts among many Western diplomats as

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<sup>139</sup> UN, Plan of Action: Sudan Emergency Relief Operation, Khartoum, March 14, 1989, pp. 2-4

<sup>140</sup> The concept of corridors of tranquillity, or zones of peace, facilitated by short-term cease-fires for humanitarian purposes, had been developed earlier by UNICEF to overcome difficulties encountered in other civil wars. The concept had been utilised in such settings as Lebanon and Kampuchea with success.

<sup>141</sup> See Efuk, *The Politics of Food in Sudan*, p. 62

<sup>142</sup> *Ibid.*, p. 63



to whether such a plan of action would be practicable. Mr. Francis Miles, Canadian ambassador, stated that the situation of human devastation was not the result of any natural disaster but the determination of the warring parties to pursue their military and political goals whatever cost to the civilian population. He said: "In the absence of a peace settlement and national reconciliation, we will consider seriously whether continuing assistance other than a purely humanitarian nature can be identified".<sup>143</sup> In fact, throughout the period mentioned in this thesis, international community assistance was of a humanitarian nature. However, the significance of this arrangement is that it provided real attempt to save the lives of the Sudanese war-victims. For the UN Plan of Action to succeed, the Sudanese government was asked to fulfil several conditions. These included a streamlined bureaucracy, removal of delays and red tape at customs and free access of personnel to non-combatant civilian population in need of relief. Donors also insisted on more favourable treatment under the government's dual exchange rate system - a point the authorities accepted.<sup>144</sup> The GOS agreed to facilitate assistance efforts in a variety of ways. Among them was a favourable term for exchange rates for all UN and NGOs working under Operation Lifeline Sudan. Most important, the government accepted an initial month of tranquillity during which relief efforts could proceed without fear of military action.<sup>145</sup> Thus, the conference and its action plan, to which the insurgents soon agreed, succeeded in establishing a framework upon which humanitarian needs throughout the entire south could be addressed. The Plan Action boosted UN diplomatic efforts because for the first time in African history, and probably that of the entire world, the UN elicited the consent of both protagonists to the very principles that each had violated so routinely during the early years of the war. Humanitarian relief was recognised to be neutral in character, with access guaranteed to all civilian non-combatant populations in need of emergency relief throughout Sudan.

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<sup>143</sup> S. Efuk, *The Politics of Famine in Sudan*, p. 63

<sup>144</sup> UN Plan of Action: Sudan Emergency Relief Operation, Khartoum 1989, p. 4

<sup>145</sup> *Ibid.*

#### 1.4.1. WARRING PARTIES' DOMESTIC MATERIAL INTERESTS

This author agrees with constructivists argument that the critical interaction between politics and relief involved the decisions of the warring parties to allow the establishment of OLS and to participate in it. The common perception was that both sides embraced OLS at a time when, for political and military reasons, it was advantageous for them to do so. It can therefore be argued that any "humanitarianism" by either side was opportunistic. The reasons for the GOS acceptance that its territorial integrity be violated for humanitarian purposes were pragmatic in nature. By early 1989 the beleaguered Sudan army had suffered a string of major defeats in the south of the country. There was growing unrest in the north as well, and the government of Sadiq el Mahdi was weak and vulnerable. The army and all the major political parties, except the National Islamic Front (NIF), pressed for an end to the war. According to Minear, OLS provided the reprieve on the battlefield and a chance for the regime to regroup politically as well.<sup>146</sup>

Two motives can be discerned from these interpretations of GOS endorsement of OLS. First, the Government of the Sudan was facing economic difficulties and was interested in the resources of OLS. Second, which is probably the most important reason, Sudan government simply accepted the hard reality that it had little authority over areas in Southern Sudan to which relief would now be regularly provided. While the GOS accepted OLS out of weakness, the SPLA did so more from a position of military strength. The SPLA had most to gain from the relief programme that was to become OLS, because it had its own clear political and managerial interests in a UN-led humanitarian operation. At this time, the term 'New Sudan' was first used,<sup>147</sup> and Dr. John Garang, SPLM/A Chairman, spoke about forming an alternative government as soon as the SPLA captured all the territory east of the Nile and south of Malakal. His agenda was primarily to gain wider political recognition and to help set the pace of national political events: he intended an alternative national government rather than an alternative local

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<sup>146</sup> Minear, *A Critical Review of Operation Lifeline Sudan*, pp. 205-211

<sup>147</sup> "New Sudan" is a vision of the opposition movement of a country where all the Sudanese regardless of their race, ethnic backgrounds, religion, and sex will live together in harmony. This vision is contained in the SPLM/A Department of Information, "On the New Sudan", Nairobi, February 1989, pp. 1-3

administration. Dr. Garang's new-found enthusiasm for relief in part reflected his much enhanced status in the eyes of the West. Second, apart from these motives<sup>148</sup>, the opposition movement too had reasons for welcoming a reprieve. Rapid military successes made it difficult for the SPLA to govern the areas taken. It needed time to consolidate its control, provide services to the civilian population, and cultivate loyalty. The SPLA forces, like their opposite numbers, also wanted to prepare for the next stage in the war. Despite these persuasive military and political calculations, humanitarian considerations also played a significant role in each side's thinking. As the cumulative human tragedy of the years 1985-88 became more widely known, international and domestic pressure to deal with the humanitarian emergency grew. Censured for retrograde economic and human rights policies, the government saw OLS as a way of reinstating itself with the international community and responding to increasingly vocal elements at home. The SPLA, whose attack on relief convoys and civilian commercial aircraft during the period described in this thesis drew criticisms and censure, also stood to benefit from being seen to be more concerned about civilian lives.

Each party could thus gain from accepting help in meeting the needs of civilian populations that they neither, realistically speaking, could address. Providing more effectively for civilian populations, whether in the government-held areas or in the SPLA controlled areas, would in turn have strategic value. For each side, this benefit outweighed the costs of allowing civilians to be assisted in areas that, in any event, were outside GOS control. For each side, the decision to accept and participate in OLS thus involved a careful weighing of costs and benefits. In fact, participation was part of a broader set of calculations using food as a political weapon, though each disclaimed such a strategy. The domestic material interests of the GOS and the SPLM/A on OLS have been illuminated in the OLS July 1996 review document.<sup>149</sup> It was clear from OLS review document that both the government and the SPLM/A wanted radical changes to the OLS structure. But above all, the GOS and the opposition movement were jealously eyeing the resources channelled through OLS by the international community.

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<sup>148</sup> These motives are also discussed in Efuk, *The Politics of Famine in Sudan*, p. 19

<sup>149</sup> DHA, *OLS Review*, p. 41

## 1. 5. CONCLUSION

This chapter has attempted to identify the obstacles to external intervention as claimed by the pluralist international society theory. Apart from the demise of the Cold War, this chapter has shown three developments that have enhanced international community's intervention in the Sudan. The first development is the need for regional stability and prosperity, which have made mutual involvement of the UN and member states in the Sudanese domestic affairs necessary and inevitable. The second one is that the fragmentation of the Sudanese state has called into question the ability of the central government to meet its obligations to its internally displaced population, and thus to enjoy the full privileges of sovereignty. The third development is to do with the emerging – although not yet taken seriously by the international society in the form of states – moral and legal recognition of common values, such as the protection of human rights or establishment of democratic governance, has created incentives for the UN member states to broaden their conception of geopolitical considerations to accommodate collective efforts to address humanitarian emergency in the Sudan.

In other words, the US and its Western allies, while influenced more by the Cold War strategic considerations, played an important role in persuading the government of Sudan to soften its hard-line territorial claims in favour of humanitarian action by the UN. It was equally clear that the international media, particularly television, coverage and the responses, which this evoked in civil society, largely constituted the Sudan humanitarian disaster.

## CHAPTER TWO

### OPERATION LIFELINE SUDAN PLANS OF ACTION

#### 2.1. OVERVIEW

In chapter 1, the problem identified was on how the international community<sup>150</sup> persuaded the Government of the Sudan (GOS) and the Sudan People's Liberation Movement and Army (SPLM/A) to accept external intervention in the form of Operation Lifeline Sudan (OLS).<sup>151</sup>

The argument of this chapter is that the practical way of internalising international norms is through communication and dialogue (reasoned consensus) with the parties to the conflict. The significance of dialogue in this thesis should be seen from the extent to which OLS encouraged some of form of debate on whether solidarists and constructivists claim that humanitarian norms have a universalist appeal is true or not. Apart from norms, this chapter has also identified two policy instruments, which were used by the OLS agencies and donor governments to protect the integrity of humanitarian relief operations in the Sudan: *sanctioning* and *shaming*.<sup>152</sup> Each takes the same basic form: actions by the humanitarian players to influence the government of the Sudan and the opposition movement's war policies. The reader should bear in mind that the effects of these political devices on the

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<sup>150</sup> "International community" refers to the donor governments, United Nations and NGOs

<sup>151</sup> As discussed in chapter 1, OLS is a joint UN/NGO relief operation for the needy internally displaced and war victims in the Sudan, under the UN umbrella. It began its operations in April 1989, working on both sides of the civil war, in government and non-government areas, but only with the consent of the parties. In 1991 Operation Lifeline Sudan became a programme under the UN Department of Humanitarian Affairs. The OLS Nairobi-based Southern Sector was co-ordinated by United Nations Children Fund (UNICEF), while the Khartoum-based Northern Sector was managed by United Nations Development Programme (UNDP).

<sup>152</sup> *Sanctioning* is a communication mechanism, which seeks to promote good governance and respect for human rights by linking these goals to preferential international economic arrangements. Sanctions exploit material power by denying abusing governments access to financial institutions such as IMF and World Bank. *Shaming* is also a communication device, which seeks to enforce the rights of war victims to relief aid and promotion of civil governance by creating an international and domestic climate of opinion critical of national policies. Shaming exploits the symbolic legitimacy of foreign pressure and international institutions to unleash domestic moral opprobrium. What differs across these two modes is the precise instrument that is employed to shift the domestic incentives facing the warring parties. See Andrew Moravcsik, "Explaining International Human Rights Regime: Liberal Theory and Western Europe", *European Journal of International Relations*, Vol. 1, No. 2, 1995, pp. 157-189

behaviour of the GOS and the SPLM/A will be assessed in chapters 4 and 5. Both the GOS and the SPLM/A had jealously guarded their territorial prerogatives. As mentioned in chapter 1, both have had problematic human rights practices, although GOS human rights record was much more serious during the period 1986-89. But the discussion below shows that international community worked intensely on the warring parties, contributing to improved practices by the middle of 1990s. This point will be explored through a comparative study of the impact of humanitarian and rules on the host government and the rebel movement. Accordingly, the aim of this chapter is merely to state the OLS plans of action, and to describe the rhetorical devices that were used by humanitarian agencies to implement such action plans in an uncertain war environment of Sudan. Thus, this chapter can be seen as an attempt to contribute to the search for a set of humanitarian principles and rules, acceptable to both the warring parties and humanitarian organisations, that can underpin the relief efforts in a civil war environment. However, before describing the debate among OLS agencies, and between OLS and the warring parties, this chapter will begin with an analysis of the terms of NGO incorporation into the OLS system. This will then be followed by a definition of the major humanitarian players involve directly in the relief operation, and OLS mandate.

## 2.2. THE INCLUSION OF CIVIL SOCIETY IN THE OLS SYSTEM

The relevance of this section should be seen from the context on which the institutions of civil society were used as OLS programme implementers. United Nations system in the Sudan was aware of the fact that NGOs are important participants in international humanitarian relief system, participating in many activities – human rights advocacy, and implementation.<sup>153</sup> Not surprisingly, the UN and its member states have incorporated NGOs because their participation enhances the ability, both technocratic and political terms, of states to regulate through the treaty process. The terms of that incorporation reflect the resources, skills, and domestic influence of NGOs: NGO participation provides policy advice,

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<sup>153</sup> For recent work on NGOs, see for example, Mustapha Kamal Pasha & David L. Blaney, "Elusive Paradise: The Promise and Peril of Global Civil Society", *Alternatives*, Vol. 23, 1998, pp. 417-450; Kal Raustiala, "States, NGOs, and International Environmental Institutions", *International Studies Quarterly*, Vol. 41, 1997, pp. 719-740; Rakiya Omar & Alex de Waal, "Humanitarianism Unbound?"

helps monitor commitments to humanitarian relief assistance. Although the constraint of the issue of national sovereignty had weakened in many countries to a sufficient extent to allow direct donor-NGO relationships, the emphasis in the early stages was on the development role of NGOs and on their work with local community groups in terms of service provision and programme implementation. In the late 1980s the wider aid policy agenda of “good governance” emerged. This was initially championed by the World Bank, around the interlinked concerns of good government, democracy and human rights. The subsequent donor trend of the 1990s can be interpreted as an inevitable coalescence of donor developmental and governance agendas. NGOs begin to be highlighted both as service providers and in their role in promoting good governance and democratisation.

These roles of NGOs have been acknowledged by the United Nations system: “The activity of non-State actors has become an essential dimension of public life in all parts of the world. Reform and restructuring of the United Nations thus coincide with the emergence of a new participatory international system responding to the forces of globalisation sweeping our world. The growing influence and role of non-State actors has been both a hallmark and a cause of our changing international environment. NGOs are the clearest manifestation of what is referred to as civil society, that is, the sphere in which social movements organise themselves around objectives, constituencies and thematic interests. Other actors, however, have also taken on an increasingly important role in shaping national and international agendas and policy dialogues. They include local authorities, mass media, business and industry leaders and the research community, including academia and think-tanks. With lesser bureaucratic and institutional restraints, all have embraced and benefited from the profound impact brought about by the information and communication revolution. NGOs have been particularly effective in utilising the instant access to information made possible by new technologies, and have themselves become primary sources and disseminators of information.”<sup>154</sup> Since its establishment in 1989, Operation Lifeline Sudan was aware of the important and constructive role NGOs play in furthering the purposes and principles of the United

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<sup>154</sup> Secretary General Report, Arrangements and Practices for the Interaction of non-governmental organizations in all Activities of the United Nations System, A/53/170, New York, July 10, 1998, p. 3

Nations Charter by drawing attention to issues, by suggesting ideas, programmes, and solutions to relief problems, and by disseminating information and mobilising public opinion about the suffering of the Sudanese war-victims since 1985.<sup>155</sup> In fact, before the establishment of OLS, Non-governmental organisations were already involved in relieving the suffering of the war-victims in areas controlled by the parties to the conflict.<sup>156</sup> Early on, indigenous Sudanese NGOs, sometimes in concert with UN officials, took the lead. For example in 1986, the Sudan Council of Churches (SCC), an ecumenical grouping of the country's Protestant and Catholic churches, and Sudanaid, the relief and development arm of the Sudan Catholic Bishops' Conference, alerted international aid agencies to the war-related hunger in the south of the country, and to the obstructionist policies of the warring parties.

Despite the uncertainties and the informal nature of their operations, international NGOs joined hands with the local organisations to assist internally displaced persons in southern Sudan. The UN agencies and the International Committee of the Red Cross followed them thereafter. Thus, NGO inclusion in the OLS humanitarian relief system did not come as a surprise to the observers of the Sudan. It was based on the confluence of governmental incentives and NGO comparative advantages and resources. These incentives and benefits structure, across time and functions, the participation that NGOs are granted. The OLS relief system in the Sudan recognised this NGO comparative advantage in implementing relief programmes. Under OLS agreement the following was established in this regard:

*“...the UN, jointly with the Government, will provide an operational framework for all OLS relief personnel, institutions and NGOs, in all areas, including registered NGOs working in areas under the control of the SPLM. To this effect, letters of association will be signed between all NGOs and the UN, listing the principles of OLS, operational modalities and a declaration that all partners agree to work within these principles and modalities”.*<sup>157</sup>

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<sup>155</sup> GOS/INGOs/UN, Agreements Adopted by the Joint GOS/INGOs/UN/US Meeting, Khartoum 25-28 January, Khartoum: January, 1993; Africa Watch, Denying “The Honor of Living”: Sudan, A Human Rights Disaster, London: An Africa Watch Report, March 1990, p. 88

<sup>156</sup> Minear, A Critical Review of Operation Lifeline Sudan, p. 6

<sup>157</sup> UN, Operation Lifeline Sudan II: Draft Plan of Action, Nairobi, March 28, 1990, p. 28, p. 7



This ambiguous statement was interpreted by the UN as meaning that letters of association (now termed Letters of Understanding) between INGOs and UNICEF were sufficient as a means to register INGOs in non-governmental areas of southern Sudan.

### **2.2.1. HUMANITARIAN PLAYERS IN THE OLS SYSTEM**

There are three major humanitarian players involved in the OLS humanitarian operation – the UN agencies, the GOS, the SPLM/A and non-governmental organisations (NGOs). In other words, OLS can be defined as a tripartite co-ordination arrangement - which involved seven UN agencies, more than 35 NGOs, the Government of the Sudan (GOS) and the Sudan People's Liberation Movement and Army (SPLM/A) - that consolidated the relief effort to war-affected populations living in Southern Sudan, the transitional zone and settlements around Khartoum. OLS counterparts were the Relief and Rehabilitation Commission (RRC) on the government side and the Sudan Relief and Rehabilitation Association (SRRA) for the SPLM/A.

The RRC was formed by the government of Sudan to facilitate relief efforts of NGOs working among displaced in the government-held towns. The RRC Director was appointed by the Ministry of Services and Welfare, and he was accountable to that Ministry. During the 1984/85 famine, the RRC was the national body responsible for the co-ordination of famine relief, and substantial funds were invested in the RRC to develop a competent Sudanese relief agency. The RRC was the main government partner during the first year of OLS, and continued in this role up to the early 1989. However, the military government, which took over from a democratically elected civil government in June 1989, promoted the Department of the Displaced as an alternative government partner for war-displaced populations. Unlike the SRRA, the RRC does not have an operational structure of its own because it was directly managed by the Department of the Displaced. The SRRA was formed by the SPLM/A to co-ordinate humanitarian efforts in non-government areas. The Executive Director and head of the SRRA in the Nairobi office was responsible for directing agencies to Southern Sudan according to needs on the ground. The Secretary General, the deputy to the Executive Director, headed the field office in Southern Sudan. The role of field office was to identify needs and to

help co-ordinate the implementation of aid, assisted by a group of co-ordinators. Areas secretaries were assisting the Secretary General with the help of more than six offices. The people were represented by chiefs, elders, and churchmen, who forward their needs to the relevant office, which approves proposals. These had found their ways to NGOs or donors through the Executive Director. Both RRC and SRRA were acting as counterparts to OLS to ensure effective and efficient delivery of relief and other humanitarian assistance to the people living along the corridors mentioned in the UN Plan of Action.

This brings us to the third and most important humanitarian players - the role of the UN agencies. The United Nations Development Programme (UNDP), the United Nations International Children's Fund (UNICEF) and the World Food Programme (WFP) were the most important players in the Sudan disaster relief emergency that describing their functions and mandates will describe most if not all the operational work of the UN relief system. The UNDP, the development programme of the UN system, did only a limited work with NGOs in emergencies. By tradition, as well as by the UN General Assembly guidelines, the UNDP Resident Representative in each country normally acts as the UN's resident co-ordinator with executive authority to co-ordinate other UN agencies. Not surprisingly, UNDP Resident Representative in the Sudan was appointed as the overall OLS co-ordinator; this became problematic because of the conflict of interest between UNDP and UNICEF. Because it proved impractical for a variety of reasons to deliver humanitarian assistance in areas controlled by the opposition movement from government held territory, OLS was de facto divided into a Northern Sector based in Khartoum, and a Southern Sector with its rear base in the northern Kenya border town of Lokichoggio. While UNDP was chosen as Northern Sector lead agency because of its loyalty to state sovereignty, there were reasons as to why UNICEF was chosen to co-ordinate humanitarian efforts in the politically sensitive and contested region of South Sudan. An important reason was that UNICEF had a good track record in international humanitarian diplomacy.

With regard to the latter, UNICEF's earlier association with the pre-OLS cross-border operation was important in informing the choice to place UNICEF as the lead agency in non-government areas:

*In view of UNICEF's special mandate, which authorises it to operate as a United Nations entity in rebel held areas without implying tacit United Nations recognition, it was agreed that UNICEF would act as the UN lead agency, opening offices to facilitate the implementation of the programme mainly in the health sector, to monitor distribution and to provide an umbrella for NGO activities. WFP, which would bear a major responsibility for the transport of food aid and other commodities, would also operate in the south.<sup>158</sup>*

The concept of corridors, or zones of peace, facilitated by short-term cease-fires for humanitarian purpose, was developed earlier by UNICEF to overcome difficulties encountered in other civil wars. The concept was utilised in such settings as Lebanon and Kampuchea to facilitate a variety of humanitarian activities and had proved successful in encouraging annual breaks in El Salvador's civil war to allow inoculations of children throughout the divided nation.<sup>159</sup> In each instance, UNICEF's humanitarian mandate allowed it to negotiate arrangements with insurgents without conferring recognition upon them or appearing to undermine the sovereignty of the seated government.

## **2. 2. 2. THE HUMANITARIAN MANDATE OF OLS**

Those familiar with humanitarian politics will undoubtedly agree with this thesis that the cornerstone of any UN agency is the mandate of the operation because it provides the legal foundation for international action. Created in April 1989, Operation Lifeline Sudan was the first UN humanitarian programme that had the mandate to assist internally displaced and war-affected civilians during ongoing conflict within a sovereign country, as opposed to refugees beyond its borders. After the UN Plan of Action was endorsed by the government of the Sudan (GOS), and later by the Sudan People's Liberation Army (SPLA), OLS was then mandated to carry out three tasks on behalf of the international community. First, mobilising

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<sup>158</sup> Department for Humanitarian Affairs (DHA., First Draft Report of the Secretary-General on Operation Lifeline Sudan, p. 7

international concern by galvanising world public opinion, spearheading global fundraising, and providing international presence. Second, negotiating a framework of action with the political authorities and providing leadership to aid efforts. Third, building the capacity of the Sudanese, particularly that of the government relief wing, RRC, as well as that of the SPLA relief wing, SRRA. The establishment of OLS mandate by the international community and the parties in the Sudan conflict was unprecedented because of the nature of the conflict described in the beginning in chapter 1. Its wider implications for future UN humanitarian mandate seem obvious. I need to situate this point into a wider perspective. United Nations had failed in most of its humanitarian operations in other parts of the world for two reasons. First, because of the chaos that often follows the lack of clear humanitarian relief mandate, some scholars have called for an overall strategic direction, for a clear division of labour, or for greater co-ordination between the UN relief agencies.<sup>160</sup> The experience of the Somalia intervention shows that one of the major obstacles affecting UN humanitarian co-ordination role in conflict situation is the mandate of its agencies.<sup>161</sup> One of the persistent criticisms of the UN agencies in Somalia was that they failed to fulfil their responsibilities because of their conflicting mandates.<sup>162</sup> To illustrate further the lack of clear mandates among the agencies, UNHCR and UNICEF have the same mandates when coming to assist refugee children, particularly in the areas of education and protection. Moreover, UNICEF, WHO and UNHCR have expertise in health and sanitation; in regard to nutrition FAO also has a stake to claim. WFP's competence in mobilising and delivering food has conflicted at times with UNHCR's efforts. Furthermore, UNICEF's desire to provide supplementary foods to vulnerable groups sometimes has been at odds with a rational division of labour with WFP.

Second, much of the inter-agency conflict results because of the polycentric nature of the United Nations system. Each is eager to demonstrate action when an emergency arises, which has frequently led to the issuance of separate appeals by each agency. In 1989, the UN and its member states attempted to address many of

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<sup>159</sup> Weiss & Minear, "Humanitarian Politics in the Sudan", p. 203

<sup>160</sup> Adam, R., "Humanitarian Action in War", p. 73

<sup>161</sup> For the experience of Rwanda, Somalia and Bosnia, see Rakiya Omaar & Alex de Waal, "Humanitarianism Unbound? Current Dilemmas Facing Multi-mandate Relief Operations in Political Emergencies", London, African Rights, *Discussion Paper* No. 5, November, 1994, pp. 11-39

these problems. The first of the tools for improving UN response mechanism in the Sudan was the establishment of the two OLS Sectors, which had offices in Khartoum and Nairobi in Kenya. By locating offices in these two capitals, the UN removed the conflict of mandates among its agencies that often frustrate its international humanitarian co-ordination efforts. Thus, the establishment of OLS, following the Khartoum conference, which formulated the UN Plan of Action, reflected the desire of the international community for the effective operational co-ordination of the UN agencies' humanitarian response. It was the result of considerable debate, consultation, and as such initially represented a potentially significant advance in the development of a global strategy for humanitarian relief.<sup>163</sup> In fact, the principle of "negotiated access" was at the centre of OLS arrangements and was identified as a critical factor required in the strengthening of the UN's humanitarian system in the Sudan, and beyond.

The above analysis of humanitarian intervention in the Sudan has shown that impetus for the establishment of the United Nations Operation Lifeline Sudan came from Western governments, INGOs and others concerned by the inability of the international community to establish mechanisms to ensure the operational effectiveness of the UN response to humanitarian emergencies in the Sudan. A mandated UN umbrella for humanitarian operations in South Sudan was a major innovation. In North Sudan, on the other hand, a more conventional arrangement was adopted which reflected the status quo. That is, the UNDP Emergency Unit in Khartoum, under a Special Co-ordinator, would continue to organise relief activities in government areas in collaboration with the GOS. The structural organisation of the UN system in the Sudan has been extensively discussed elsewhere, and this thesis will not be expected to discuss it further.<sup>164</sup>

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<sup>162</sup> Omar R. & de Waal A., "Humanitarianism Unbound", p. 18

<sup>163</sup> Under-Secretary-General Jan Eliason, in a UN Department of Public Information, "Enlarging the UN's Humanitarian Mandate," Geneva, December, 1992, pp. 1-10

<sup>164</sup> See DHA, Operation Lifeline Sudan Review, Nairobi-Geneva, July, 1996

### 2.3 . HUMANITARIAN NORMS DEBATE

In the introduction, it was argued that a norm domestic salience should be established by the analysis of national discourse and state policies. But how are international norms introduced and accepted into these features of the state's domestic politics? This section draws on humanitarian discourse to identify several plausible conditions, mechanisms, and the processes that contribute to the domestic salience of international humanitarian norms, rules and principles. The OLS humanitarian policy discussed in this section is an elaboration of the 1989 UN Plan of Action that was purely based on the ICRC principles of neutrality and impartiality. These principles were interpreted in terms of relief aid delivery, and thus OLS was not allowed to interfere in the politically sensitive issues of human rights, the rule of law and democratic governance. However, by 1992, the concepts of neutrality and impartiality were seen by many aid agencies in Southern Sudan as representing a narrow framework for the UN humanitarian action to which all relief agencies could subscribe. The NGOs argument was that humanitarian principles contained in the 1989 UN Plan of Action were inadequate to deal with the security prevailing in the early 1990s.

The discussion is structured around three key issues. First, I will examine the arguments for and against the inclusion of human rights into OLS mandate. Second, I address the mechanisms through which international humanitarian norms can enter the domestic arena: national political rhetoric, the material interests of domestic humanitarian actors. The third section describes Islamic discourse on international humanitarian norms and national understandings, an issue that conditions the impact of these principles once they enter the national arena. I do not address the interesting question of the origins of international humanitarian norms. Many international norms, such as those pertaining to human rights and Geneva Conventions, have their origins in national discourses. However, the focus of thesis is limited to conditions and mechanisms mediating between the existence of humanitarian norms and their impact on the behaviour of the GOS, the SPLM/A and donor states. All the views discussed in this chapter were expressed formally and informally during OLS monthly co-ordination meetings as well as during workshops and conferences organised by either UNICEF or by NGOs.

## A . OLS PROTECTION POLICY DEBATE

It was clear from a brief theoretical analysis in the introduction that norms, principles and rules enjoy moderate salience when they appear in the domestic discourse, and when they produce some change in the national agenda and the state's institutions. Both the UN and the ICRC are mandated to work for the faithful application of IHL (International Humanitarian Law) applicable in armed conflict; their failure to promote protection issues in the Sudan created the debate between traditionalists (realists), who called for a more informed and pragmatic way of introducing human rights/humanitarian norms into the Sudanese internal affairs, and political humanitarians (solidarists/constructivists), who want the UN to be more robust on the issues of protection and relief access. Those taking a realist approach include UN and ICRC (International Committee of the Red Cross) officials; the solidarists include officials of NGOs, religious organisations and community groups. Solidarists saw UN and the ICRC as focusing narrowly on the relief work, rather than as being essential for building a bridge to good governance, human rights and development during the relief phase. Throughout 1990-2, there was a general recognition among political humanitarians in the Sudan that a free humanitarian access would help the famine relief efforts, but the UN saw its job as almost exclusively providing material aid and staying out of politics.<sup>165</sup>

### **Traditionalist Views**

Traditionalists (a mixture of realists and pluralists), led by the UNDP representative in Khartoum, worked within this framework, and were inevitably against any inclusion of protection issues into OLS relief aid programmes without the consent of the government in Khartoum.<sup>166</sup> In an interview with this author, Mr. Jaeger Christopher, the UNDP Resident Representative, was clear on the difficulties that the UN faced when dealing with the sovereign government: "We are not here to dictate to the Sudanese authorities on how to manage the problems caused by the presence of the internally displaced people in and around Khartoum. Like any other

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<sup>165</sup> "Staying out of politics" here means excluding the issues of human rights and good governance from OLS programmes.

government, the Sudanese regime is competent to deal with the humanitarian emergencies within its own borders. The UN role here is one of facilitation; co-ordinating international humanitarian efforts. In this area, we co-operate and work extremely well with the local authorities".<sup>167</sup> This was clearly a pluralist position which makes norms of sovereignty and non-intervention as obstructions to humanitarian action in a foreign state. This, too, was the position of many senior UN officials such as Philip O'Brien, UNICEF/OLS Chief Co-ordinator, who argued that any attempt to impose human rights without the consent of the host government would pose a challenge to OLS impartiality and neutrality.<sup>168</sup> The UN negotiated framework for humanitarian operation was based on 1989 Plan of Action, which was approved by the government of the Sudan. According to the UN Plan of Action, the guiding principle of OLS was that of humanitarian neutrality – an independent status for humanitarian relief work beyond political or military considerations.<sup>169</sup> This was interpreted as meaning that human rights/protection, democratic governance and peace issues are beyond the mandate of OLS, and all the relief agencies working within this system are not allowed to act contrary to the UN Plan of Action.

Mr. O'Brien explained that the UN appeal of 1989 did not even reflect a concern with human rights abuses.<sup>170</sup> The argument behind the UN appeal – which the traditionalists used to support their arguments - was that "if relief agencies insist on the policies of protection and accountable relief, at best they will get a worthless paper agreement from the government, and at worst they will be expelled. Instead, they should find a compromise *modus operandi* in which they will be able to meet some of the government's requests for development aid in the north, and obtain local agreements to do the best they can under adverse circumstances in the south".<sup>171</sup> This statement clearly shows that during that period neither the UN relief agencies

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<sup>166</sup> James C. Operation Lifeline Sudan: Workshops on Lessons Learned, Copenhagen, 14-15 December 1989, Nairobi, UNICEF/OLS, March, 1990

<sup>167</sup> Interview with Christopher Jaeger, UNDP Sudan Resident Representative, Nairobi, March 12, 1996

<sup>168</sup> Interview with Philip O'Brien, Chief Co-ordinator, UNICEF/OLS, Lokichoggio, Kenya, February 6, 1996

<sup>169</sup> United Nations, Plan of Action: Sudan Emergency Relief Operations, Khartoum, 8-9 March 1989, p. 2

<sup>170</sup> Interview with Philip O'Brien, UNICEF/OLS Chief Coordinator, Nairobi, February 6, 1997



nor the non-governmental organisations had any mandate to deal with human rights, particularly in the OLS Northern Sector. Accordingly, the relief programmes that sprang from the policy of politically naïve humanitarianism would quickly run into insurmountable obstacles. So, in the minds of the UN bureaucrats, any attempt to force the application of such broadly accepted standards of international behaviour would elicit a negative response from the host government. Traditionalists view was that humanitarian aid should be given according to the consideration of human need alone. In other words, its granting, or its acceptance must not be made dependent on political factors; it must not seek to advance any political agenda.<sup>172</sup> This pragmatic rather than moralistic political approach does not mean that the UN made no advances on behalf of the Sudanese non-combatant civilian population. On the contrary, the UN agencies, more than any other humanitarian player, worked behind the scene to reduce such excesses without causing major rift with any of the parties to the conflict.<sup>173</sup> In an anarchic civil war environment, such cool heads were necessary for the smooth running of humanitarian operations in the Sudan. It is clear from the above that the 1989 UN Plan of Action did not include ‘protection’, or the promotion of human rights among its priorities.

Indeed, agreement between the Government of the Sudan and the UN was not about human rights but about giving handouts to the internally displaced. Protection issues were seen as the prerogatives of the sovereign authority and not of foreigners. Any deviation from a strict interpretation of this Agreement, either by the UN agencies now waking up to the importance of human rights, or NGOs who also worked under the OLS Agreement, was met with fierce resistance from the regime in Khartoum. Thus, the failure to situate the humanitarian response to war-displaced populations within the broader context of internal conflict meant that human rights

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<sup>171</sup> Efuk, *The Politics of Food in Sudan*, p. 54. See also United Nations, *The Emergency Situation in Sudan: Urgent Humanitarian Requirements*, Geneva: UN, October 1988

<sup>172</sup> Interview with Ian Levine, October 13, 1996. See also Carl Tinsman, “Operation Lifeline Sudan: United Nations professionals protecting humanitarian workers in war zones”, *DHA News*, December, 1997, p. 43

<sup>173</sup> The UN has met with the parties to the conflict on several occasions over the issues of access and human rights of the internally displaced persons. UNICEF/OLS, *Minutes of a Meeting Between Dr. John Garang De Mabior and Mr. Michael Priestly*, Nairobi, May 19, 1990; UNICEF/OLS, *Report on SPLM Meeting on Humanitarian Assistance*, Nairobi, September, 1995; Traxler V., *Summary of DHA’ Negotiations with the Government of the Sudan – From August 1993 to April 1996 – on the Issue of Humanitarian Access in the Area of the Nuba Mountains*, Geneva, DHA, May 13, 1996

concerns for these populations was effectively absent from the mandate of OLS.<sup>174</sup> This also indicates that a feature of international norms within the existing framework of humanitarian relief system is the pervasive need to find a balance between contradictory pressures (found in the UN Charter and humanitarian norms and principles) of state sovereignty, and humanitarianism. Traditionalists saw OLS failure to include the protection issue as a pragmatic response to alleviate suffering without explicitly tampering in the issues of local politics. This is because, being a UN humanitarian programme, for an important part dependent on state co-operation, the OLS Northern Sector had responded to existing political restrictions in a realist fashion. The view of the traditionalists was that humanitarian norms and principles, on their own, cannot impact on a government which is determined and has the resources to cling to its remaining part of the territory. At the OAU Co-ordinating Conference on Assistance to the Displaced populations held in Khartoum in September 1995, GOS re-asserted its position on the sanctity of its territorial prerogatives, and confirmed that internally displaced populations in the Northern Sector could not be subject of protection interventions by the UN or other bodies, as this infringed upon state sovereignty.

For this reason, the GOS rejected moves to extend the mandate of the UN to include the internally displaced. A government official, Mustafa Ismael, noted that “the internally displaced do not need protection, they only need assistance”.<sup>175</sup> Traditionalists thus saw such statements as supporting their view that concentrating too much on human rights would trigger a confrontation between relief agencies and the authorities in Khartoum. Traditionalists saw political humanitarians argument for assertive human rights policy as extreme and uninformed.

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174 GOS/NGOs/UN, Agreements Adopted by the Joint GOS/NGOs/UN Meetings, 25-28 January 1993, Khartoum, January, 1993 p. 8

175 Calthoff, E. (MSF-Holland), Memorandum, Khartoum, September 20, 1995

Many UN and ICRC officials interviewed in Nairobi stressed that the UN's acceptance of the primacy of sovereignty was a pragmatic position which ensured continued access in the South.<sup>176</sup>

### **Political Humanitarians' Views**

Political humanitarians (solidarists) argued that limiting emergency response to the provision of material aid have draw-backs: it ignored the fact that food shortages were frequently politically induced by deliberate prevention of normal trading patterns and by food embargoes imposed by armed factions.<sup>177</sup> According to political humanitarians, the argument of the traditionalists that the inclusion of human rights into OLS mandate would undermine the credibility of aid operations was based on the fear of the GOS.<sup>178</sup> They accused the UN of hiding its inaction "behind the curtains of neutrality and impartiality".<sup>179</sup> For those who have experienced the dangers of working in an ongoing civil war environment, the outrage of political humanitarians at the OLS impotence to deal with a sovereign government is understandable. The killing of relief workers by the SPLA soldiers, following a factional fight in Torit County in Southern Sudan, caused an international outcry, and many aid agencies demanded punitive sanctions against the rebel movements.<sup>180</sup> This incident led to a major controversy between the UN and NGOs over priority given to relief aid at the expense of humanitarian norms and principles. There were criticisms, from the NGOs and the donor community, of

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<sup>176</sup> In fact it was clear from this author's conversation with some international civil servants during a workshop held by UNICEF in February 1997 that the UN/NGO marriage was more a relationship of convenience arranged by the pressures of events and overbearing donor governments than a passionate romance. This relational discomfort between the UN agencies and NGOs was based on an absence of familiarity with one another; they had good reason to be wary of each other. The two systems of humanitarian relief institutions compete for scarce donor government resources, spoke to quite different constituencies that were frequently hostile to each other, recruited different kinds of people to work for them and moved at distinctly different speeds. UNDP, as OLS lead agency in the Northern Sector, measured its success by whether host government was pleased, while NGOs measured by whether public and private donors were happy. UNDP was more centralised, while NGOs were highly decentralised. In this kind of situation, the UN will have to rethink the way it selects its implementing partners.

<sup>177</sup> NGOs, Demobilisation and Reintegration: Issues in the Horn of Africa, Nairobi, December, 1994, pp. 6-7

<sup>178</sup> *Ibid.*, p. 7

<sup>179</sup> *Ibid.*

<sup>180</sup> African Rights, Food and power in Sudan: A Critique of Humanitarianism, London, The Africa Rights, 1997, p.326

defects in the OLS system, as well as the capacity of that system to cope successfully with the immense range and scope of difficulties imposed by the sovereign government on humanitarian access.<sup>181</sup> Political humanitarians based their arguments on IHL.<sup>182</sup> In fact, the UN to endorse GOS position meant that it was difficult for the OLS to maintain impartiality when the system was by nature involved in a wide range of political decision-making. At the wider perspective, many UN and NGO officials agreed that the UN should confine its role to political functions associated with a resolution of disputes, the prevention of conflict and coercive interventions. Frustrated by the inability of the UN to overcome the limitation of its state-centric mandate in favour of neutral humanitarianism, many NGOs began to advocate for a new OLS humanitarian mandate that would incorporate human rights issues into its programmes.<sup>183</sup> Leading the charge were ecumenical organisations such as Sudan Focal Point-Europe; the most visible and vocal of the NGOs, arguing that OLS should employ humanitarian action within a political strategy on behalf of victims.

The argument of solidarists (political humanitarians) was that these political restrictions were not imposed only by the GOS and SPLA, but also by the mandate of OLS, which was based on the principles of neutrality and impartiality.<sup>184</sup> Solidarists pointed out that even when OLS attempted to be neutral and impartial, its lead agencies (UNICEF in the Southern Sector and UNDP in the Northern Sector) favoured the national government in Khartoum. This, political humanitarians argued, was responsible for the confusion and violence in the field when insurgents resorted to looting and intimidation as strategies for extracting concessions from OLS. According to Barry Wheeler of the US Refugee Committee, reaching and succouring the victims of conflict and co-ordinating the relief efforts of the international community should not be a United Nations responsibility.<sup>185</sup> These proposals are unlikely to be implemented because political pressure in the UN

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<sup>181</sup> African Rights, *Food and Power in Sudan*, p. 325

<sup>182</sup> IHL is part of public international law and is composed of rules intended to alleviate the suffering of the victims of armed conflict. These rules restrict the choice of the belligerents with regard to the means and methods of combat they use and are, therefore, applicable to military operations as such. Most of these rules are contained in the four Geneva Conventions of 1949 and in the two Additional Protocols of 1977, all these texts being international treaties.

<sup>183</sup> See also DHA, *Operation Lifeline Sudan*, pp. 54-55

<sup>184</sup> Interview with John Ashworth, Co-ordinator of CEAS, Nairobi, April 17, 1996

system supports its involvement in this field. Moreover, the UN, as an organisation of states, has more effective policy instruments and resources at its disposal for international humanitarian action than any international body. In spite of the political humanitarians' arguments, the UN system in the Sudan was slow to act because the GOS was against any suggestion that would favour the inclusion of protection and political issues into OLS humanitarian programmes. Therefore, for agencies that found human rights violations intolerable, there were two main options. One option was to defect from the OLS system in order to have the space for speaking against human rights abuses. Norwegian People's Aid (NPA) and the American Refugee Committee took up that option and condemned human rights abuses committed by government forces, as well as those committed by the insurgents. Their defection was tactical because the UN would have expelled them anyway for violating OLS Letters of Understanding, which the majority of NGOs signed as a condition for being incorporated into the OLS relief system. The second option was to become political, but without violating the terms (neutrality and impartiality) contained in the Letters of Understanding. Most NGOs took the second option because defecting from the OLS system would have seriously disadvantaged them logistically. Operation Lifeline Sudan had many resources, including several aircrafts that went in and out of the Sudan with the consent of the Khartoum government.

While it was true that some international NGOs had considerable amount of resources that would have made them independent of OLS system, the risks of hiring planes into the locations that were not in the OLS official list were high for many such renegade NGOs. The majority of NGOs who remained within the OLS system were aware that flying into the non-OLS approved locations would risk the lives of their agents. Consequently, many NGOs – more than 30 in number - chose to abide by the rules of “engagement” imposed by the OLS system, while at the same time expressing their concerns over human rights issues during the monthly co-ordination meetings organised by the lead agency - UNICEF. During those co-ordination meetings, the view of political humanitarians was that the impact and value of humanitarian assistance would remain limited unless human rights and the

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<sup>185</sup> Interview with Barry Wheeler, Director of American Refugee Committee, Nairobi, July 6<sup>th</sup>, 1996

obstacles to peace were tackled.<sup>186</sup> Nevertheless, political humanitarians – as will be discussed below – had put a considerable pressure on the UN system in the Sudan to take up the issues of protection with the Sudanese government. Before examining the dialogue between OLS and GOS over humanitarian values in the context of the war, I will describe first the debate on material motives of the parties to the conflict, and how these interests have been accommodated by the OLS agencies and donor governments.

## **B. DEBATE ON MATERIAL INTEREST OF LOCAL ACTORS**

This second section focuses on the demands of the warring parties that OLS move from relief to “development”.<sup>187</sup> From the realist perspective, it is clear that both the GOS and the SPLM/A endorsed OLS legitimate normative position out of self-interest; both wanted to benefit from the international resources channelled to Sudan through OLS relief agencies. Not surprisingly, the incorporation of such long-term programmes into OLS traditional mandate was less controversial than the debate on protection issues raised above, and this was because both traditionalists and political humanitarians agreed on the importance of such long-term programmes. Where initially prevention of mass starvation was the main aim of intervention in 1989, by 1994 the OLS mandate was expanded to include the encouragement of good governance, capacity building and development.<sup>188</sup> But there was a minority voice who saw such programmes as inappropriate in an uncertain civil war environment.<sup>189</sup> The opponents of relief-to-development policy pointed out that despite the consensus among humanitarian players, the experiences of Liberia, Somalia and Angola have shown that there remained very practical challenges to linking relief and development operations in conflict situations. One of the

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<sup>186</sup> Christian NGOs, Meeting, Khartoum, 20 April, 1996

<sup>187</sup> During one of the workshops organised by UNICEF for the Sudanese NGOs in March 1996 in the Kenyan border town of Lokichoggio, “Development” was defined in terms of capacity building, protection and good governance.

<sup>188</sup> According to the UN document, the concept of “human security” embraces a much broader agenda, one that broadens significantly the scope and substance of the word ‘security’, that includes issues such as human rights, governance, civil society and internal conflict. See UNDP, Human Development Report 1994, Oxford, Oxford University Press, 1994, p. 22

<sup>189</sup> These sentiments were aired out in one of the Humanitarian Principles workshops organised by UNICEF in Lokichoggio, May 21, 1997

programmes that was contested was “capacity building”. Some UN officials felt that capacity building was inappropriate in an unstable environment, while others saw capacity building as "developmental", and hence a deviation from the main priority of emergency relief.<sup>190</sup> But the Sudan situation was unique for three reasons. First, unlike in the countries mentioned above, Operation Lifeline Sudan was established with the consent of the parties to the conflict. Second, both the Sudanese government and the opposition movement demanded that OLS should move away from its strictly relief aid mandate to more long-term programmes, such as capacity building and rehabilitation and development. The GOS position on the need for the inclusion of developmental programmes into OLS mandate was contained in *The Document of the Government of Sudan on the OLS Review*.<sup>191</sup> The main contention in this document was that the international community’s failure to support national institutions, involve the government in decision making, move from relief to development, use cheaper transport, was in violation of OLS agreements.<sup>192</sup> The SPLM/A supported this GOS position. Therefore, the expansion of OLS mandate to include the developmental aspects of humanitarianism was indeed in the interest of both the GOS and the SPLM.

Third, the UN report gave an explicit directive to OLS that emergency assistance should be provided in ways that would support recovery and long-term development in the Sudan. The UN report clearly recognised the link between relief and development activities within the Operation Lifeline Sudan relief system.<sup>193</sup> In fact, OLS major donors want their organisation – the UN – to move gradually away from relief to rehabilitation and development as a way of strengthening opposition movements’ internal democracy, as well as strengthening IGAD peace initiatives.<sup>194</sup> In order to show that they mean business, United States government, through USAID, in 1993 made a grant to UNICEF for an institutional capacity building

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<sup>190</sup> Interview with Elizabeth Phillippo, Oxfam-UK East Africa Director, Nairobi, October 23, 1996

<sup>191</sup> GOS, Phase I: The Document of the government of the Sudan on the OLS Review & Par II: Replies of the Government of Sudan to Questions posed by the OLS – Operations Team. Khartoum: Government of Sudan, Khartoum, April 25, 1996

<sup>192</sup> DHA, OLS Review, pp. 36-7

<sup>193</sup> UN, Strengthening the Co-ordination of Humanitarian Assistance and Disaster Relief Activities of the United Nations, including Special Economic Assistance to Individual Countries or Regions: Emergency Assistance to the Sudan., New York, United Nations Secretary General, September 12, 1994 UNDP, Towards a Workable Strategy on the Internally Displaced Persons in the Sudan: A Proposed Workplan of an Assignment to be submitted to the UNDP, Khartoum, 1996

project.<sup>195</sup> This grant signalled the inclusion of capacity building as part of OLS programme, based on an increasing recognition at all levels of the humanitarian community that capacity building in complex emergencies was a sine qua non for moves away from relief to rehabilitation and development. The US position was supported by the European Union (EU), which also linked humanitarian relief aid and elements of good governance.<sup>196</sup> While donor governments' political influence on OLS plans of action will be discussed in chapter 3, the reader should bear in mind that the EU member governments made it possible for OLS to embark on programmes such as capacity building, good governance and grassroots peacemaking.<sup>197</sup> The support given by the EU to the OLS programmes since 1994 was reflected in the Commission of the European Communities communication to the Council and the European Parliament; the communication acknowledges the link between humanitarian assistance and development.<sup>198</sup> This policy was further re-emphasised and strengthened in the Oslo meeting of the IGAD Partners' Forum Committee on Sudan, which brought government representatives from Belgium, France, German, European Commission, the Netherlands, the United Kingdom, together with the officials from the UN agencies.

In this meeting, humanitarian situation in the Sudan was reviewed and expression of support for the implementation of the Rome Agreements of the Technical Committee on Humanitarian Assistance (TCHA) to continue its work was reaffirmed.<sup>199</sup> The participants recognised the importance of OLS relief efforts, and the commitment of the warring parties to the cease-fire, and agreed to support the promotion of civil governance and humanitarian principles. Thus, this consensus between humanitarian agencies and the warring parties resulted in an OLS commitment to focus on strengthening local capacities and coping mechanisms of

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<sup>194</sup> Donor Group, Aide Memoir, Khartoum, November 17, 1992

<sup>195</sup> USAID/OFDA, Situation Report on Sudan, No. 2, Washington D.C., USAID, February 13, 1993, p. 12

<sup>196</sup> ECHO, ECHO Global Plan I: Global Humanitarian Plan of the Affected Populations of the Sudan, Brussels, April, 1994

<sup>197</sup> NGO Community, Economic Reform in the Horn of Africa: Demobilisation and Reintegration, OLS Documentation Centre, Lokichoggio, December, 1994, p. 11

<sup>198</sup> Commission of European Communities, Communications from the Commission to the Council and the European Parliament on Linking Relief, Rehabilitation and Development, Brussels, 30/4/96

<sup>199</sup> Fourth Meeting of the Committee on Sudan of the IGAD Partners' Forum, Oslo, Norway, 10 March 1999, p. 1



the internally displaced persons. This model of intervention, as seen from OLS, stated that rather than relying primarily on international organisations, first priority should be given to strengthening and working through local institutions. However, the incorporation of the concept of “capacity building” into OLS jargon was marred by a disagreement over its meaning. For example, working out the details of what capacity building would entail, and how to go about it, was greeted with both scepticism and lack of consensus among international agencies in the Southern Sector. Capacity building imprecision helps explain the lack of consensus among OLS agencies on how it can best be carried out. Within UNICEF, the first serious attempt at defining the term was at the Capacity Building Workshop in June 1995, which produced what has become known as "The Nairobi Joint Statement II". The Statement, produced by representatives of 15 OLS agencies, two donor agencies, and non- OLS NGOs, endorsed the definition of capacity building as an explicit intervention that aims to improve an organisation's effectiveness and sustainability in relation to its mission and context.<sup>200</sup> In their document "The Way Forward", the SRRA implicitly adopted the Joint Statement definition, and described capacity building as human resource development and institutional support.<sup>201</sup> The document then went on to propose the type of training it would require for development of its personnel, and the type of material and financial support it has for capacity building project and it was noted that perceptions vary from those who considered the support to Sudanese agencies to be in terms of merely improving the delivery of humanitarian assistance, to those who saw capacity building interventions to be aimed at influencing policy and institutional levels, promoting good governance, and community empowerment.<sup>202</sup>

Despite differences of what capacity building is, and how it should be implemented in a war environment, OLS nonetheless adopted capacity building as one of its programmes which includes a spectrum of activities such as training local structures for relief management, and the revival of traditional mechanisms for conflict resolution. While the national interests of the warring parties has been endorsed by the OLS agencies and donors, the issues of human rights and democratic governance remained unsolved. It is clear from the above discussion that

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<sup>200</sup> UNICEF/OLS, Capacity Building Workshop, Lokichoggio, Kenya, June, 15, 1995

<sup>201</sup> UNICEF/OLS, Capacity Building Workshop, 1995

there is a considerable disagreement over the compatibility of the international norms with those of the Islamic government in Khartoum.

### 2 . 3 . 1 . GLOBAL CONTEXT OF ISLAMIC DISCOURSE

The aim of this section is to refine the discussion about Islam in order to include a more nuanced appreciation about the Sudanese context. This include about the debate about Islam and the *Qu'ran* (Islamic Holy Book); Islam and Sudan, and divisions between Hassan al-Turabi and President Omer el-Beshir. It is important remark here that the issues raised by the end of the Cold War were reflected in a debate that got underway in Western policy and academic circles, especially in the United States (US). The debate was led by Samuel Huntington in an article, '*The Clash of Civilizations*', where he argued that civilisations were becoming more coherent as actors in the international system.<sup>203</sup> Huntington's civilisational thesis is an ambitious attempt to formulate a conceptual framework that can help citizens and policy makers of the post-Cold War world. Instead of focusing on power and ideology – as it was done during the Cold War - Huntington's paradigm emphasises cultural competition:

*The fundamental source of conflict in this new world will not be primarily ideological or primarily economic. The great divisions among humankind and the dominating source of conflict will be cultural. The clash of civilizations will dominate global politics".<sup>204</sup>*

For Huntington, Islam seems to represent a particular source of conflict in the contemporary world order. While this author does not agree fully with Huntington's civilisational clash thesis, the starting point for much discussion of Islam and Western concepts of humanitarian norms/human rights is *Sharia* ('Islamic law') and the argument that it is a sufficient basis for the legal and constitutional framework of Muslim societies. This claim is itself based on the argument that *Sharia* is a divinely given code which is both, "by dint of its sacredness, wholly sufficient for Muslims and which brooks no emendation or contradiction by other legal or philosophical

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<sup>202</sup> Ayers A. Letter to Philip O'Brien, Nairobi, July 30, 1995, p. 2

<sup>203</sup> See Samuel Huntington, "The Clash if Civilizations" *Foreign Policy*, 1993, pp. 22-49

considerations".<sup>205</sup> However, the claim that *Sharia* is such a basis for law is, even in the terms in which this claim is made by Islamists and other Muslims, seems contestable. According to Fred Halliday, the only parts of the Islamic traditional texts that are sacred are, first, the Qu'ran itself which is said to be the word of *Allah* (God) and, secondly, the *hadith* or sayings of the Prophet Mohammed, as subsequently codified.<sup>206</sup> The term *Sharia*, literally 'path' or 'way' (the root is the same as for the conventional Arabic term for a street, *shari*) did not initially denote a legal code. The interpretation of this divinely sanctioned material, and its elaboration into a set of comprehensive legal codes, is known as *fiq* (literally 'understanding', hence jurisprudence), and it is this, humanly evolved and variously codified, body of legal material that has become to prevail in Muslim society under the, misapplied, term *sharia*.<sup>207</sup> Thus, what is today invoked as an accepted, and sacred, body of text is, even in Islamic terms, seems to be nothing of the sort. As the Syrian writer Aziz al-Azmeh has written: 'Islamic law is not a code. This is why the frequent call for its application is meaningless, most particularly when calls are made for the application of *Sharia* – this last term does not designate law, but is a general term designating good order, much like *nomos* or *dharma*....Calls for the "application of Islamic law" have no connection with the Muslim legal tradition built upon multivocality, technical competence and the existence of an executive political authority which controls the legal system. It is a political slogan, not a return to a past reality'.<sup>208</sup>

Azmeh statement shows that there is a tradition within Islamic theory to invest moral standing in the *umma* (people), rather than the fifty-odd Muslim-majority states. The Qu'ran 49:9 orders the *umma* as a whole to enjoin what is right and forbid what is wrong, and to uphold justice. This informs an assumption in Islamic thought concerning the legitimacy of just intervention, in the notion of collective action. As the analysis above suggests, the debate on human rights in Sudan was one

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<sup>204</sup> Huntington, "The Clash of Civilizations", *Foreign Affairs*, Summer, 1993, p. 22

<sup>205</sup> For a detailed discussion of this subject, see Fred Halliday, "Relativism and Universalism in Human Rights: the Case of the Islamic Middle East", in David Beetham (ed.), *Politics and Human Rights*, Oxford, Blackwell, 1995, pp. 151-167

<sup>206</sup> *Ibid.*, p. 160

<sup>207</sup> See Norman Anderson, *Law Reform in the Muslim World*, London, Athlone, 1976, pp. 3-10, where *Sharia* is described as 'an amorphous volume of partly contradictory doctrine, to which lip-service, at least, was invariably given and which came to stand, like a sentinel to bar the path of progress', p. 10

<sup>208</sup> Aziz al-Azmeh, *Islams and Modernity*, London, Verso, 1993, pp. 12-4

that reflected a range of political concerns, and ones that were often in rather marked conflict with each other. In order to understand the relevance of Huntington's "civilizational clash" concept to this thesis, it is important to briefly put into perspective the threat Islamic values pose to OLS normative position. According to prevailing interpretations, a fundamental precept of Islam is that Muslims are superior to non-Muslims.<sup>209</sup> Islam divides humanity into three classes: (1) Muslims (2) *dhimmis* (Jews and Christians), and (3) non-believers.<sup>210</sup> The *dhimmis* can be tolerated, but only as a second-class. The third group cannot be tolerated at all. In Sudan, this resulted into a variety of responses on the possible relationship of Islam as a religion to the issue of human rights. Indeed, at least three distinct responses or themes<sup>211</sup> from within an Islamic discourse may be identified as respectively, (i) *appropriate*: the claim that, far from Islam and human rights being incompatible, it is only under Islam that they can be fully realised; (ii) *confrontation*, for example, the argument that international norms are to be rejected as part of some imperialist or ethnocentric project, and replaced by *Sharia*; (iii) *incompatibility*, the claim that somehow 'Islam' itself is irreconcilable with human rights, or democratic principles – a theme present within Islamic societies in the plea for particularism, but also found as well in non-Muslim world, but outside an Islamic discourse.

However, what is significant is the fact that the duty of collective intervention to redress injustice extends beyond the specific case of disputes involving Muslims to all human communities. In the context of this thesis, its legitimacy and scope thus derive directly from the obligation to assist the poor, which the Qu'ran asserts to be of universal applicability. There is evidence to prove that the Islamic ethical framework is premised on the universality of its principles; hence although certain verses may address the Muslim *umma* specifically as mentioned above, general humanitarian principles in the Qu'ran are intended for all humanity, which is fundamentally united in its common origins and destiny. Throughout the Qu'ran, God thus speaks to humanity as a whole, its universalistic ethos subsuming the ever-present particularism. According to Islam, humans serve God through good works,

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<sup>209</sup> Bassam Tibi, "The European Tradition of Human Rights and the Culture of Islam", in Abdullahi Ahmed An-Naim & Francis M. Deng (eds.), *Human Rights in Africa: Cross-Cultural Perspectives*, Washington D.C., The Brookings Institution, 1990, p. 110

<sup>210</sup> *Ibid.*, "The European Tradition of Human Rights and the Culture of Islam", p. 110

<sup>211</sup> For a detailed discussion of these themes, see F. Halliday, "Relativism and Universalism in Human Rights", pp. 151-167

which include almsgiving and generosity towards orphans and the elderly. This is the general principle of statement in the Koran (Muslim holy book or Surat).<sup>212</sup> *Zakah*, almsgiving (from *Zakah*, “to be worthy”, “pure”), is one of the five pillars of Islam.<sup>213</sup> It is a form of self-taxation to help the needy. *Zakah* is giving alms directly, or indirectly through the state. Its purpose is to assist destitute persons and to contribute to other benevolent deeds. Both Islam and Christianity have the same understanding of the concept of human dignity. For example, the Bible says: ‘you shall not kill; the Qu’ran 5:32 says: ‘Whoever kills a human being (without any reason like manslaughter), or corruption on earth, it is as though he had killed all mankind...And whoever saves a life it is as though he had saved the lives of all mankind’.

Based on the above analysis, it is arguable that the Qu’ran is not the main reason for the difficulties with human rights in Sudan: in this sense ‘Islam’ is not the issue.<sup>214</sup> What is far more intractable is the political and social context of interpretation, the manner in which these texts are conventionally interpreted, in the contemporary Sudanese social and political conditions mentioned in chapter 1. Since President Omer al-Hassan Beshir came to power in a military coup, which was backed by the National Islamic Front (NIF), Sudan, at least rhetorically, was gradually becoming an Islamic state. The first concrete attempt to bring Sudan within the Islamic system was in April 1992 when the GOS brought together Islamic groups from 35 countries and three continents to draft a common strategy to establish Muslim states in their respective lands.<sup>215</sup> The conference, which was organised in Khartoum, was hosted by Hassan el-Turabi, then leader of the NIF and the architect of *Sharia law*. Throughout the meeting deliberations, anti Western values were expressed, and it was not surprising that the group approved a six-point manifesto intended to demonstrate that “whatever the strength of America and the West...God is greater”.<sup>216</sup>

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<sup>212</sup> Surat, pp. 23-39. For a discussion of these issues, see Ashoor Y.B., “Islam and International Humanitarian Law”, *International Review of the Red Cross*, March-April, 1980, pp. 1-11

<sup>213</sup> Fazlur Rahman, *Islam*, Chicago, University of Chicago Press, 1979, pp. 15, 37, 208

<sup>214</sup> See, for example, Peter Woodward, *Sudan, 898-1989: The Unstable State*, London, Lynne Rienner Publishers, 1990

<sup>215</sup> For an analysis of the Islamic challenge globally, see Judith Miller, “The Challenge of Radical Islam”, *Foreign Affairs*, Spring 1993, pp. 43-56

<sup>216</sup> Quoted in *Ibid*.

The significance of this Islamic project is that it marked the first serious effort by an avowedly Islamic state to define, with other leading figures of the movement, their own vision of a new world order and strategy for achieving it. The conference also made progress toward Turabi's long-stated goal of overcoming the historic rift between Sunni Muslim states, like Sudan, and the Shiite state, like Iran – that is toward ending the bitter historic enmity that has separated these two wings of Islam since the seventeenth century.<sup>217</sup> But increased international pressure in the form of economic sanctions, and the costly war in the south, President Beshir became less enthusiastic to Turabi's project. Thus, the ongoing discourse on the connections between nationalism, the territorial state, and the role of Islam was complicated by differences between President Beshir and Turabi.<sup>218</sup> The conflict between the two leaders began in 1991 when President Beshir failed to step down to hand over the government to Turabi and his NIF followers.<sup>219</sup> Turabi became impatient with the military façade, since he wanted to rule directly. When Islamic legal codes were promulgated in 1991, NIF leaflets had claimed that “the zero hour is near and the Islamic Republic will be declared in Sudan”.<sup>220</sup> Turabi's frustration with the Beshir's failure to surrender power to the NIF resulted, in part, from his own failure to push through his Islamist agenda.

The relationship between the two leaders deteriorated further when President Beshir sought the support of the more moderate NIF leaders, and his attempt to reconcile with the exiled leaders of Umma and DUP. Consequently, the power struggle between the two leaders intensified in 1999 over the nature and pace with which NIF agenda should be implemented. President Beshir wanted a more moderate form of Islamic constitution that would be attractive both nationally and internationally, but Turabi wanted a comprehensive imposition of an Islamic state in the Sudan. Moreover, the decision of President Beshir to embrace economic liberalisation, and the removal in 1999 of Hassan al-Turabi from the position of Speaker of the National Assembly precipitated the crisis between the NIF and the

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<sup>217</sup> Miller, “The Challenge of Radical Islam”, p. 44

<sup>218</sup> See Peter Woodward, *Sudan, 1898-1989*; Ann Mosely Lesch, *The Sudan – Contested National Identities*, Indianapolis, Indiana University Press, 1998

<sup>219</sup> Lesch, *Sudan: Contested National Identities*, p. 117

<sup>220</sup> *Ibid.*

government. Turabi tried to fight back by organising street demonstrations against the government but failed because the government used armed police force to suppress its opponents. Thus, the struggle between General Beshir and Turabi can be seen as a clash over democratic reforms, but would suggest that Turabi was in favour of democracy and Beshir was opposed to it, which is not necessarily the case. Turabi, the architect of Islamic Sharia law, was not a democrat, and he presided over a parliament that merely rubber-stamped his or Beshir's decisions. In these circumstances, electoral process has served to legitimate unreconstructed or partly transformed authoritarian elites in Khartoum whose overriding purpose is to preserve their own interests.

Nonetheless, the sacking of Turabi has raised fresh questions about the pace of democratic reform in the Sudan. General Beshir's dissolution of parliament came shortly before it was due to vote on Turabi orchestrated reforms which would have reduced Beshir's powers and increased those of the Speaker of the National Assembly. In short, the struggle was largely about naked personal ambitions, rather than democratic reforms. Given the tyrannical tendencies displayed by both Beshir and Turabi, democratic reforms seems unlikely to proceed very far as long as either remains in power. However, by the year 2000 Dr. Turabi had lost his position as Speaker of the Sudanese National Assembly, and has altogether left the government. In this powerful struggle, it appeared that President Beshir, with the support of moderate Arab states such as Egypt, has won. Relevant to this thesis is however the impact of Islamic discourse to OLS humanitarian context.

### **2 . 3 . 2 . HUMANITARIAN NORMS VERSUS GOS POLICIES**

The Islamic discourse above has wider implications on how OLS should implement its programmes or apply international norms in its operational war environments (Northern and Southern Sectors). It is stated in chapter 1 that the crisis of the Sudanese state has provided the grounds for the political revival of Islamic fundamentalism. A constructed divine order is being presented in this section by Islamists as the alternative to the Western humanitarian values. This section contextualises the Islamic discourse by addressing "cultural match" between international humanitarian norms and domestic Sudanese understandings. Pre-existing domestic understandings condition the impact of such norms in policy

debates. Checkel refers to this condition as “cultural match”.<sup>221</sup> Using the term “culture” captures why, if humanitarian norms are to become salient domestically, they need to resonate with domestic norms, widely held domestic understandings, beliefs, and obligations. The domestic discourse, then, provides the context within which humanitarian norms take on meaning and thereby conditions their operations. When such a cultural match exists, domestic humanitarian actors are likely to treat such political devices as given, instinctly recognising the obligations associated with the norms. OLS has attempted to do just that. Even though the mainly Christian opposition movement subscribed to humanitarian norms, the Islamic government in Khartoum was not happy with the whole idea of inserting political issues into the traditional humanitarian relief mandate. Though it is a signatory to the Geneva Conventions, the GOS position was that humanitarian norms were a threat to its sovereignty not only because the principles were conceived and formulated largely by Westerners, but also that they reflected cultural values and mores that were hostile to the Sudan Islamic values.<sup>222</sup>

In this case, the recognition of international norms of behaviour has been likened to cultural imperialism and cause domestic resistance. Accordingly, political elite in Khartoum had viewed adhering to humanitarian norms and principles as compromising the state’s sovereignty or their capacity to prosecute the war in Southern Sudan. For many government officials, the so-called humanitarian principles were nothing other than a cover-up of Western conspiracy against Sudan Islamic aspirations.<sup>223</sup> Accusations of the alleged OLS violations of its own norms and principles in South Sudan strengthened GOS perception of OLS as a foreign policy tool of Western governments, with the US singled out as the “enemy” of Islamic values.<sup>224</sup> Given this position, there is some truth in the Huntington’s ‘civilizational clash’ thesis that the language of the 1948 Universal Declaration of Human Rights was derived from Western religious and politico-philosophical

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<sup>221</sup> Jeffrey Checkel, “Norms, Institutions and National Identity in Contemporary Europe”, *International Studies Quarterly*, Vol. 43, 1999, pp. 31-63

<sup>222</sup> The Attorney General and Minister of Justice of Sudan attacked the UN Special Rapporteur, calling his human rights report “blasphemous”. The Attorney General told the UN Commission on Human Rights that the report was an “attack on the fundamental principles of Islamic penal law”. *The Economist*, London, March 5, 1994, p. 6

<sup>223</sup> DHA, OLS Review, p. 42

<sup>224</sup> UNICEF/OLS, Minutes of a Meeting Between Dr. John Garang De Mabior and Mr. Michael Priestly, Nairobi, May 19, 1990



traditions, notably Christianity and the Enlightenment. Both the universality of humanitarian norms and the indivisibility of civil and political, social and cultural rights have been seriously contested in the Sudan. Although many Western diplomats I met in Nairobi rejected the clash-of-civilisations hypothesis<sup>225</sup>, donor states post-Cold War policy (this is discussed in detail in chapter 3) appeared to have been affected by the fear of an Islamist threat. It was not surprising, therefore, that GOS Islamic values conflicted with humanitarian norms and principles. The Sudanese government hostility towards OLS was understandable because the very existence of such a major international humanitarian operation was bound to create a sense of national humiliation among the ruling Islamist elite in Khartoum. Much of GOS rhetoric was based on anti-Western sentiment and this was interpreted by some diplomats in Nairobi as a rejection of Western humanitarian values.<sup>226</sup> This anti-Western rhetoric, whether exaggerated or not, has some historical validity. For example, in an interview with this author, the Sudanese Minister of External Affairs, Dr. Mustafa Osman Ismail, described humanitarian principles as Western instruments of destabilisation in the Sudan:

*All these talks of humanitarian principles or Geneva Conventions don't make sense to us. You have to ask yourself in whose interest are these principles established? They are not for the good of our people; for us the UN is here to serve the interest of Western powers, whose policy is to destabilise and divide the country. We have our own values which are more humane than those the UN is preaching, and foreigners who are really serious to assist our starving population in the south will have to be guided by these values.*<sup>227</sup>

The GOS opposition to the Western liberal values of humanitarianism was based on a historical frame of reference, which I believe was the only one that led OLS to an understanding of, and consensus on, human rights in the context of the war. The question is, where does Islam fit into this picture, since the GOS opposition to humanitarian norms and principles seemed to have dashed any hope for a consensus on protection issues. A clear account of GOS criticisms of OLS developed over the years, and it was contained in a 1992 Relief and Rehabilitation Commission (RRC)

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<sup>225</sup> This was a conversation between me and an Italian diplomat who attended a conference on Sudan organised by the All Africa Conference of Churches, Nairobi, April 5-8, 1997

<sup>226</sup> Interview with a Sudanese embassy official, Nairobi, November 17, 1997

<sup>227</sup> Interview with Dr. Mustafa Osman Ismail, Minister of External Affairs, Nairobi, May 15, 1997

report.<sup>228</sup> This report clearly stated that the use of humanitarian principles in disregard of domestic Sudanese law violated the sovereignty and territorial integrity of the Sudan, and that the INGOs working within it were in breach of Sudan's visa laws because they refused to be registered in Khartoum. The GOS positions on OLS, and the alleged irregularities within it, were made clear to the United Nations Department for Humanitarian Affairs (DHA).<sup>229</sup> Given the fact that the GOS claimed that 80 percent of the population in Southern Sudan was non-believers, it is then logical to argue that by incorporating protection issues into the traditional relief aid operations OLS has indeed violated the GOS policies. In other words, OLS has no right to protect the rebellious non-believers in the south of the country, and that is precisely the aim of jihad (holy war).<sup>230</sup> The military officers and politicians who seized power on 30 June 1989 - two months after the establishment of OLS - held a monolithic vision of the identity of the Sudan. They maintained that Islam, the majority religion, and Arabic, the language of the Quran, represented the essential bases for the country's nationalism and should define its political, human rights and humanitarian systems.<sup>231</sup> In this case, minority (referring to the second and third believers above) must either merge into that Islamic culture or be exempt from a few religious punishments.<sup>232</sup> Christians could practice their faith, but adherents of traditional African faiths could be compelled to convert, since they were not monotheist "people of the book".

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<sup>228</sup> RRC Report to the UN/OLS, Nairobi, September 17, 1992, pp. 1-4

<sup>229</sup> Ministry of Social Planning, Briefing Note, Khartoum, March 31, 1996

<sup>230</sup> See, for example, Gino Basella & Maguel A. Ayusu, *Struggling to Be Heard: The Christian Voice in Independent Sudan*, London, Paulines Publication, 1998

<sup>231</sup> For a discussion of this subject, see Kate Almquist, "Religion and Politics in the Sudan: A Humanitarian Agency's Perspective", paper presented to the United States Institute of Peace Conference 'Religion, Nationalism and Peace in Sudan', Washington D.C., September 16, 1997

<sup>232</sup> US State Department report on Sudan found evidence of how the Islamist regime in Khartoum used religion to undermine the status of non-Muslim population in the country. It talked of the relegation of southern Sudanese into second class citizens. See United States Department of State, *Country Human Rights Reports 1997: Sudan*

The regime in Khartoum sought to compel the public to follow its rigid defined social code, cultural norms, and religious forms. President Omer Hassan al-Beshir underlined the aim of creating an Islamic state and emphasised the officers close relationship with the NIF (National Islamic Front):

*We upheld the Islamic trend from the beginning. An Islamic organisation was created in the armed forces when the Communists tried to overthrow the Numeiry regime in 1971. When the revolution began [in July 1989]....the leadership of the NIF met and decided to....join the authorities. We needed a number of their cadres...We are trying to apply the [Islamic] texts gradually and intend to establish an Islamic state in Sudan...We have programmes for comprehensive daw'a [call].<sup>233</sup>*

The legal underpinnings for an Islamist humanitarian system were consolidated when the National Founding Conference for the Political System adopted a National Charter for Political Action which emphasised that “our intellectual, spiritual and humanitarian values spring from our subservience to one God and belief that He is the sole authority in this world and the world after”.<sup>234</sup> Throughout the early 1990s, the Islamic orientation of the Sudan was strictly based on Sharia law, which discriminated against non-Muslims.<sup>235</sup> This Islamic law was incompatible with humanitarian principles, which were based on international standards of behaviour. The Sudanese Muslim society in the north was divided by the pro- and anti-fundamentalist sentiments that were swirling throughout the Muslim community in the country.<sup>236</sup> Accordingly, Muslims’ reaction to President Omer el Beshir’s opposition to humanitarian norms varied widely. Muslims who supported the government politically did not appear troubled by the human rights violations in Southern Sudan, but other Muslims found these violations intolerable and a perversion of central Islamic values.<sup>237</sup> But the international community – represented by the UN – was united in its affirmation of the universality of

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<sup>233</sup> *Sawt al-Sha'ab Newspaper*, Amman, 23 February 1993, p. 4

<sup>234</sup> GOS, Report of the Founding Conference for the Political System, Khartoum, May, 1991, p. 12

<sup>235</sup> See Abdullahi Ahmed An-Naim, “Islamic Law, International Relations, and Human Rights: Challenge and Response”, *Cornell International Law Journal*, Vol. 20, No. 2, 1987, p. 317; and An-Naim, *Toward an Islamic Reformation: Civil Liberties, Human Rights and International Law*, Syracuse, Syracuse University Press, 1990

<sup>236</sup> David Little, “Islam and Society: the Sudanese Experiment”, Washington D.C., United States Institute of Peace, 1998, p. 5

<sup>237</sup> *Ibid.*, Islamic and Christian Cross-currents in Sudan, lecture notes, Washington D.C., United States Foreign Service Institute, April 3, 1997, pp. 1-4

humanitarian norms. As far as the UN, IGADD (Inter-Governmental Authority on Development and Drought) and the civil society were concerned, humanitarian principles were fundamentally moral claims, and that there was a well established right for the Sudanese war victims to have access to humanitarian assistance, and, conversely, for impartial aid organisations to provide this assistance. In January 1994, the IGADD (Inter-Governmental Authority on Development and Drought) Committee and the parties to the conflict agreed that the humanitarian and political dimensions of the Sudanese problem should not be treated separately but simultaneously.<sup>238</sup> The Sudanese government was told during the launching of the IGADD peace initiative – discussed in chapter 3 – that for any peaceful settlement to prevail in the Sudan it was essential that the humanitarian organisations were allowed free access to the needy population in Southern Sudan.<sup>239</sup>

The argument of the Chairman of IGADD, President Daniel Arap Moi of Kenya, was that humanitarian actions should themselves be seen as one part of a spectrum of human rights activities: that assistance and protection were closely related activities that could and should be justified in human rights terms.<sup>240</sup> Like OLS, the Kenyan government was against military-humanitarianism that some national NGOs lobbied for. The IGADD member countries re-affirmed their support for humanitarian principles and urged the GOS and the SPLA to respect and abide by those norms. The importance of respect for humanitarian principles, including unrestricted and secure access to areas in need, the security of humanitarian workers and the integrity of relief distribution, was also strongly emphasised by the representatives of donor countries.<sup>241</sup> GOS position tends to inform what Dower terms an ‘idealist-dogmatic’<sup>242</sup> cosmopolitan approach to international norms of behaviour, which requires that non-Muslim societies accept not only the set of values upheld, but equally the worldview from which they emanate. The problems surrounding GOS position in a differentiated and increasingly interconnected global society barely require mention: furthermore, it is difficult for it to entertain co-

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<sup>238</sup> Interview with Bathuel Kiplagat, IGAD Consultant, Nairobi, Kenya: March 12, 1997

<sup>239</sup> Ibid.

<sup>240</sup> GOK, Relief Supplies and Humanitarian Assistance to the War Affected Areas, Nairobi, Government of Kenya, March 23, 1994, pp. 2 - 5

<sup>241</sup> DHA, Records of the Donor Consultations on the Sudan, Geneva, May, 1995

<sup>242</sup> Nigel Dower, *World Ethics: the new agenda*, Edinburgh, Edinburgh University Press, 1998, pp. 95-6

operative alliances with other religious traditions, or with non-religious actors such as the UN. There is a marked contrast in this respect with the contribution of religious pluralists and liberals, for whom the perspective of the whole is balanced with an appreciation of diversity and difference. Among them, common involvement towards building a consensus of values in solidarity and an active commitment to their advance is possible, establishing a platform from which broad appeals can be made to those whose humanitarian convictions are not religiously grounded, creating alliances of convergence for practical purposes. Prince Hassan of Jordan, for example, has repeatedly urged for the crafting of a universal ethic as the basis for a 'New International Humanitarian Order', founded on a recognition of the fundamental worth of the human person and reflecting global understanding of shared nature of contemporary human obligations.<sup>243</sup> The Prince acknowledged that the desired ethic, which can provide a focus for consensus by explaining the necessary minimum of common values, standards and attitudes which can be universally affirmed, implies 'an almost Copernican change of perspective, from a fractured to a holistic view of human welfare which is centred on the commonality of human interests'.<sup>244</sup> As early as 1995, OLS had already acknowledged the significance of the commonality of human interests in its framework for relief operation. But it was the acknowledgement of the diversity of cultural norms by OLS, which prompted UNICEF to establish a fact-finding commission in late 1994 to look into the relevance of OLS principles to the Sudanese context.

### **2.3.3. TOWARDS A DIALOGUE OF VALUES**

Pluralists, who, without giving up the distinctiveness of their own tradition, seek a consensus with GOS based on an acknowledgement of cultural differences, and the solidarists who adopt an ecumenical perspective looking to global problems generated by a global society in their impact on humanity as a whole. How might these opposing articulations (perspectives) be reconciled for the good of Sudan war-victims? UNICEF was aware of these different cultural relativist arguments, and it thus set up a fact-finding commission toward the end of 1994 to try to settle

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<sup>243</sup> Prince El Hassan bin Talal, *The Universality of Ethical Standards and the Government of Civil Society*, The Annual Denning Lecture, London, July 28, 1997, 2-4

differences of interpretation and operationalisation of humanitarian principles and rules. The aim of the commission was to contribute to the search for a set of humanitarian principles acceptable to the warring parties and donor organisations. The commission was given the task of researching the various Sudanese values, and preparing a comprehensive analysis to be presented to OLS for study and consideration. The commission made an extensive survey of the various Sudanese norms and customs. The OLS commissioned document was ready by January 1995, and it proved that, apart from the relative importance attached to group rights and individual rights, both Christian and Islamic cultures share humanitarian values, which oblige international community to come to the aid of those starving.<sup>245</sup> The document argues that humanitarian norms exist within the Sudanese societies which has countered GOS opposition to OLS and offered the moral foundation for the rights of international community to intervene on behalf of Sudan war-victims.<sup>246</sup>

Much of the GOS argument above has been countered by the Commission's findings, which illuminated the sources of humanitarian values that were found in the Sudanese cultures. The document gives an elaborate overview of the origin of different elements of humanitarian norms in indigenous social and popular culture particularly in Southern Sudan. There is nothing Western about them, yet they resonate with those adopted by OLS. The historical fact that the formulation of international humanitarian law (IHL) was dominated by the political forces of the day does not exclude humanitarian norms and principles from being rooted in their own specific ways in the Sudanese society. The implication of the Commission's findings is that tribal society is a form of political association whose members recognise the collective authority of the tribe as it is embodied in and expressed by rainmakers, elders and wise men. The Sudanese tribal societies are, according to the Commission, usually stateless societies in which the enforcement of the members' rights is a matter of self-help of individuals and families and their friends and allies.

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<sup>244</sup> Prince Hassan, *The Universality of Ethical Standards and the Government of Civil Society*, pp. 2-4

<sup>245</sup> For a comparative analysis of the Western and Sudanese values, see Simon Simonse, *Human Rights and Cultural Values in Relief Operations in War-torn South Sudan: A Discussion paper produced by Larjour Consultancy, Commissioned by Operation Lifeline Sudan, Nairobi, January 2, 1995*, pp. 1-28; For an African perspective, see Abdullahi Ahmed An-Naim and Francis M. Deng (eds.), *Human Rights in Africa: Cross-Cultural Perspectives*, 1990

<sup>246</sup> Simonse S., *Human Rights and Cultural Values in Relief Operations in War-torn South Sudan*, p. 28

But I argue that this anarchy is prevented from destroying the social order only by powerful cultural pressures that promote adherence to tribal customs and which include respect for the guidance and decisions of the rain-makers and elders. Not surprisingly, the document confirmed that both Islam and Christianity enjoy a minimum fundamental consensus concerning binding humanitarian values, irrevocable standards and basic moral attitudes, which support humanitarian principles and rules. In other words, contrary to the Sudanese government position, there are no fundamental differences between Islamic concept of humanitarianism and that espoused by Operation Lifeline Sudan. During one of the OLS 1995 workshops on “Religious Concept of human rights” - in which this author was one of the facilitators - the views of the Sudanese religious leaders (Christians and Muslims alike) were similar to those of OLS: “that humanitarian values which guide relief operations are accepted by both Islam and Christianity, and that the two religions do not support discriminatory practices in the distribution of relief aid to the war-victims”.<sup>247</sup> According to Rev. Haruun Ruun, the Executive Secretary of the New Sudan Council of Churches, political and military leaders in the Sudan “do a definite disservice to the objectives of their policies if they create the impression that European values are un-Sudanese”.<sup>248</sup>

The Muslim Council of the New Sudan view was that humanitarian relief aid was sanctioned by Allah (God), and should not be undermined by abstract intellectualism.<sup>249</sup> The representative of the Sudan Law Society echoed the religious leaders’ position: “The idea that an interest in humanitarian principles and rules is a Western import serves the interests of local violators of human rights. Many of our political and military leaders are not properly educated and have no positive values, but exhibit exceptional narrow mindness, brutality and corruption. If there is a single rationale underlying humanitarian principles, it is perhaps the need, on the one hand, to protect the lives of the war victims and risks of operating in a civil war

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<sup>247</sup> UNICEF/OLS, Report on Workshop on Humanitarian Principles for Sudanese NGOs, Nairobi, April 5, 1995

<sup>248</sup> Dr. Haruun Ruun made this statement during the workshop on the Religious Concept of Human Rights, held in Lokichoggio, Kenya, from 5-7 May, 1995

<sup>249</sup> For an analysis of humanitarian values across cultures and religions, see Isaac Ephrain, “Humanitarianism Across Religions and Cultures”, in Thomas G. Weiss & Larry Minear (eds.), *Humanitarianism Across Borders: Sustaining Civilians in Times of War*, Boulder and London, Lynne Rienner Publishers, 1993, pp. 13-22

environment".<sup>250</sup> Thus, the revelation by the OLS commissioned document that Sudanese, in their traditional warfare, do not deprive children, and other vulnerable groups of their rights to relief aid, and that children under eighteen years were not traditionally allowed to go to war, exposed Sudan warring parties to shame, though it did not end doubts regarding the universality of humanitarian principles. Both the GOS and SPLM/A interpreted the document according to their own interests. As SPLM/A representative puts it:

*I have read the document and I do not think any Sudanese, who is in his or her right mind, can deny the fact that humanitarian values existed and still exist among our people, despite the breakdown of society. We have nothing to regret much. The SPLM/SPLA allows and encourages unrestricted and unconditional access for Operation Lifeline Sudan and other relief agencies that are operating in areas under the control of the Movement. Similarly, although the SPLM/A has taken up arms in defence of the rights of all the Sudanese people, the nature of the civil war made it difficult for us to check the conduct on which the war is being pursued by our fighting men and women. In spite of some human rights violations, we are the only party to the conflict that takes prisoners of war (POWs) and hands them to the care of the ICRC. This is not the case with the NIF regime in Khartoum. In fact, the government of Sudan even kills those who surrender.<sup>251</sup>*

While there were those who saw SPLM/A leadership acceptance of humanitarian principles as dictated by political opportunism, OLS, though aware of such political interest, saw it as a new dawn in its relations with the insurgents. The GOS, anxious to defuse the opposition movement's accusation that it was responsible for obstructing relief access, also welcomed UNICEF's findings contained in the OLS document. The GOS did not only make a U-turn from its earlier hard-line position, but it also made a commitment to the concept and principles of Operation Lifeline Sudan. Prof. David de Chand, GOS representative to the Great Lakes Regional conference on Sudan, stated clearly that the government was serious and concerned with the plight of its people, and would not pursue policies that would violate the rights of the war-victims to receive relief aid.<sup>252</sup> But the SPLM/A leader, Dr.

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<sup>250</sup> Interview with John Luk, Sudan Law Society, Nairobi, November 9, 1996

<sup>251</sup> Interview with Dr. Samson Kwaje, SPLM/A Secretary for Information and Culture, Nairobi, November 12, 1997

<sup>252</sup> Interview with Prof. David de Chand, Ambassador, Ministry of Foreign Affairs, Nairobi, April 8, 1997



Garang, believes the GOS is the only culprit, having denied the universality of humanitarian norms and principles:

*It is Khartoum which has turned this tragedy into a political instrument. The argument that by sending food, clothing and medicines to the needy in SPLA-held areas would morally strengthen the Movement is understandable. The SPLA/SPLM does not trade on human misery, otherwise it would refuse granting permission to the delivery of food to the starving in the government-held towns. The government is aware of the fact that the policy of starving the citizens under its controlled towns is a wrong weapon. Khartoum's insistence of sovereignty is another wrong way of saying talking with the rebels will diminish national sovereignty. It is a fallacious argument. It is the very starving people who are suffering".<sup>253</sup>*

Nevertheless, the failings of the government do not justify SPLM/A practice of deliberate looting of OLS resources, or depriving the starving population of relief food. The reality, however, is that both the GOS and the SPLM/A were shamed into accepting the universality of humanitarian principles and rules. The significance of these findings is that, religious and cultural perspectives do possess the potential to provide important resources towards the creation of a new international humanitarian order, the ongoing association of their adherents with division, conflict and intolerance notwithstanding. In other words, the fact that legitimating discourses are bounded by prevailing domestic understandings should not obscure the dynamic nature of the relationship between domestic and international normative structures. In the case of OLS, both seems to be evolving. This implies that the match between the two sets of normative structures may change over time and that the domestic salience of international norms will vary accordingly. The cultural match as a condition mediating the domestic salience of humanitarian norms and principles is dynamic and malleable. The debate above shows that both Islam and Christianity can counsel a more comprehensive, if not universalist, vision, stressing the need for human solidarity and countering divisive attitudes after the like of Huntington's 'the West and the rest'.

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<sup>253</sup> Quoted in Efuk, *The Politics of Famine in Sudan*, p. 18

## 2.4. CONSTRUCTING NORMS FOR RELIEF AID OPERATION

Now that the GOS and OLS have reached a consensus on their humanitarian policies, it was the job of OLS to construct norms, rules and principles (political or rhetorical devices) on which to dialogue meaningfully with all the concerned authorities in the Northern and the Southern Sectors. The underlying normative<sup>254</sup> position of OLS diplomacy was based upon two fundamental assumptions.<sup>255</sup> First, that the protection of safety and dignity of victims of conflict is an integral part of a humanitarian mandate. Second, that access to humanitarian assistance is a fundamental right and that the integrity of humanitarian assistance - ensuring its timely arrival to the right people - must be protected. This normative position drew upon two principal influences. The first was the Convention on the Rights of the Child (CRC), which entered into force in 1990. The CRC became a principal framework for UNICEF in the elaboration of what it referred to as rights-based programming rather than needs-based programming.<sup>256</sup> The argument of the UNICEF officials was that “humanitarian action should itself be seen as one part of a spectrum of humanitarian activities, and that assistance and protection are closely related activities that can and should be justified in human rights terms”.<sup>257</sup> Accordingly, humanitarian assistance was described in terms of the fulfilment of certain claims that human rights make on us.<sup>258</sup>

The second influence in the definition of OLS’s normative position was UNICEF’s mandate as co-ordinating humanitarian agency. As in all DHA-led programmes, the humanitarian co-ordinators are responsible for advocacy and promotion of DHA’s ‘Respect for Humanitarian mandates in Conflict Situations’.

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<sup>254</sup> In this thesis, “normative” is defined in terms of humanitarian norms which guide OLS humanitarian action. These norms include the Geneva Conventions and human rights law.

<sup>255</sup> Interview with Ian Levine, UNICEF/OLS Co-ordinator of Humanitarian Principles: Nairobi, October 13, 1996; see also Ian Levine, *Humanitarian Principles: the southern Sudan experience*, ODI, London, May 1997, pp. 1-4

<sup>256</sup> *Ibid.*, Humanitarian Principles, London, ODI Publication, 1997, p. 3

<sup>257</sup> *Ibid.*, p. 3

<sup>258</sup> For further information on the link between human rights and relief, see James Dracey, “Human Rights and International Standards: What do Relief Workers need to know?”, *Relief and Rehabilitation Network*, ODI Publication, London, February 1997, pp. 1-34

This document<sup>259</sup> defines the promotion of humanitarian principles and the protection of civilians as integral to its mandate. In order to promote and protect these two normative positions, UNICEF was requested to define the objectives of the humanitarian principles programmes which OLS will use to dialogue with the warring parties. These were defined into four policy objectives. First, to define and defend OLS humanitarian mandate; to ensure that assistance reaches the neediest and that civilians are protected. Second, to increase awareness and observance of humanitarian principles through dissemination and advocacy at all levels of society. Third, to strengthen the commitment of the political authorities to these humanitarian principles. Fourth, to monitor and document violations.

The question was how to define the standards that would achieve the protection. Though many commentators have written of the growing interdependence of human rights law and humanitarian law<sup>260</sup>, in the case of OLS, it was recognised from the outset that political constraints would prevent that. In fact at the time when OLS was planning its humanitarian principles programme, Gasper Biro, the UN Special Rapporteur for Human Rights, was made *persona non grata* by the GOS for his critical report on the human rights situation in the country. To have brought up human rights in the manner some NGOs wanted OLS to act would have attracted an immediate and very negative response from the government. The challenge for OLS therefore was to clearly identify the political devices needed for promoting the ethical standards required in a civil war environment. Three diplomatic tools were identified. The first device was the Geneva Conventions with their additional Protocols - which seek to ensure that those fighting conform to basic rules with respect to non-combatants, including medical and relief personnel - were an obvious choice. Although there are often problems related to the application of the Geneva Conventions, particularly in internal conflicts, Article 3 that makes up part of customary international humanitarian law provides most of the basic principles, which guarantee the protection of the civilian population in the war zones.

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<sup>259</sup> The document states: "Civilians have fundamental right under international humanitarian law to be protected from attacks, torture and other forms of attacks on their physical and moral integrity." It also states: "The fundamental human right of all persons to live in safety and dignity should be supported through appropriate measures of protection as well as relief."

<sup>260</sup> See Darcy, J., Human Rights and International Legal Standards: What Relief Workers Need to Know, *Relief and Rehabilitation Network Paper 19*, London, ODI Publication, 1997, pp. 1-5

The second device chosen was the Convention on the Rights of the Child (CRC), which is perhaps the most under-rated tool of humanitarianism, and it is the most ratified human rights treaty in the world, with 190 governments behind it. It is also the most comprehensive since it deals with political and civil liberties as well as social, economic and cultural rights. With, typically, more than 50 per cent of war affected people being children,<sup>261</sup> it covers the largest and most vulnerable segment of the population. The third diplomatic device chosen was the Ground Rules. Because the rebel movement is not a signatory to the Geneva Convention, UNICEF developed the Ground Rules to dialogue with the rebels. Following the 1992 incident in which four relief workers were killed by the insurgents, coupled with the continuing NGOs hostility towards OLS appeasement policy, UNICEF saw the need for a framework on which to work with the SPLA. First, UNICEF put pressure on the leaders of the SPLA factions to sign their acceptance of a set of 'Ground Rules'. These Rules were an agreement between UNICEF and the humanitarian wing of the opposition movement, which defined the basic principles upon which OLS humanitarian programmes were based. In accepting the Ground Rules, the opposition movements recognised their international obligations:

*We, the undersigned, enter into this agreement in a spirit of good faith and mutual co-operation in order to improve the delivery of humanitarian assistance to and protection of civilians in need...In signing this agreement, we express support for the following international humanitarian conventions and their principles, namely: (i) Convention on the Rights of the Child 1989; (ii) Geneva Conventions of 1949 and the 1977 protocols additional to the Geneva Conventions.<sup>262</sup>*

The Ground Rules represent the bringing together of humanitarian and human rights concerns, and provide a vehicle for OLS agencies to address incidents of abuse against civilians directly with the parties responsible as they have committed themselves to abide by those rules.

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<sup>261</sup> Levine, I., *Humanitarian Principles: the southern Sudan experience*, p. 4

<sup>262</sup> UNICEF/OLS, SPLM/OLS Agreement on Ground Rules, Nairobi, July 20, 1995, p. 1

#### 2.4.1 . DISSEMINATION OF HUMANITARIAN NORMS

With the norms and rules identified and apprehensively endorsed by all the parties to the conflict, it was left to UNICEF - as UN lead agency – to disseminate the information widely. Indeed, since 1995 OLS became, through its monthly coordination meetings and workshops, a forum within which international community and the Sudan warring parties expressed and shared their problems and successes. By their nature, humanitarian principles and Rules require considerable publicity and education, especially within the opposition movement, for them to be accepted and effective. According to UNICEF document on Sudanese values, OLS was requested to take steps to revive traditional southern Sudanese norms and values through a series of workshops:

*OLS may take the initiative to carry out educational programmes that promote adherence of human rights such as workshops on human rights for high ranking political and military personnel, possibly in collaboration with ICRC; training programmes on human rights about procedures to be followed when human rights are violated for church leaders, school teachers, NGO personnel, with the ultimate aim of setting up human rights groups inside southern Sudan. OLS could show its human rights concern by giving increasing attention to victims of human rights abuses, especially minors, the special mandate of UNICEF.<sup>263</sup>*

Since 1995, great efforts were made to make the principles and rules widely known and understood. In doing this, the officer of the programme was particularly concerned to emphasise the links between humanitarian principles, as codified, and the traditional values of Sudanese cultures.<sup>264</sup> Making this connection was an important part of the many workshops that were held in order to disseminate the rules. The argument was used largely in order to prevent giving the impression that foreigners were imposing foreign values. As far as the first task was concerned, that is selecting categories of audiences, UNICEF made a list of eight target groups which, in order of importance, were: combatants, local and international organisations and community leaders – chiefs, and elders. According to UNICEF, there were many good reasons as to why combatants should learn the principles, and

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<sup>263</sup> Simon Simonse, Human Rights and Cultural Values in Relief Operations in Wartorn South Sudan, p. 25

rules of humanitarian operation and respect them. First, Sudan government and the SPLM/A were morally obliged to ensure that combatants learn and respect the rules. Second, there were economic as well as technical reasons that justified respect of humanitarian principles and rules. Third, and perhaps most important, there was always a political cost attached to each violation of humanitarian principles and rules.<sup>265</sup> In the Sudan, UNICEF, in collaboration with the ICRC, was legally mandated to disseminate information pertaining to humanitarian law and Geneva conventions among the different audiences mentioned in this section. UNICEF identified, developed, encouraged and oversaw the dissemination of both International Humanitarian Law (IHL) and of the principles.

#### **2 . 4 . 2 . OLS AD HOC HUMANITARIAN DIPLOMACY**

Although the significance of humanitarian principles and rules as political devices for shaming the behaviour of the GOS and the SPLM/A will be examined in the next chapters, it is essential that the meaning of OLS “Ad hoc diplomacy” is stated in this section. Knowing what is entailed in this kind of diplomacy is important for understanding the weaknesses and strengths of OLS humanitarian operation discussed in the chapters dealing with the two operational environments of OLS. Before explaining OLS concept of diplomacy, I would like to define briefly the link between “humanitarianism” and “diplomacy” in the context of OLS. “Humanitarianism” is viewed here as encompassing activities covering a full spectrum – from supplemental feeding of infants during famine to longer-term measures such as strengthening of indigenous social and institutional coping mechanisms to avoid future emergencies. Similarly, humanitarianism includes a spectrum of activities ranging from conflict resolution, diplomatic efforts on behalf of an individual or group to enhancing the safety of a vulnerable person or persons through international presence (e.g. UN agencies, NGOs), and providing a physical barrier to deflect a threatened use of force. This brings us to what “diplomacy” means. The structure of the “new diplomacy” remained similar in form to traditional diplomacy to the extent that states/governments remained the major actors in this diplomatic system. There are two important stages to note, however, which have

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<sup>264</sup> Interview with Levine, 1996

implications not only for the structure but also for the processes and issues that characterised the new diplomacy.<sup>266</sup> First, in terms of structure, states are no longer the only actors involved. Increasingly, they had to share the diplomatic stage with other actors like international organisations who are also engaged in diplomacy. These organisations were categorised into two types: inter-governmental organisation (IGO) and non-governmental organisation (NGO). The changing interests of states as international actors and the growing number of non-state actors involved changed the nature of the new diplomacy as a process of negotiation.

Most obviously, it made diplomacy a more complex activity involving different actors. States continued to negotiate bilaterally with each other on a state-to-state basis, but groups of states typically negotiated multilaterally through the auspices of the UN and, increasingly with the growing range of NGOs, which sought to influence inter-state behaviour to achieve their own objectives. In the context of OLS, this thesis identifies diplomacy as a key process of communication and negotiation in the international system and as an important policy tool or instrument used by the humanitarian players in issue-areas such as refugees, environment, human rights, and so forth. As discussed above, Operation Lifeline Sudan operated within many external constraints, and access was one of the main constraints. OLS gained access to those in need through an agreement negotiated by all parties to the conflict.<sup>267</sup> That is, OLS ad hoc diplomacy was based on the International Committee of the Red Cross (ICRC) ad hoc humanitarian diplomacy, which involved, among other things, representation at meetings; the building of relations with leaders of open and clandestine political or military parties, and the intervention of the top UN officials with ministers, heads of state and insurgent leaders. While not strictly neutral and impartial like ICRC, with ties with the government, OLS was engaged in discreet negotiations with all sides to the Sudan conflict. In its attempt to co-ordinate the various actors in the war, OLS was involved in a very delicate diplomacy, particularly over the issue of sovereignty.

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<sup>265</sup> Interview with Levine

<sup>266</sup> For recent discussion on this subject, see Luc Reyhler, *Beyond Traditional Diplomacy*, Discussion Paper No. 17, Diplomatic Studies Programme, Leicester, University of Leicester, 1996; Paul Sharp, "For Diplomacy: Representation and the Study of International Relations", *International Studies Review*, Vol. 1, Issue 1, Spring 1999, pp. 33-57

<sup>267</sup> Interview with Hamish Young, OLS Humanitarian Principles Officer, Nairobi, November 20, 1996

There was a wide ranging and continued debate around Sudan's sovereignty in the OLS, particularly between traditionalists, led by the UN agencies, and political humanitarians, led by NGOs. For many agencies, recognising or ignoring borders is a political act and whether to cross them in order to provide humanitarian assistance and/or protection certainly has proved the most contentious issue in the debate. For many NGO officials, sovereignty should not be afforded to a government which allows, even propagates the suffering of its people, but for the UN bureaucrats, sovereignty is a fact of international law and one of the few protections for the ever-weakened developing nation state and as such must be respected.

The experience of Sudan is indeed illustrative of these diverse approaches to humanitarian operations, and OLS co-ordination difficulties were exacerbated by the diverse approaches of the actors. UN agencies generally function within the prevailing understanding of national sovereignty. That is, they operate as inter-governmental bodies comprising member states and representing government interests, political as well as humanitarian. Since 1989, when OLS was established, supporting displaced and conflict-affected populations within war zones, as opposed to refugee populations outside of war zones, has become a notable trend in relief aid policy.<sup>268</sup> As a result, the international attitude toward large-scale refugee movements has hardened. The aim of the new approach is to internalise war-induced displacement. Of necessity, the new approach is usually implemented in situations where governance is contested, and where conflict is unresolved; this, in turn, has led to the questioning of sovereignty in relation to humanitarian issues. Concerning human rights, this process has potentially contributed to the challenge and gradual erosion of traditional connotations linked up with "state sovereignty" as a more or less absolute concept.<sup>269</sup> These changes in the world do not make hard political choices any easier. If OLS did not balance the concerns of sovereignty with those of humanitarianism and accept this limitation it would probably have lost all access to southern Sudan".<sup>270</sup> This practical approach to OLS/GOS relations was founded upon recognition that the humanitarian problems of foreign policy are complex, compared with the views (for example, those of NGOs and religious institutions) that they are simple.

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<sup>268</sup> UNHCR Report, Geneva, 1995, pp. 19-56

<sup>269</sup> Interview with John Maurice, UNICEF/OLS Field Officer, Nairobi, April 20, 1996,



## 2.5. CONCLUSION

The conclusion from this chapter that will be used in the next chapters concerns the universality of humanitarian norms and principles, and their possible effects on the behaviour of the parties to the Sudan conflict, as well as OLS donor governments. International Humanitarian Law on armed conflicts embodies an unprecedented aspiration to conceive rights as applicable to all non-combatant war-victims. In this sense, humanitarian norms and principles were a global project which recognised the rights of Sudanese war-victims to international assistance and protection. The interesting thing with these norms and principles is that they have served to stimulate discussion among the international humanitarian community in the Sudan on the need for the UN to go beyond the co-ordination of relief operations to more long-term issues. The debate in this chapter has shown that people need standards by which to quantitatively measure what they do and what other people do to them. Specifically, the humanitarian players – the UN, warring parties, donors and NGOs - in the Sudan need structures and a language to relate to each other, to frame whatever they want to identify as progress in their operational environments. While the debate over the nature and relevance of the international norms were settled as far as the humanitarian players in the Sudan were concerned, implementation of such operational guidelines were always difficult in an ongoing civil war. However, the advantage of OLS relief aid policy debate was its globalist character and its emphasis on victims of war.

But the advantage of the diplomacy of OLS was precisely its political content, its implications for participation. In so doing, the OLS showed the Sudanese warring parties respect, and gave them a motive to comply with the principle of holding cross-cultural dialogue. As will be discussed in chapters 4 and 5, OLS experience does indeed add humanitarian principles the notion of state responsibility for respect for human rights in the context of war through global civil society action. This meeting of minds between OLS and the Sudanese people over the universal nature of the international humanitarian standards of behaviour could have implications for the reconceptualisation of future “humanitarian diplomacy”.

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<sup>270</sup>Interview with Levine, October 13, 1996

## CHAPTER THREE

### NORMS AND DONOR STATES' MULTIPLE AGENDAS

#### 3.1. OVERVIEW

Chapter 2 has attempted to analyse Operation Lifeline Sudan (OLS) Plans of Action, and how the principles and rules contained in that action plans helped create policy debate between humanitarian relief players and the parties to the conflict. There is evidence in chapter 2 to prove that different interpretations of such values of international contention as variant adjudication of the tension between humanitarian norms and state sovereignty are not a reflection of different cultural values; they reflect different interests, and positions within a world of shared discourse. Thus, the lesson from chapter 2 is that humanitarianism is not a determined set of options, but rather a context - historical and global – within which a set of options are available, around which the main players (states, the UN) can develop practical policies and engage with their own operational humanitarian environment.

The aim of this chapter is to show, through the case study of donor states' multiple agendas, that the usefulness of humanitarian norms strengthen the case against the Realist denial of the significance of norms under conditions of anarchy, and pluralists claim that principles of sovereignty and non-intervention make external intervention in states' domestic affairs problematic. Although donor states had multiple agendas (for example, political, security and humanitarian interests) in intervening in the Sudanese internal affairs, I argue from the constructivist perspective that international norms had provided intervening states with a legitimate justification to violate Sudan territorial sovereignty in order to relieve the suffering of civilians trapped or displaced by the civil war.<sup>271</sup> The significance of

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<sup>271</sup> As one US embassy official told me, the final impediment to the realisation of a humanitarian policy consistent with a declared aims of the Western governments is the multiplicity of foreign policy objectives – geopolitical and humanitarian. “Geopolitical objective” is understood here as foreign intervention that seeks to advance the national interest of an intervening state. The humanitarian objective – saving the lives of starving Sudanese – was basically circumstantial. Interview, Nairobi, June 12, 1997

constructivist approach in this argument is that it attends to the role of international norms can remedy realist claim by allowing us to problematise interests and their change over time. In this respect, all the ‘donors’<sup>272</sup> mentioned above viewed humanitarian disaster relief in Sudan as their foreign policy responsibility for containing and resolving the Sudanese conflict, which was seen as posing a threat to the stability of the Horn of Africa sub-region. Humanitarian norms were used by donor states to strengthen principles of good governance as a guideline for international interaction through foreign policy practice and diplomatic dialogue. For example, at the higher political level, the US Congress, the European Community (EC) and the Inter-Governmental Authority on Drought and Development (IGADD) played a leading role in pressuring the hesitant UN to accept the inclusion of human rights norms, democratic governance and development<sup>273</sup> into the OLS programmes. Foremost among major actors was the US, from which many other governments and organisations traditionally took their cues in matters relating to humanitarian assistance and good governance.

### 3.2. UNITED STATES POLITICAL AGENDAS

One of the most important donors, whose multiple geopolitical interests impacted on OLS humanitarian relief programmes, was the United States (US). The constructivists can claim that Washington’s intervention in the Sudanese domestic affairs supports their position because the US defines its interests in terms of human rights norms, and regulates its own behaviour accordingly.<sup>274</sup> This was reflected in the US Department of State report, which underlined the need to use aid embargo as a way of encouraging the military regime in Khartoum to return the country to civilian rule.<sup>275</sup> However, some scholars have argued rightly that in American foreign policy there is often a dialectical tension between two opposing patterns:

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<sup>272</sup> The IGADD member states can be called donors because, countries such as Uganda, Kenya, Ethiopia and Eritrea gave part of their territories to the United Nations for humanitarian purposes. The headquarters of Operation Lifeline Sudan is at Lokichoggio, northern Kenya.

<sup>273</sup> *Breaking the Cycle of Despair: President Clinton’s Initiative on the Horn of Africa*, Report of the President’s Representative, Washington D.C., June 1994, p. 13

<sup>274</sup> Johnathan Clarke, “The Conceptual Poverty of US Foreign Policy”, *The Atlantic Monthly*, March, 1993, pp. 54-66

<sup>275</sup> US Department of State, *Country Human Rights Reports, 1993: Sudan*, Washington D.C., US Government Printing Office, 1994, p. 23

realism – pragmatism - idealism – legalism”.<sup>276</sup> Or to put it differently, American foreign policy has oscillated between realpolitik and humanitarianism. In the eyes of its advocates and practitioners, realism signifies a more orderly, clear-headed and ruthless understanding of the formulation of policy based on well-defined national interests.<sup>277</sup> In contrast, idealism reflects a deeper cultural ethos and its values. These values are embedded in the core idea of national greatness, closely coupled with the promotion of individual liberty and democratic capitalism at home and abroad. This debate between realists and idealists (solidarist) has its origins in the American national style, which is based on its geographic position, historic experience, economic system, and political culture and values.<sup>278</sup> Although Americans associate democracy with peace and authoritarianism with aggression, this simple dichotomy fails to account for Washington’s foreign policy.

Historian John Gaddis notes that the United States has traditionally associated its security with the balancing of power behind an idealistic façade and has used the democratic rhetoric as mere window dressing; democratic ideals were sacrificed at the alter of realpolitik calculations of self-interest. Intervention policies have also been justified in terms of making the world “safe for democracy”.<sup>279</sup> Washington’s approach to the Sudan humanitarian crisis is shrouded with the same tensions and strains that have marked Washington’s conduct toward other rogue states and ideological movements. This is not surprising, because US support for humanitarian action in the Sudan was influenced by a combination of three factors – the Cold War, the resurgence of Islamic fundamentalism, and humanitarianism. Despite of these multiple agendas, the thesis agrees with constructivists argument that political and material interests of state can lead to a successful humanitarian action. There were three reasons which encouraged the US to get involved in the Sudan humanitarian relief crisis.

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<sup>276</sup> Fawaz A. Gerges, *America and Political Islam: Clash of Cultures or Clash of Interests?*, Cambridge, Cambridge University Press, 1999, p. 4

<sup>277</sup> Glen P. Hastedt (ed.), *American Foreign Policy: Past, Present, Future*, Eaglewood Cliffs, NJ., Prentice-Hall, 1997, pp. 28-34; Michael H. Hunt, *Ideology and US Foreign Policy*, New Haven, CT., Yale University Press, 1987, pp. 1-8

<sup>278</sup> Fawaz A.G., *America and Political Islam*, p. 5

<sup>279</sup> John Lewis Gaddis, *The United States and the End of the Cold War: Implications, Reconsiderations, Provocations*, New York, Oxford University Press, 1992, pp. 9-11

## A. COLD WAR GEOPOLITICAL AGENDA

First, the Cold War was an important factor, which played a significant role in the US approach to the humanitarian relief emergency in Southern Sudan between 1986 - 1989. During this period, the US government decision-makers weighed in favour of geopolitical considerations in intervening in Sudan domestic political situation. Interestingly, American ideals of human rights and democratic governance were used as legitimization for intervention. Nonetheless, Norman Anderson, then US Ambassador in Khartoum, denied that humanitarian interests were driven by the Cold War strategic considerations. According to him, US geopolitical interests in the Sudan were not substantial and that “Sudan was a very weak reed to rely on. Humanitarian considerations were much greater than military ones for the US”.<sup>280</sup>

But journalists familiar with Ambassador Anderson portrayed him as having been all but mute in the face of Sudan’s humanitarian emergency. According to Ray Bonner, who published an extensive article on Sudan, Ambassador Anderson was extraordinarily wary of speaking with journalists because of his deference toward the sovereign authorities in Khartoum.<sup>281</sup> While it is true that American ideals mentioned above might have contributed to Washington’s involvement in the nineties, the Ambassador’s denial is nonetheless questionable when compared to Washington’s response during 1986-88, and its robust response toward the end of 1989, a period that witnessed the dramatic events in Eastern Europe that led eventually to the collapsed of communism.<sup>282</sup> The post-Cold War rhetorical

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<sup>280</sup> Minear L., *A Critical Review of Operation Lifeline Sudan*, p. 76. Moreover, when, in the company of the Catholic bishops, I met Ambassador Anderson in February 1989, he was frank about Washington’s support for Prime Minister Sadiq el Mahdi’s government. The ambassador was even critical against the violations of human rights by the Marxist SPLA rebels. And to the disappointment of the Catholic Bishops, the Ambassador did not directly condemn Sadiq government war policies in southern Sudan. He was also uneasy about the Bishops’ request that a US fact-finding committee be sent to SPA areas, and the reason is crystal clear: the SPLA was a Marxist organisation that was supported by a Soviet satellite in Addis Ababa.

<sup>281</sup> Raymond Bonner, “Famine”, *The New Yorker*, March 13, 1989, p. 87

<sup>282</sup> The region was a major super power competition during the Cold War. While superpower competition took precedence, little attention was paid to addressing the political and economic problems – all of which have exacerbated the recurring insecurity. Compounded the problem are weak governmental systems in the region, few of which are based on democratic practices that would enable them to manage societal conflict peacefully.

statements of US political leaders on human rights and democratic governance were rarely heard, at least publicly during the anticommunist era. With the exception of a serious and comprehensive chapter on Sudan in the State Department's *Country's Reports on Human Rights Practices in 1988* – which was issued in 1989, I was not aware of any occasion on which the US took Prime Minister Sadiq al-Mahdi's government to task publicly. An explanation as to why Washington ignored American ideals (human rights and good governance) during the Cold War, was given by the Coalition for Peace in the Horn of Africa<sup>283</sup>: “The Horn of Africa has long been the site of interest to both the United States and the Soviet Union. Strategically placed at the juncture of the Middle East and Africa, the Horn of Africa affords access to key shipping lanes as well as to the Persian Gulf. For centuries, the Horn of Africa has been a battle ground for contending regional empires. For decades, both the US and the Soviet Union have continued to wage a strategic battle for economic gain in the region and, as a consequence, have supported governments which fail to represent the majority of their people....The role of the US for the last decade has involved economic and military support to the government of Sudan. Consequently, US policy has been based on a desire to access new markets and the shipping lanes of the Red Sea and to bolster the position of the United States in the Middle East”.<sup>284</sup> Even if Sudan was “a very weak reed” as Ambassador Anderson mentioned above, this does not ignore the fact that preventing the spread of communism in the Horn of Africa was an important US foreign policy objective.

The statement clearly shows that from 1970s until the mid-1989, Sudan's considerable importance to the US was based on four strategic considerations<sup>285</sup>: the first consideration is that Sudan was a pro-western neighbour of pro-Soviet, Marxist Ethiopia, and good relations with the Sudan ensured US access to the strategically important Red Sea. The Red Sea port was of military significance to the US attempts to contain the threat of communism to its allies in the Middle East and Egypt. The strategic significance of the Red Sea should be seen by the extent to which the US government assistance to the Sudan was dominated by military aid, which totalled

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<sup>283</sup> The Coalition for Peace in the Horn of Africa, Policy Statement, Washington D.C., November, 1988, pp. 1-2

<sup>284</sup> *Ibid.*, p. 1

<sup>285</sup> The US geopolitical interests in the Horn of Africa were discussed in *The Indian Ocean Diplomatic Newsletter*, October 1, 1988, and in *Africa Recovery*, December, 1988

US\$ 2.2 million<sup>286</sup>; the second consideration is that Sudan offered investment opportunities for the US companies in its ambitious development schemes. According to *The Economist Intelligence Unit*, Chevron, a US oil company, was responsible for oil exploration and drilling in the Sudan since the 1970s up to the outbreak of the civil war in 1983<sup>287</sup>. While statistical evidence are hard to come by, Sudan mineral resources (uranium, gold, copper, and oil), and agricultural potentials were undoubtedly major attractions to the US multinational companies; the third consideration is that Sudan was a consistent ally of Egypt, being the only state in the Arab bloc at that time to support the 1979 Camp David agreement between Egypt and Israel; the fourth consideration is that President Jaffer Numeiry was a consistent opponent of Libya, a state considered by Washington as one of the renegade states that should be isolated. These four strategic interests were seen by the Sudan observers as reasons for Washington's reluctance to intervene during 1986 - 88 when thousands of Sudanese starved to death in the south of the country.<sup>288</sup> The reader should, however, bear in mind that Washington's policy was not to starve the civilian population in South Sudan; there were attempts to minimise the suffering by Western governments, including United States, but such aid was given in such a way as not to support the war-efforts of the Marxist-backed rebels of the Sudan People's Liberation Army (SPLA), which controlled much of Southern Sudan. This is what makes states intervention problematic; in theory, American political leaders speak loudly of liberal ideas of human rights and democracy, and in practice they do the opposite when it is not in their national interest.

During the Cold War period, United States was a strong supporter of the successive Sudanese governments; it provided US\$ 101.7 million in aid between 1970s and 1980s, and encouraged the World Bank and the International Monetary Fund, as well as private donors to support this critically important Cold War ally.<sup>289</sup> Despite the United States' disenchantment with Prime Minister Sadig on humanitarian grounds, it does not appear that the leverage of US assistance throughout his increasingly repressive conduct of the war in the south was exercised

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<sup>286</sup> Dunstan M. Wai, *The African-Arab Conflict in the Sudan*, New York-London, Africana Publishing Company, 1981, p. 135

<sup>287</sup> *The Economist Intelligence Unit*, Country Report: Sudan, London, 3<sup>rd</sup> quarter, 1983

<sup>288</sup> Interview with Prof. Isaac Riak, Chairman, Division of Business School, United States International University-Africa, Nairobi, April 12, 1997

as a means to seek human rights and good governance. In fact, throughout the mid-1980s, human rights issues were not important in the US relations with the Sudanese government.<sup>290</sup> The *New York Times* reported that until the first cross-border shipment of food to the Sudan from Kenya in early February 1989, “Washington had restricted its relief food to government-held towns for fear of affronting Khartoum, a strategic ally”.<sup>291</sup> One of the earliest signs of a shift in US policy was contained in a statement approved by then Secretary of State James Baker on January 23, 1989.<sup>292</sup> In one of the George Bush administration’s first foreign policy actions, the US announced its intention to provide aid to civilians in SPLA-controlled areas.<sup>293</sup> The policy of providing relief aid directly to the SPLA controlled areas in Southern Sudan was set in place by the Ronald Reagan administration, although one diplomat stressed that the George Bush administration deserved credit for abandoning the policy of deference to Prime Minister Sadig.<sup>294</sup>

Michael MacKinnon, from a slightly different context, seems to agree with the view that it was George Bush who raised hope for a new, more humane international order, which led to Washington policy of assertive humanitarianism in the Sudan: “No other world leader did more to spread the belief in this possibility than United States President George Bush, during and after the war to evict Iraq from Kuwait. Bush’s theme throughout this period was that the world was witnessing the dawning of ‘new world order’, and that the UN held a central position in this vision”.<sup>295</sup> While MacKinnon’s statement above concerns US peacekeeping policy, it is nevertheless relevant to this discussion. The assumption of George Bush to power, and its assertive humanitarianism encouraged UN agencies and other international bodies to support cross-border operation. The Bush administration assertive humanitarianism – which was also supported by in 1993 by President Bill Clinton

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<sup>289</sup> Dunstan Wai, *African-Arab Conflict in the Sudan*, p. 135

<sup>290</sup> Africa Watch, “Denying ‘The Honor of Living’: Sudan, a Human Rights Disaster”, p. 133

<sup>291</sup> *The New York Times*, February 17, 1989, p. 12

<sup>292</sup> Ibid.

<sup>293</sup> USAID/OFDA, *Sudan Situation Report No. 3*, Washington D.C., May 26, 1991, pp. 1-2

<sup>294</sup> Interview with a former US diplomat, Nairobi, March 17, 1997

<sup>295</sup> Michael G. MacKinnon, *The Evolution of US Peacekeeping Policy Under Clinton: A Fairweather*, London, Franc Cass, 2000, p. xiv



administration – was propelled by domestic public opinion.<sup>296</sup> In either case, it is clear that extensive Congressional pressure and extensive press coverage of the famine in Sudan played a significant role in helping persuade the executive branch to assume a new aid policy.<sup>297</sup> This decisive push for OLS came not from high-level State Department officials in Khartoum or Washington but from the Office of Foreign Disaster Assistance (OFDA) within the State Department’s US Agency for International Development (USAID).<sup>298</sup> However, on June 30, 1989 – two months after OLS was established - Prime Minister Sadig was overthrown in a military coup headed General Omar Hassan Ahmad al-Beshir. The new military regime described the presence of the OLS in Southern Sudan as a violation of the Sudanese sovereignty. Apart from expressing regrets at the overthrow of a democracy and the arrest of elected politicians, the US administration did not rebuke or impose economic sanctions against the military regime’s attitude towards humanitarian action in the south.<sup>299</sup>

Moreover, the lack of Washington’s seriousness in humanitarian issues also allowed the new regime to prosecute the war vigorously, which obstructed access to the needy population in Southern Sudan. Neither Section 513 of the Foreign Assistance Act, which prohibits aid to military governments that overthrow elected civilian government, was of much use during this period. For example, two months after the democratically elected government of Sadig was toppled, the Bush administration was consulting with Congress to inquire whether Section 513 might be waived to allow the provision of additional assistance to the Beshir government, including improvements in train and barge deliveries of relief, the demobilisation of militias and the release of some political prisoners. However, due to oppositional politics within the Congress, the administration’s request was refused on the grounds

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<sup>296</sup> For a discussion on the role of public and the media in US domestic and international politics, see *Ibid.*, pp. 76-88

<sup>297</sup> USAID/OFDA, Sudan Situation Report No. 3, p. 2

<sup>298</sup> OFDA, Humanitarian Relief Operations in Sudan, Trip Report, Washington D.C., July, 1993, p. 2

<sup>299</sup> In his February 23, 1989 statement before the Senate Foreign Relations Committee, Deputy Assistant Secretary of State for African Affairs Kenneth Brown complained that, in part because the US was so critical of the Sadiq government, US access to the government was increasingly limited. Mr. Brown was quoted by Africa Watch as saying: “Our privileged access is beginning to show wear as a result of extensive public criticism of Sudan, our declining assistance levels and the repeated hard messages we have delivered to Khartoum”. Africa Watch, Sudan: A Human Rights Disaster, Washington, March, 1990, p. 134

that there was little progress on human rights issues, which in any case, was outstripped by increasing violations of humanitarian norms and principles. Human rights setbacks at the time of the administration's consultations included the Beshir government's suspension of OLS, and increased support for militias who continued to commit violent abuses against civilian non-combatants. By mid-1989, the Bush administration abandoned its efforts to waive restrictions on aid to the Sudan military regime, and the Khartoum was confronted with a prospect of economic sanctions. While the US support for OLS might have contained some elements of idealism, its major geopolitical agenda nevertheless included the containment of communism in the Horn of Africa. However, after the collapse of Berlin Wall, which symbolised the East-West ideological conflict, the US took a more robust role in humanitarian relief aid in areas controlled by the Marxist rebels of the SPLA.<sup>300</sup> This commitment to a more ethical foreign policy was reflected in Chester Crocker article:

*In the Horn of Africa, the complex interplay of regional and internal conflicts with economic and humanitarian crises threatens to engulf the entire subregion. The challenges facing us are equally complex. Nor are they made easier by a simplistic moral posturing – not to say scapegoating – that passes for informed analysis in too much of our own media coverage. I refer to the tragedy in Sudan and the echoes of Marie Antoinette in policy critiques of some journalistic commentators (“let them eat words...words of condemnation from the United States). There is a war going on in southern Sudan, an area the size of France, and it is not a new war. No country has done more than ours to push both the government and the Sudan People's Liberation Army (SPLA) rebels for relief access.<sup>301</sup>*

The overhaul of the US Cold War strategic interests allowed Washington to sanction the behaviour of the Khartoum government, the result of which was the establishment of OLS in April 1989. But, the violation by the GOS of humanitarian norms, and the lack of progress in the peace talks, made the US, together with its Western allies, suspend all development aid to the Sudan during 1990-2. This robust role did not, however, signal the emergence of the significance of humanitarian norms and principles in the minds of Washington's policy makers. However,

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<sup>300</sup> USAID/OFDA, Sudan Situation Report No. 5, Washington D.C., May 26, 1993

<sup>301</sup> Chester A. Crocker, “Summing Up...And Looking Ahead”, *CSIS Africa Notes*, No. 96, March 16, 1989, p. 4

apparent in Washington's statements and speeches during this period was that the US used humanitarian norms and principles as its policy instruments for influencing the behaviour of the Islamist military regime in Khartoum.

## **B. POLITICAL ISLAM AGENDA**

The second reason which made Washington to get involved in Sudan domestic affairs was the fear of Islamic terrorism. It is clear in chapter 2 that political Islam<sup>302</sup> has seen a resurgence in the Sudan since the 1990s, and one that explicitly articulated a cultural conflict with Western standards of behaviour. The rise of Islamism was identified by Washington's policymakers as a significant risk to Western interest in Sub-Sahara Africa, and the Islamist regime in Sudan itself had proclaimed commitment to export Islamic values beyond Sudan borders.<sup>303</sup> Thus, US political influence on OLS programmes can be viewed as Washington's crusade against the military regime in Khartoum. According to Professor Isaac Riak, former Country Director of World Vision International, the UN was forced by USAID to incorporate democratic governance into OLS programmes, and this was seen by observers of the Sudan as an attempt by Washington to dialogue with the GOS over the issues of democracy, and Islamic terrorism.<sup>304</sup>

Security and political concerns were of great, if not greater, significance because they had a direct bearing on American officials' perceptions of their primary interests. These include Washington strategic calculations in the Horn of Africa, and the vulnerability of Egyptian government to radical Islamic groups. Accordingly, the goal of American foreign policy remains wedded to the achievement of stability, understood as a process of orderly change.<sup>305</sup> This was the rationale for America's clash with Marxist, revolutionary nationalism during the

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<sup>302</sup> This thesis uses several terms – political Islam, Islamic fundamentalism, Islamist – to delineate the contemporary Islamist phenomenon. Islamist activists contend that Islam possesses a theory of politics and the state and includes prescriptive notions for political and social activism. The various terms are always used interchangeably throughout this thesis. See Nazih N. Ayubi, *Political Islam: Religion and Politics in the Arab world*, London, Routledge, 1991, especially chapter 1, for an excellent definitional and conceptual application of contemporary political Islam.

<sup>303</sup> See John L. Esposito, *The Islamic Threat: Myth or Reality?*, New York, Oxford University Press, 1992, pp. 26-31

<sup>304</sup> Interview with Prof. Isaac Riak, April 12, 1997

<sup>305</sup> Stanley Hoffman, *Dead Ends: American Foreign Policy in the New Cold War*, Cambridge, Ballinger, 1983, pp. 11-12

Cold War era, and now with its successor – radical Islamic nationalism. Indeed, United States has an important economic and security stake in the Horn of Africa. Recently, reflecting the significance of this geopolitical interest of Washington, Susan Rice, then Assistant Secretary of State for African Affairs who visited SPLM/A headquarters in Yei, Southern Sudan in November 2000, said US policy towards Africa is driven by a number of transnational concerns arising there, including terrorist threats posed by the rogue states such as Sudan and Libya, and humanitarian concerns for “the victims of war, famine and disease...”<sup>306</sup> Rice elaborated further:

*All these transnational threats...are most difficult to combat where national institutions are weakest, where people are poorest, and conflicts most enduring. We need strong, democratic, economically viable partners in Africa. Only such partners can be relied upon to invest in health care to stem diseases, foster environmentally sustainable development, to apprehend terrorists...and to deny extremist elements both material support and a gullible following...For all these reasons and others...the United States is actively working to strengthen democracy and promote human rights in Africa and continues to play an active role – diplomatically and operationally – to help prevent and resolve African conflicts.*<sup>307</sup>

It is evident from this statement that US interest in the Horn of Africa is defending national security and protecting Americans in the United States and abroad: “If some Americans were doubtful about our significant security interests in Africa, if their eyes were focused elsewhere – toward the Persian Gulf, the Korean Peninsula, or the Balkans – they were sadly refocused last August 7 when bombs destroyed our embassies in Kenya and Tanzania....”<sup>308</sup> In the US eyes, Sudan’s “rogue”<sup>309</sup> state sponsor terrorism, and also use and abuse the discourse of Islamist ideology (discussed in chapter 2) by providing material assistance to radical Islamic armed movements in the Horn of Africa.<sup>310</sup> Hence, the American values (ideals) of

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<sup>306</sup> Susan Rice, “Rice Reviews U.S. Africa Policy at Oxford University, Washington, D.C., United States Institute of Peace, 1999, p. 1. For a full speech, see <http://www.usip.org>

<sup>307</sup> Ibid.

<sup>308</sup> Ibid. p. 3

<sup>309</sup> “Rogue” state is a state that is considered by powerful Western countries undemocratic. Such a state is an international pariah, regarded as a potential threat to international order. See William Zartman (ed.), *Collapsed States: the disintegration and restoration of legitimate authority*, Boulder, Lynne Rienner, 1995, p. 11

<sup>310</sup> Interview with a US Embassy official, Nairobi, November 6, 1997

democracy and human rights, which Washington infused into the OLS humanitarian relief programmes, can also be seen from neorealist and neoliberalist perspectives – that is, stopping the spread of Islamic values and ideology.<sup>311</sup> Thus, the collapse of communism in the Horn of Africa, as in other parts of the world, enabled Washington to redefine its strategic interest, which has now come to include anti-terrorism, good governance and traditional humanitarian relief aid. Despite its limited strategic and minimal economic interest in the Sudan, Washington recognised the Horn of Africa's regional stability, and its humanitarian involvement in the Sudan can be seen from that context.<sup>312</sup> United States interests in the Horn of Africa fall within the broader vision of establishing 'a community of free, stable, and prosperous nations acting together while respecting the dignity and rights of the individual and adhering to the principles of national sovereignty and international law'.<sup>313</sup> US goal in the region was therefore part of its world-wide policy objectives. This is based on the reality that domestic strength and leadership abroad are essential to advancing Washington's goals and objectives. As MacKinnon stated above, the US was committed to establishing an international order which no region is dominated by a power hostile to it, and where regions of vital importance to it are stable and at peace.<sup>314</sup> Thus, the commitment to fighting Sudan-inspired terrorism in the Horn of Africa.

Accordingly, the US national interests were the greatest influence on the choice of the countries known as the 'new front-line states'.<sup>315</sup> In this case, the countries chosen are those that were seen by Washington as the anchors of stability in the region.<sup>316</sup> Uganda together with Eritrea and Ethiopia constituted the 'new-front-line states' against the Islamist regime in Khartoum which was considered by the US State Department as a rogue state. Both Uganda, Eritrea and Ethiopia were in increasingly close consultation not only with each other but also with the US government over what each of them considered a comprehensive project by the

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<sup>311</sup> Bernard Lewis, "Islam and Liberal Democracy", *Atlantic Monthly*, February, 1993, p. 91

<sup>312</sup> Department of Defense, *United States Strategy for Sub-Saharan Africa*, Washington D.C., 1995, pp. 1-3

<sup>313</sup> US Department of State, *Strategy of Enlargement and Preparedness*, Washington D.C., 1996, p. vii

<sup>314</sup> US National Security, 'A National Security Strategy for a New Century', Washington D.C., May, 1997, p. 6

<sup>315</sup> "Arms Against Sea of Troubles", *Africa Confidential*, Vol. 37, No. 23, 1996, p. 1

<sup>316</sup> "An American in Africa", *East Africa*, Nairobi, 14-20 October, 1996, p. 8

Sudan government to destabilise the region.<sup>317</sup> These countries were already beneficiaries of US military aid. For example, in 1996 Washington approved military aid worth US\$ 20 million to the three countries, all known opponents of the Islamist regime in Sudan.<sup>318</sup> Then Secretary of State Warren Christopher articulated these common views on a visit to Addis Ababa: “We stand together with Ethiopia and other countries in this region against international terrorism, particularly the threat that Sudan poses to its neighbours and the world at large”.<sup>319</sup> This message was again re-emphasised by former US Secretary of State Madeline Albright when she visited northern Uganda in the mid-1998. Albright told the press conference in Kampala, after returning from the Ugandan northern town of Gulu, that the US government would continue to support all the frontline states in their fight against terrorism. Christopher and Albright comments reflect US attitudes towards the world-wide resurgence of Islamic fundamentalism.

Although the military threat to the West from the world of Islam had ceased to exist by the end of the seventeenth century, the religious and intellectual challenge of Islam continues to seize the imagination of many people in the West.<sup>320</sup> Since 1980s, events in the Muslim world have become traumatic news in the United States. A *New York Times* editor noted that “thanks to current international politics, one form of ethnic bigotry retains an aura of respectability in the United States: prejudice against Arabs [Muslims]”.<sup>321</sup> Immediately after the Iranian revolution of 1979, a poll of representatives of mainstream America showed that the majority of Americans think of Islam as a hostile culture and as synonymous with the spectre of the Islamic Republic of Iran’s revolutionary behaviour. According to the poll, the American perception Arab/Muslims is that of threatening people, with almost all Muslims being described as “barbaric” and “cruel”.<sup>322</sup> This perception also affected the decision makers in Washington, and it is the fear of Islamic terrorism which has

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<sup>317</sup> Interview with Prof. Isaac Riak, Nairobi, April, 1997

<sup>318</sup> “Arms against sea of troubles”, *Africa Confidential*, Vol. 37, No. 23, 1996, p. 1

<sup>319</sup> *Summary of World Broadcast*, London, 14 October 1996

<sup>320</sup> See Fred Halliday, *Islam and the Myth of Confrontation: Religion and Politics in the Middle East*, London, I.B. Tauris, 1995, Richard J. Payne, *The Clash with Distant Cultures: Values, Interests, and Force in American Foreign Policy*, New York, State University of New York Press, 1995

<sup>321</sup> “It’s Racist, But Hey, It’s Disney”, *New York Times*, 14 July, 1993; Michael W. Suleiman, *The Arabs in the Mind of America*, Brattleboro, VT., Amana Books, 1988, p. 147

<sup>322</sup> Shelley Slade, “The Image of the Arab in America: Analysis of a Poll on American attitudes”, *Middle East Journal*, Vol. 35, No. 2, Spring, 1981, pp. 144-5, 147, 157.

emerged as one of the most important political issues in the United States. More than anywhere else in the world, the US Congress plays a determining influence on US policy toward Sudan. As will be discussed below, a cursory review of statements by some Congressional men reveals deep concern about security threats associated with the rise of political Islam in the Horn of Africa.<sup>323</sup> Worried about Sudan regional destabilisation policy, Representative Ileana accused the State Department of underestimating the uniform nature of Islamic extremism and of stressing instead its diffused and eclectic character; in her view, Islamic groups represent a monolithic movement “sworn to fight the Great Satan America for the global supremacy of Islam”.<sup>324</sup>

Hence, the US Congressional leaders contend further that the struggle between Islam and the West is not just about material and political interests; it is a clash of cultures and civilisations.<sup>325</sup> Accordingly, the US Congressional leaders draw a parallel between the Communist threat and Islam’s: like Communism, Islamic resurgence is not only a proselytising ideology but also revisionist. Although it is clear that Washington’s policy of assertive humanitarianism (support for democratic governance and the rule of law) was more to do with curtailing the destabilising effects of Khartoum Islamic policies, it is fair to acknowledge here that the US concern for the alleged Sudan support for terrorism was also shared by all the neighbouring countries, and such a concern was humanitarian.<sup>326</sup> In other words, humanitarian relief aid served the strategic purposes of the United States, which used such assistance to induce the Sudanese government not to support militant Islamic groups. However, the argument of this thesis is that such interplay between political interests and humanitarianism were legitimated by US policy makers’ commitment to international norms, as well as their support for OLS programmes.

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<sup>323</sup> According to Representative Ileana Ros-Lehtinen, chairperson of the Subcommittee on Africa, “Islamic militancy has emerged as one of the most serious threats to Western Security”. See “The Threat of Islamic Extremism in Africa”, Prepared Testimony of the Honorable Ileana Ros-Lehtinen, Committee on International Relations, U.S. House of Representatives, *Federal News Service*, Washington, DC., 6 April, 1995, p. 1

<sup>324</sup> Ibid.

<sup>325</sup> Fawaz, *America and Political Islam*, p. 23

<sup>326</sup> The actions of terrorists groups, regardless whether they are Muslims or not, often result into humanitarian emergencies. The bombing of US embassy in Nairobi, Kenya, in 1998 by the Islamic militants allegedly supported by Khartoum, caused the lives of more than 200 Kenyans. The humanitarian aftermath of the bombing so substantial that the government of Kenya had to call in foreign assistance. This was why this thesis argued that the US geopolitical interest can be beneficial to humanitarian operations as well as interplay with them.

### C. HUMANITARIAN AGENDA

The third US agenda was humanitarian relief aid. The above analysis indicate that American political leaders faced difficulties between their obligations to their state and its citizens, and their obligations to the Sudan war-victims. This dilemma has caused aggravation between politics and humanitarianism central to the debate discussed in chapter 2. The US citizens were concerned about the suffering of the Sudanese civilian population in Southern Sudan, yet wished to protect their own community from communism in the eighties and terrorism in the nineties. This point shows that public opinion on rights in US foreign policy is a blend of liberalism and realism – of universal concern and narrow self-interest.<sup>327</sup> The burden of the decision makers in Washington was to weigh these concerns of their people, and make the difficult decisions. The case of OLS has shown that whilst leaders have a duty to their citizens they must also take the lead in representing the values and concerns of their citizens internationally. This lead is reflected in the rhetorical statements of the US officials:

*We have a significant humanitarian stake in Africa and strong cultural and historical ties to the African people. Some 12 percent of the Americans, almost 33 million people, trace their roots to the African continent. Many Americans, not just African-Americans, feel a strong obligation to better the lives of people throughout Africa. They are not only about helping to prevent and resolve conflicts but also about responding effectively alongside the international community to crises and humanitarian disasters. Last year, the United States provided almost \$700 million in assistance to the victims of war, famine....from to Sudan and other African countries....<sup>328</sup>*

In devising US foreign policy toward the Sudan, administration officials were influenced by humanitarian norms and principles in the OLS Plans of Action,<sup>329</sup> but only because such standards of behaviour were implicit in the US policy objectives. In 1990, the American ambassador in Nairobi spoke of “a strong political tide...flowing in our US Congress...to concentrate our economic assistance on those of the world’s nations that nourish democratic institutions, defend human rights and

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<sup>327</sup> See David P. Forsythe, “Human Rights and US Foreign Policy: Two Worlds”, in David Beetham (ed.), *Politics and Human Rights*, Oxford, Blackwell, 1995, pp. 111-130

<sup>328</sup> Rice, “Rice Reviews US Africa Policy at Oxford University, p. 4



practice multi-party policies".<sup>330</sup> The ambassador's comment was not directed to Sudan alone but it reflected Washington's determination to not only contain the Islamic values of the Khartoum regime but also to bring about democracy in the Sudan. For instance, the members and staff of the US State Department, who visited Sudan and met American Secretary of State Kenneth Baker, played an important role in Washington's new direction.<sup>331</sup> The Congressional leaders pressured the administration to request the UN Secretary General Perez de Cuellar to appoint a special negotiator and humanitarian envoy to the Sudan, along the lines of the UN Envoy to Afghanistan, to address the critical issues of war and famine relief.<sup>332</sup> Even if scholars and public officials were similarly divided over the impact of humanitarian principles and rules as shaming devices, it is arguable that the aims of democratic governance and human rights pronouncement often heard from the lips and official statements of the US congressional leaders were morally worthy, and they indeed played an important role in influencing the UN to incorporate the liberal ideals of human rights and good governance into OLS relief programmes.<sup>333</sup>

There are, of course, sceptics within the international relief system who would raise the issue of double standard or policy inconstancy in Washington's involvement. I argue, however, that such arguments often ignore the fact that complete consistency in international or even national affairs is rarely possible, and that the steps taken by Washington in saving the lives of millions of Sudanese trapped in Southern Sudan war zone should not be undermined by arguments of double standard, which have so much littered the literature of humanitarian intervention. After all, the global commitment to humanitarian norms "is difficult to separate from the ebb and flow of great power relations. Human rights, and its war-like step-child, 'humanitarian intervention', are both the core elements of post-Cold War geopolitics".<sup>334</sup> To put it differently, diplomatic practices of the US, like any

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<sup>329</sup> Interview with Dr. Gordon Wagner, USIAD official, Nairobi, October 3, 1997

<sup>330</sup> Quoted by British Foreign and Commonwealth Office, "Background Brief", London, 1991, p. 5

<sup>331</sup> OFDA, Sudan-Drought/Civil Strife, Situation Report No. 52, Washington D.C., December 5, 1991, p. 12

<sup>332</sup> Report of the President's Representatives, Breaking the Cycle of Despair: President Clinton's Initiatives on the Horn of Africa, Washington DC., June, 1994, p. 4

<sup>333</sup> House Committee on Foreign Affairs, Africa Sub-Committee, *Hearings on Sudan*, 102<sup>nd</sup> Congress, 2<sup>nd</sup> Session, Washington D.C., May, 1992, pp. 15-24

<sup>334</sup> Richard Falk, "Sovereignty and Human Rights: The Search for Reconciliation", *US Foreign Policy Electronic Journal*, Vol. 5, No. 1, May, 2000, p. 35

other industrial democracy, are connected with a humanitarian duty that can be described as the moral of responsibility. This ethic results from the tradition of the constructivism to bridge the realist-idealist gap in international relations theory without removing too far from political practice.<sup>335</sup> Taking the position between these poles, this humanitarian perspective is in contrast to the utopian call for a perfect charity because the anarchic character in the international arena is accepted by this thesis. It also contrasts with the realist emphasis on political power, because it points to the existence of norms and agreements that can tame geopolitical ambitions of donor states. As such, both projections of power on behalf of severe human rights abuses and the decision to take action to end humanitarian crisis suggest how deeply human rights is embedded in contemporary geopolitics. The interplay between political considerations and humanitarian imperatives provided the inspiration and motivation for US policy development and implementation in the Sudan. For example, in a sharp contrast to its 1986-88 pre-OLS humanitarian efforts, the US government decision to support OLS programmes was inspired in great measure by the humane concerns of leaders to alleviate starvation and keep millions of people from dying.<sup>336</sup>

President Bill Clinton, building on the American ideals, was able to demonstrate the significant influence of a leader's moral values. As a result of his strong convictions about human rights, his administration pursued a pragmatic humanitarian policy, leading the once hard-line realists within the State Department to publicly condemn human rights violations and to halt foreign assistance to the repressive regime in Khartoum. Clinton's rhetoric on humanitarianism was squarely within the activist tradition of American society. This optimistic statement, in what is arguably an anarchic international system, is bound to raise some eyebrows among some scholars and practitioners, but this was the perception of the majority of the war-victims interviewed in Southern Sudan. This positive Sudanese perception of Washington's role in the OLS relief system was supported by the documentary evidence, which this author got. For example on 18<sup>th</sup> August 1993, the House Concurrent Resolution 131 clearly and forcefully expressed the sense of US Congress regarding the situation in Southern Sudan. The Resolution, which was

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<sup>335</sup> Martin Wight, *International Theory: Three traditions*, edited by Gabriele Wight & Brian Porter, London, Leicester University Press, 1991

<sup>336</sup> US Department of State, *Country Human Rights Reports*, 1994, p. 22

sponsored by 40 Senators, called for the UN Security Council to consider the establishment of "safe havens" for the war-victims of Southern Sudan and urged the UN to impose an arms embargo on Sudan. Moreover, at the request of the US President, a delegation visited Sudan between May 26 and June 4, 1994. The purpose of the mission was to assess the condition in Sudan, as well as to examine US government aid and other programmes designed to address factors that contributed to famine and civil unrest, to share information and promote a constructive exchange of ideas designed to enhance co-operation within the Horn of Africa sub- region. In its report, the delegation became convinced that the cycle of despair that affected Sudan would recur unless new measures were made to address the root causes of the country's problems in the medium to longer-term. One of their findings was that security for donor operations and access to populations in areas of conflict had inhibited relief deliveries and donors' ability to reach all those in need.<sup>337</sup> These problems were further compounded by a lack of agreement, commitment and co-ordination regarding an overall strategy for Sudan among donors and international agencies.

It was therefore inevitable that the US Congressional delegation made a shuttle diplomacy between Rome, and Brussels in order to build greater support and awareness among other donors and international organisations concerning the magnitude of the problem, to demonstrate the commitment of American government to a successful resolution of the emergency, and to stress the need for enhanced donor support and co-ordination.<sup>338</sup> Their findings persuaded the US House of Representatives Sub-Committee on Africa to convene a special hearing on Sudan to discuss what could be done on a bilateral basis. After the hearing, the US Congress issued a warning to the GOS not to interfere with the humanitarian relief efforts, and it also stated that the US administration would ensure by whatever means at its disposal that humanitarian aid were delivered to all Sudanese who were in need of it.<sup>339</sup> In addition to the warning, Congress also resolved that the regime should be prohibited from exporting grain, either for foreign exchange or in barter agreements

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<sup>337</sup> Report of the President's Representatives, *Breaking the Cycle of Despair*, p. 5

<sup>338</sup> *Ibid.*

<sup>339</sup> *Ibid.*

for weaponry, while Sudanese people were dying from starvation.<sup>340</sup> This evidence support the Sudanese war-victims' perceptions that humanitarian values that characterised OLS operation in the Sudan also influenced US approach to that country's disaster relief. USAID also registered strongly in the policy-making process, which ultimately influenced and supported OLS Plans of Action that advocated for both the delivering of relief assistance, civil governance and capacity building, channelling relief funds through NGOs or multilateral organisations, and, importantly, serving people in both government and SPLA-held areas. By early 1995, NGOs such as Catholic Relief Service (CRS), a relief wing of US Catholic Bishops' Conference and Oxfam, were deliberately used to build the capacity of the opposition movement as well as establish structures that would sustain peace and stability in non-government areas. Washington's use of NGOs did not come as surprise to many observers of Sudan. Even before OLS was established, there was growing evidence that unofficial humanitarian players, including NGO community, played important role in the development and implementation of the US government relief policies.

One of the veteran humanitarian practitioners, John Prendergast argues that buttressing democratic institution building in Sudan is an important element in a broader conflict resolution strategy, including support for responsive social administration, civil society and democratic processes: "A key element of the external pressure needed to encourage the regime to negotiate must be the provision of material support such as food and medicine directly to the Sudanese opposition. Such support would also enhance the capacity of the people of the south, the Nuba Mountains and other besieged areas to withstand attacks against their livelihood bases".<sup>341</sup> This means that development aid, trade and investment promotion, and economic reform advocacy could be integrated much more consciously into strategies that build for a more peaceful future in the Horn of Africa, a sub-region in which the GOS attempted to destabilise through its support for Islamic groups. According to Prendergast, the US can play a major role in moving the process of peace forward, particular if it can harmonise its important efforts at countering the

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<sup>340</sup> *Sudan Democratic Gazette*, 'Is the International Community Finally Prepared to Act?', No. 35, April 1993, p. 2

<sup>341</sup> John Prendergast, *Building for Peace in the Horn of Africa: Special Report*, Washington, D.C., United States Institute of Peace 3 November, 2000, p. 10. See <http://www.usip.org>

Khartoum government regime's support for terrorism and human rights violations with its increased vigour of peace efforts.<sup>342</sup> Prendergast arguments illustrate the role of NGOs in US foreign policy towards the humanitarian crisis in Sudan. Partnership between NGOs and Washington enabled both groups to be more powerful and effective in achieving their missions in Sudan. Among officials of State Department interviewed by this author, there is a clear acknowledgement of the importance of voluntary organisations in US foreign policy:

*There is no doubt that NGOs have become increasingly important in the region and in serving as both implementers of and commentators upon our humanitarian policy. For example, humanitarian NGOs have an impact on Sudan in terms of their sustainable relief policies and getting the warring parties committed to the OLS principles. As we enter the next millennium, it appears that unofficial humanitarian actors will continue to play an important role in foreign policy development and implementation. In the years to come I foresee an increasing role of NGOs in humanitarian relief and in conflict resolution. NGOs have had an intense interest in the Sudan, and I don't see that lessening over the medium term.*<sup>343</sup>

The case of OLS has demonstrated that official US foreign policy efforts and the grassroots work of NGOs can work together to support the unique goals of each party to the partnership. Since 1994, USAID has used NGOs such as CRS to manage a grant-making programme in the OLS approved areas of southern Sudan. According to CRS officials interviewed in Nairobi, the USAID grant-making programme included direct grants to local NGOs as well as an institutional strengthening programme that supported the development of the NGO sector in the Sudan. CRS received more than US\$ 4 million annually from USAID for capacity building in the SPLA controlled areas. The CRS Country Representative told this author that US government humanitarian assistance to Sudan was not based on any egoistic motives but rather on humanitarian grounds: "This programme will contribute to the achievement of USAID's objectives of increased participatory democracy and good governance in opposition held areas of Sudan and reduction of heavy reliance on relief by strengthening local capacities. I will equally contribute to the good of CRS-Sudan's 1997-2000 strategic programme plan, which is to increase

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<sup>342</sup> Prendergast, *Building for Peace in the Horn of Africa*, p. 11

<sup>343</sup> Interview with Paul Trivelli, US State Department official, Washington D.C., July 18, 1997

the food and health security of target population in a just, participatory, and pluralistic civil society".<sup>344</sup> The relief-recovery-development continuum expressed in the CRS statement above was a concept that informed the US administration's thinking during the early 1990s and this was clearly reflected in the views of official and non-governmental leaders in South Sudan as well as other NGOs. The strategic framework required OLS/NGOs in southern Sudan to shift from a traditional approach that was largely reactive (e.g. responding to recurrent disasters as a relief problem only) to one which was more pro-active (e.g. looking at location of each relief dollar in terms of long term impact and effectiveness in addressing root causes of the crises). Building on a long-standing government partnership with private groups, the Clinton administration significantly increased the NGO's share of a relatively stable bilateral AID development pie in 1997. Although many agencies were unwilling to give the author exact figures, a relief aid official told me however that the funds NGOs received at that time included substantial resources provided within a more explicitly political context.<sup>345</sup> As explained elsewhere in this chapter, Washington's support for the OLS programmes shows also that geopolitical considerations can be strengthened by mixing them with a commitment to humanitarian relief aid.

During my writing-up period, in June 1999, the Congress passed a resolution condemning Sudan's human rights record, and calling on the President and the UN Security Council to impose punitive arms embargo on the Government of Sudan.<sup>346</sup> The Concurrent Resolution called for the intensification and expansion of the United States diplomatic and economic pressures on GOS by maintaining the current unilateral sanctions regime and by increasing efforts for multilateral sanctions. "Congress calls on the President to substantially increase development funds for capacity building, democracy promotion, civil administration, judiciary and infrastructure support in opposition-controlled areas, and to report on a quarterly basis to the Congress on the progress made under this sub-paragraph".<sup>347</sup> The Concurrent Resolution also urged President Clinton to increase by 100 percent the allocation of funds that were made available through the Sudanese Transition

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<sup>344</sup> Interview with Dr. Jim O'Connell, CRS Country Representative, Nairobi, August 14, 1997

<sup>345</sup> Ibid.

<sup>346</sup> 106<sup>th</sup> Congress: Concurrent Resolution 75, Washington DC., June 15, 1999, p. 5

<sup>347</sup> Ibid.

Assistance for Rehabilitation Program (commonly referred to as the 'STAR Program') for the promotion of the rule of law to advance democracy, civil administration and judiciary, and enhancement of infrastructure, in the areas in Sudan that were controlled by the opposition to the National Islamic Front. The US government has already contributed substantial funds to OLS, including grants to enable UNICEF and WFP to hire additional staff on the scene. At the same time, the US increased its support of NGOs such as CRS, ICRC and the League of Red Cross and Red Crescent Societies. Washington also provided resources to strengthen SRRA, SPLM/A humanitarian wing. Even if US intervention can be viewed as an undesirable but nonetheless necessary, many scholars, particularly from the pluralist family, saw such an intervention as morally problematic because it violated Sudan sovereignty. However, the circumstances of the Sudan in the mid-1980s, where millions of lives were threatened by the obstructionist policies of the government, and the press coverage of that suffering, led the US and its Western allies to intervene in favour of humanitarian imperatives. The US government's decision to permit and then support humanitarian relief illustrates rule-based ethical analysis as the dominant motive in undertaking relief mission in response to humanitarian needs regardless of how such aid might impact the political system. As one US senior diplomat puts it:

*Throughout 1990s, US policy objectives in the Sudan have been consistent and clear. First, we are determined to convince the Sudanese government that there is no place for terrorism in a civilised society of states. Second, we seek peace, prosperity, democracy and respect for fundamental human rights. We have encouraged the establishment of an inclusive political transition that would end the conflict; build respect for the rule of law and human rights, and create the conditions for lasting development and reconstruction in southern Sudan. As a consequence, we have been committed to a policy of engagement in support of the Sudanese people who suffered so much from the war.<sup>348</sup>*

The sacrifice of the principle of non-intervention in the affairs of a sovereign state to the principle that human rights should, if necessary, be enforced against a state that denies them has been defended on principled grounds. In other words, Washington's decision to impose economic sanctions against GOS to force compliance over access

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<sup>348</sup> Interview with Harris Johnson, US Envoy to the Sudan, Nairobi, May 12, 1997

was not purely about national interest or geopolitical considerations as some scholars and practitioners put it, but also about relieving the suffering of civilians caught in the war zone.<sup>349</sup> It is arguable that American government made the commitment to humanitarian relief rather than to purely realpolitik because it recognised that international morality “obliges nations with food surpluses to aid famine-stricken countries regardless of their political regime”.<sup>350</sup> Thus, whatever Washington’s critics say, and according to one US diplomat, the American government has applied its economic and political influence in support of the United Nations attempt to alleviate the suffering of the Sudanese people.<sup>351</sup> At any rate, the liberal approach to international relations rests very heavily upon the ability of international institutions to promote co-operation and collectively manage conflicts and their humanitarian consequences; given Washington’s central role in international economy and its undoubted military predominance, international organisations such as the UN are unlikely to work effectively unless it is US policy that they do so.

Similarly, if the promotion of liberal values in the world, the protection of human rights is part of the liberal approach to international relations, then, in the last resort, this will only happen if the US is prepared to make it happen as it did with OLS in 1989; “economic and diplomatic pressures only work when the world’s largest economy is behind them, and only the US possesses the logistical and military capacities to engage in humanitarian interventions on any serious scale”.<sup>352</sup> That was the view of many scholars and diplomats I met during my fieldwork in East Africa, US and Europe.<sup>353</sup> This view supported the perceptions of the Sudanese political and military leaders discussed in the next chapters, which is that without the sanctioning behaviour of the American government, the situation in Southern Sudan would have developed into a situation of warlordism that characterised humanitarian

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<sup>349</sup> Interview with USAID official, Nairobi, July 12, 1997

<sup>350</sup> Robert W. McElroy, *Morality and American Foreign Policy*, Princeton, Princeton University Press, 1992, p. 86

<sup>351</sup> Interview with Dr. Lucion Vandenbroucke, US Embassy Political Adviser on Great Lakes Region, Nairobi, July 14, 1997

<sup>352</sup> Chris Brown, “History ends, Worlds Collide”, *Review of International Studies*, Vol. 25, Special Issue, December, 1999, p. 48

<sup>353</sup> Such statements often emerge during conferences, and farewell parties organised by NGOs or some embassies, and in which this author was often invited in his capacity as NSCC Coordinator for



operation in Somalia.<sup>354</sup> All in all, it is clear from the above discussion that the US has set the following goals in its attempt to strengthen its interests in the Horn of Africa: conflict prevention, management, and resolution; humanitarian assistance; promotion of democratic governance and respect for human rights, and the promotion of sustained equitable development through market-based reforms.<sup>355</sup> Economic growth and development, the promotion of democracy and human rights, and the prevention, management and resolution of conflict, together with humanitarian assistance, are the imperatives for meeting the first overall objectives, of Sudan integration into the global capitalist economy. Clearly, these are also the objectives of the European states and of the so-called Washington's new front-line states. Both the US, Western states and the IGAD member states share the same fear of the resurgence of Islamic fundamentalism in the Sudan.

All Western states display active policies on humanitarian intervention and assistance. Like the US, they take various initiatives on humanitarian crises abroad. However, the EC member states' approach to the common issues of terrorism and democratic governance can be described as moderate when compared to the US government heavy-handedness on the sovereign government in Khartoum. The next section will explore the sanctioning policy taken by the European Community (EC) to leverage improvements in respect of human rights and good governance as contained in the OLS Plans of Action. The Netherlands and Britain are singled out as the most active humanitarian actors within the EC because of their right-based approach. The impact of the EC sanctioning policy should be seen in the context to which a sovereign government and the parties to the conflict allowed Operation Lifeline Sudan to deliver relief assistance to its two sectors - Northern and Southern operational environments discussed in chapters 4 and 5.

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Human Rights Advocacy and Peace. One such farewell party was in May 1997, and was organised by the Japanese Embassy.

<sup>354</sup> These views were expressed to me by members of the SPLM/A National Liberation Council, as well as by leaders of grassroots communities in the Southern Sector during my fieldwork in 1996-7. Given the sensitive of the issues that I raised, none of the officials interviewed wanted to be identified by name. These views on the humanitarian role of the US can be seen from the extent to which Washington channelled only its aid to the rebel-held areas of southern Sudan. In fact much of the USAID funding for capacity building and civil governance went to the SPLM/A areas. At the time of writing this thesis (1999), The US Congress was discussing the possibility of send relief food directly to the SPLA forces.

<sup>355</sup> Ibid.

### 3.3. EC AND MEMBER STATES' POLITICAL AGENDAS

Despite having multiple agendas, the argument of this section is that Western states' support for OLS humanitarian relief operation owed much to their acceptance of international norms rather than to their national interests only as realists would like us to believe. Although the resurgence of Islamic fundamentalism in the Sudan and other regional considerations influenced donor governments' involvement in the Sudanese internal affairs, the major inspiration and motivation was their compassion for the starving civilians in Southern Sudan. There is no doubt that the EC/EU (European Community/European Union) and member states influenced not only the manner with which the OLS action plans were crafted, but also the way it was implemented in the Northern and Southern Sectors. Unlike the US, however, EC/EU and member states' approach to political Islam was less robust, and the overall policy direction, particularly during 1986-89, incoherent. But like US, the European policy toward Sudan was characterised by confusion from the start. The sum of EC/EU public pronouncements on Islamist regime in Khartoum points to a conscious attempt to accommodate and reach out to moderate GOS radical Islamic orientation. A closer and more critical reading of the various EC/EU's pronouncements, however reveals some inconsistencies and strains.

First, member states, particularly, Germany and France, were reluctant to take a strong, and decisive position on the Sudanese government. Thus, opinion among EC/EU member states was divided between the pragmatic French/German position, on the one hand, and the more rights based Dutch/British approach, on the other hand. While the Dutch and the British wanted a more assertive approach to human rights violations in Sudan, the French and the Germans called for caution because such issues require dialogue with a sovereign authority in Khartoum. These divisions were embarrassing as Britain held the presidency of the EC, and contributed to a number of complaints from the Netherlands and Belgium, concerning the lack of a clear policy and directives. The positions of the successive UK governments toward the regime in Khartoum were reflective of domestic political exigencies. But it was France, more than any other member state which undermined EC/EU policy toward the crisis in the Sudan. France has always been at odds with other EU governments on humanitarian issues, and according to one scholar, the problem with Paris was how to maintain and assert French

independence in a collaborative endeavour clearly led by the United States.<sup>356</sup> In order to attain the objective of co-operation without identification France supported UN programmes in opposition controlled areas largely through its NGOs and ECHO (European Community Humanitarian Office). The real issue regarding France was the continuing suspicion on the part of Britain and USA that French government appeasement policy towards Khartoum was an attempt to expand its sphere of influence beyond Francophone Africa.<sup>357</sup>

The second of the obvious reasons for the division among the EU member states was due to the fact that they were unsure of whether the hard-line position of Washington would force the Islamist regime in Khartoum to modify its anti-western rhetoric. Britain, the former colonial power, was cautious and wanted to retain its freedom of manoeuvre while smaller countries like the Netherlands wanted a clear and consistent EU response to the 'rogue' Islamist regime in Sudan.<sup>358</sup> Thus, the complex web of competencies, the diverging interests, and the complex institutional framework within EC/EU also contribute to explain the incoherent humanitarian policy initiatives of the EC/EU in the Sudan. Throughout the nineties, the EC/EU had difficulties in defining common interests and precise goals for its common foreign policy towards the Islamic regime in Khartoum, a fact which is clearly reflected by the lack of clear goals of the Common Foreign and Security Policy.<sup>359</sup> This point needs to be put briefly into a wider context of EC/EU policy. This somewhat complicated situation of the EC/EU and the lack of a common understanding of the appropriate role of Europe in international politics to a large extent explains why the EC/EU was generally conceived as an inefficient and inconsistent player in international relief system in the Sudan during the eighties and early nineties.

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356 Interview with Dr. Christian Mailhes, Department of Law, Toulouse University, Paris, December 8, 1997

357 Ibid.

358 Ibid.

359 Schirm S.A., "Europe's Common Foreign and Security Policy", p. 7

The constitutional explanation to this is simply that both before and after the ratification of the Maastricht treaty<sup>360</sup>, most foreign and security policy was and still inter-governmental, which opens the way for separate actions from the individual EC/EU member states parallel to the common policies<sup>361</sup>. The final push towards establishing a 'European' foreign policy or giving an international role to the Community came with the ending of the Cold War which, in 1991, led to a number of initiatives with special reference to establishing a common European foreign and security policy (CFSP). The principles of the CFSP were entered into the European Union Treaty, the Maastricht Treaty of 1997.<sup>362</sup> It was stated in chapter 1 that the ending of the Cold War changed the security framework in fundamental ways, as new and 'softer' security issues such as those discussed in chapter 2 moved to the top of foreign and security policy agenda of the Community instead of the former military threats.<sup>363</sup> According to Michael Smith, 'the new security situation fundamentally changed the traditional foreign policy thinking in Western Europe.

Inter-linking economic, political and security issues became the order of the day which created a pressure to find new roles and responsibilities for the Community in ways that 'approximated to "real" foreign policy'.<sup>364</sup> The new security situation stressed the need for a new European security policy which, with civilian means, could take into account the non-military threats and challenges which characterised the post-Cold War situation in Europe.<sup>365</sup> This intertwining

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<sup>360</sup> One of the many conferences I attended was that of European conference on conflict prevention held in the Netherlands from 27-28 February 1997. In this conference I provided an overview of the conflict system in the Great Lakes Region. Organised by the Dutch umbrella-NGO 'National Committee for International Co-operations and Sustainable Development, the conference fitted into a longer series of advocacy and public awareness-raising events to promote conflict prevention in European foreign policy. The aim was to make conflict prevention the key of the Common Foreign and Security Policy (CFSP) – one of the principal pillars of the Maastricht Treaty that was then being reviewed by the EU Inter-governmental Conference.

<sup>361</sup> For a recent discussion of this subject, see Gorm Rye Olsen, "Promotion of Democracy as a Foreign Policy Instrument of 'Europe': Limits to International Idealism", *Democratisation*, Vol. 7, No. 2, Summer 2000, pp. 142-167

<sup>362</sup> Alan Cafruny & Patrick Peters, "EU Foreign Policy: From Maastricht to Amsterdam", in Cafruny A. and Peters P. (eds.), *The Union and the World: Economy of a Common European Foreign Policy*, The Hague: Kluwer Law International, 1998, p. 7

<sup>363</sup> Kjell A. Eliassen, "Introduction: The New European Foreign and Security Policy Agenda", in Eliassen K.A. (ed.), *Foreign and Security Policy in the European Union*, London, Sage Publications, 1998, pp. 1-8

<sup>364</sup> Michael Smith, "The EU as an International Actor", in Richardson J. (ed.), *European Union: Power and Policy-Making*, London & New York, Routledge, 1996, pp. 250-51

<sup>365</sup> Stefan A. Schirm, "Europe's Common Foreign and Security Policy: The Politics of Necessity, Validity, and adequacy", in Rhodes C. (ed.), *The European Union in the World Community*, Boulder, CO., Lynne Rienner, 1998, p. 76

between the old civilian agenda of the Community and the new high politics of peace and security was particularly outspoken in Europe in the 1990s.<sup>366</sup> The transformed international situation brought new topics on the international agenda. As discussed generally in the previous chapters, one of the prominent themes of the early 1990s was the value of democracy and human rights combined with a general belief that Western values were on the rise.<sup>367</sup> Accordingly, the influence of the EC political interests, as an organisation of governments, can be seen from the fact that a striking departure in the early 1990s in the foreign aid policies of Western governments was the linking of official development assistance to good governance.<sup>368</sup> I want to digress here to provide a brief perspective to this point, which is important to understanding the sanctioning behaviour of European Community and its member states in the Sudan. Democratisation has been the most significant political development in the Third World in the 1980s and 1990s. It is dealt extensively elsewhere<sup>369</sup>, but one aspect of democratisation, the emergence of political conditionality, is particularly relevant to the understanding of the behaviour of donor community in the Sudan between 1989 and 1996.

Political conditionality refers to “the linking of development aid to demands concerning human rights and (liberal) democracy in recipient countries”.<sup>370</sup> The debt crisis made economic conditionality central to the provision of some forms of multilateral aid in the 1980s, and at first political conditionality was simply an extension of this process. In response to difficulties of implementing structural adjustment in Africa, the World Bank produced a report in 1989, entitled *Sub-Saharan Africa: From Crisis to Sustainable development*, which stressed the importance of ‘good governance’ as a precondition for successful development.<sup>371</sup>

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<sup>366</sup> Smith, “The EU as an International Actor”, p. 253

<sup>367</sup> Pinar G. Tank, “Security Issues Emanating from the Mediterranean Basin”, in Eliassen, op.cit., p. 179; Larry Diamond, *Developing Democracy: Towards Consolidation*, Baltimore, MD., John Hopkins University, 1999, p. 24.

<sup>368</sup> Gordon Crawford, “Foreign Aid and Conditionality: Issues of Effectiveness and Consistency”, *Democratization*, Vol. 4, No. 3, Autumn 1997, p. 69

<sup>369</sup> Colin Parkins, “North-South Relations and Globalization after the Cold War”, in Charlotte Bretherton & Geoffrey Ponton (eds.), *Global Politics: An Introduction*, Oxford, Blackwell Publishers, 1996, pp. 3-73

<sup>370</sup> Sorensen G., “Political Conditionality”, *The European Journal of Development Research*, Vol. 5, No. 1, Special Edition, 1993, p. 1

<sup>371</sup> See Moore M. (ed.), “Good Government?”, *IDS Bulletin*, Vol. 24, No. 1, 1993

The role of “political conditionality”<sup>372</sup> in the tide of democratisation that swept through Africa in the early 1990s is important for what it represents: “a potentially dramatic change of basic principles of the international system: putting human rights first means that respect for individuals and individual rights acquires priority over respect for the sovereignty of states”.<sup>373</sup> Not surprisingly, the end of the Cold War witnessed numerous declarations and public statements not least from European and United States political leaders on the precedence of democratic governance. This has implications on EC and its member states policies towards the humanitarian relief disaster in the Sudan. Throughout the period described in this thesis, two agendas, among others, influenced EC/EU and member states involvement in the Sudan humanitarian emergency – democratic governance ( in the OLS jargon, this was defined in terms of relief access, capacity building, good governance and human rights) and supporting regional (IGADD) conflict resolution efforts.

#### **A. DEMOCRATIC GOVERNANCE AGENDA**

Humanitarian norms and principles have provided EU and member states the basis for conditioning development aid on the Khartoum government’s willingness to embrace the call for democratic governance. Given the prevailing debate of the time, good governance was an obvious topic to choose for Sudan, if the aim was to give Western Europe a new and special regional profile in the Horn of Africa. Regardless of their different national interests, all the EU member states basically acted multilaterally adhering apprehensively to the humanitarian policies constructed by OLS. In this case, OLS served as the principal source of legitimation for all EU member states, though preserving a good bilateral relationship to the US was more important to Britain.

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<sup>372</sup> In the context of this thesis, “Political conditionality” refers to an instrument – the withholding of development assistance – that states employ for governments to modify their behaviour. Political conditionality can also be more broadly defined as a set of specific state behaviours – respecting human rights, working in a good governance mood – that are internationally upheld as conducive to development and whose realisation is promoted, inter alia, through that leverage instrument. For a detail analysis of this subject, see Peter Uvin & Isabelle Biagiotti, “Global Governance and ‘New’ Political Conditionality”, *Global Governance*, Vol. 1, 1996, pp. 377-400

Consequently, the EU was generally consistent in calling for the return of democracy and the rule of law in the Sudan. One senior ECHO official explained:

*We have no specific interest in the Sudan, and our relief assistance has no political motives. We are supporting OLS programmes because, as members of the international society, we have an international obligation to those suffering as a result of internal conflict. Our support to the OLS should be seen from the regional perspective; the EU is concerned about the implications of such emergencies on regional stability. The Horn of Africa cannot be stable unless conflicts such as those in the Sudan are resolved, and we believe one way of doing that is to condition our development aid to good governance. In the case of the Sudan, our policy is working because Khartoum is beginning to constructively dialogue with the opposition movements.<sup>374</sup>*

While it is true that the EC/EU and member states had idealistic concerns in supporting humanitarian programmes in the Sudan, it is equally true that throughout the eighties, the Western industrial democracies were more interested in containing the spread of communism in the Horn of Africa, rather than tackling the humanitarian emergencies that engulfed the sub-region during 1985 (Ethiopian famine) and 1986 (Sudanese famine). But in 1990, European attention was directed to threats posed by the emergence of Islamic fundamentalism in the Sudan, which induced OLS major donors to give priority to democratic governance throughout the Horn of Africa. In this case, power, in the traditional realist sense of the term, matters as well; it is usually the conceptions of legitimacy and sovereignty of the existing powerful states in international relations that become the international norm.<sup>375</sup> There is no doubt in this chapter that powerful states are sometimes in a position to impose their ideas of legitimacy on the less powerful, and, therefore, it is the ideas of most powerful states that matter most. The perception of Western states of Sudan as a haven for Islamic terrorists has been accepted world-wide. Because of the threat the regime posed to regional stability and peace, it is not surprising that European donors paid increased attention to the fundamental role of governance and

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<sup>373</sup> Sorensen, "Political Conditionality", p. 1

<sup>374</sup> Interview with a senior official working with the European Community Humanitarian Office, Nairobi, September 23, 1997

<sup>375</sup> For an analytical discussion, see, for example, David Lumsdaine, *Moral Vision in International Politics: The Foreign Aid Regime, 1949-1989*, Princeton, Princeton University Press, 1993; Samuel J. Barkin, "The Evolution of the Constitution of Sovereignty and the Emergence of Human Rights", *Millennium: Journal of International Studies*, Vol. 27, No. 2, 1998, pp. 229-252

human rights in the maintenance of national as well as regional stability. In fact, the European Community's humanitarian relief aid to the Sudan was seen by practitioners and scholars as one of the few forms of engagement, which its member governments were willing to undertake in situation of internal conflict, and this was because the word "humanitarian" shielded them off from accusations of imperialistic designs in Africa by their detractors.<sup>376</sup> Mark Duffield argues that in the post Cold War development and security concerns have been increasingly difficult to separate, and that development policy of western governments is now concerned with transforming the domestic relations within a given country in pursuit of economic and political stability. Some development scholars have interpreted this approach as one of saving lives, preventing dependency, and where possible, supporting livelihoods.<sup>377</sup> This policy was expounded in several position statements drafted at the end of 1995 and the early part of 1996.<sup>378</sup> This policy document supports Duffield's argument that achieving structural stability through a comprehensive policy is as much a political project as it is a development goal:

*"The idea of structural stability is a good illustration of how the politics of aid has changed since the Cold War period. During the Cold War, development assistance often found itself politicised by superpower rivalry and the desire to construct alliances and political blocks in the South. The fact that a given regime took a pro-western stance very often served not only as qualification for development assistance but also as an acceptable excuse for all manner of internal sins. The politics of development has now changed, as it is less dependent on forming alliances with southern rulers. Of increasing importance is a more radical and in some ways more intrusive agenda of encouraging domestic social, political and economic reform".<sup>379</sup>*

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<sup>376</sup> Interview with Prof. Macharia Munene, Dean of Division of Arts and Social Sciences, United States International University-Africa, Nairobi, May 8, 1997

<sup>377</sup> For a recent comprehensive review of the effects of EU humanitarian assistance in the Sudan, see Mark Duffield, "Sudan: Unintended Consequences of Humanitarian Assistance: Field Evaluation, Dublin, A Report to the European Community Humanitarian Office, The University of Dublin, Trinity College, November, 1999

<sup>378</sup> These include the Council conclusions on *Preventive Diplomacy and Peacekeeping in Africa*, December, 1995; the Commission communications on *The European Union and the Issue of Conflict in Africa: Conflict Prevention and Beyond*, March, 1996, and *Linking Relief, Rehabilitation and Development*, April, 1996. There is a strong intellectual coherence linking the policy architecture that is outlined in these documents and the tools for its implementation.

<sup>379</sup> Duffield M., "Sudan: Unintended Consequences of Humanitarian Assistance, p. 19



Humanitarian principles, the EC has a number of policy instruments (rhetorical devices) at its disposal. That is, international legal obligations regarding democracy are found only in Europe's regional institutions. The statutes of both the Council of Europe, created in 1949, and the European Economic Community (EEC), in 1957, oppose membership of nondemocratic countries. Today, the EC can restrict foreign development assistance and trade preferences under its Lome Convention arrangements with former African and Caribbean colonies. According to Duffield, "compliance with the economic and political norms of self-orchestration and self-help free elections, (the markets and so on) forms the basis of partnership and acceptance within the system of global liberal governance. Depending on the severity of transgressions, non-compliance can lead to exclusion. The concern is that, due to the fungibility of development assistance, some countries may be using it to help them wage war, both internally and against neighbouring countries. In such cases, development assistance would be undermining the principles of solidarity and peaceful co-operation enshrined in the Lome Convention. Depending on circumstances, counter-measures include the closure of some programmes, including extreme sanction of the formal suspension of all EU development assistance. It is argued that such measures "...can be instrumental in encouraging a cessation of hostilities and political dialogue".<sup>380</sup>

In the case of the Sudan, EC and member states did this relatively well. Most EC countries suspended their aid and Denmark, in fact, broke off its diplomatic relations with the regime in Khartoum. EU development assistance under the Lome Convention was formally suspended in 1990.<sup>381</sup> The remaining financial and technical co-operation between Sudan and the EC has mainly comprised of emergency aid and food aid via European Community Humanitarian Office (ECHO), Stabex scheme and implementation of NIP funded by Lome III. Emergency food aid was given as so-called 'indirect food', through free distribution via NGOs and multilateral organisations. Although geopolitical considerations were much more important to the Western political leaders, the decision by the EC member states to support the inclusion of political conditionality-related programmes into the OLS Plans of Action, and by implication violated Sudan

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<sup>380</sup> Duffield, Sudan: Unintended Consequences of Humanitarian Assistance, p. 20

territorial integrity, could be seen as justified by the need to intervene on behalf of starving population caught up in the war zone.<sup>382</sup> Among all the EU member states involved in OLS, the United Kingdom and the Netherlands were the most visible. These two countries played an important role in framing EC policy in the Sudan. As mentioned above, the European Community's response to the Sudan humanitarian emergency was couched in terms of human rights, democratic governance and security interests.<sup>383</sup>

The Netherlands took a more active part in translating humanitarian norms and principles into action by funding relief programmes such as capacity building and good governance in the OLS Southern Sector. The Dutch government policy towards the Sudan reflected three elements central to EU foreign policy<sup>384</sup> – a priority to provide humanitarian assistance in armed conflicts, a concern for protecting human rights, and support for the work of NGOs.<sup>385</sup> According to Jan Gruiters, Dutch Human Rights Researcher, two policy objectives have held central position in the Netherlands response to the humanitarian emergency in the Sudan: the promotion and protection of human rights on the one hand, and the giving of financial support to OLS in the form of humanitarian assistance on the other. Within the overall foreign policy in the Horn of Africa, various aspects of Dutch interest compete for preference – interest of trade, economics, human rights and humanitarian relief assistance.<sup>386</sup> Hence human rights occupies a central role because the moulders of the Dutch foreign policy, like those in EU member states such as Germany, were persuaded that a focus on human rights and democratic

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<sup>381</sup> Incidentally, contrary to the above expectations, this suspension did not have much influence on the conduct of the war in Sudan.

<sup>382</sup> ECHO, ECHO Global Plan VI: ECHO Global Plan for Sudan, April 1997 – March 1998, Brussels, February 27, 1997, p. 5. This Sixth Plan was the first to highlight the importance of human rights issues and their being closely linked to the causes of the humanitarian need and the provision of humanitarian aid and to attempt to analyse the situation of displaced southern Sudanese in the GOS areas.

<sup>383</sup> *Ibid.*, ECHO Global Plan VI, p. 5

<sup>384</sup> *Ibid.*, ECHO Global Plan II: Second Global Package of Humanitarian Aid to the Sudan and the Sudanese Refugees, Brussels, December, 1994

<sup>385</sup> Interview with Jan Gruiters, Secretary General for African Affairs, Pax Christi-Holland, Amsterdam, December 11, 1996

<sup>386</sup> A number of factors draw governments. There will always be innumerable special interests which enmesh particular states, sometimes to do with historical links, sometimes with perceived threats to valued assets. Beyond this there is the complex concerns. Summed up in the phrase 'threat to regional stability. including economic dislocation, links to terrorism, as well as 'spill-over into regional politics.

governance goals advance that country's international image. The government of the Netherlands, of all states supporting UN programmes in the Sudan, has always considered these policy objectives to be in line with each other.<sup>387</sup> This is not surprising because The Netherlands likes to picture itself as highly international and cosmopolitan.<sup>388</sup> It was the home of Grotius, the father of international law, and now it prides itself as a country highly active on democratic governance and human rights. This last orientation is affected both by its Protestant missionary tradition, and in some circles by a certain guilt about its colonial record and especially its handling of claims to independence by Indonesia in the 1940s.<sup>389</sup> Both historical elements push the Dutch into activism on human rights and democratic governance. The Dutch political leaders see themselves as making a special contribution towards solving the crisis in the Sudan through their humanitarian aid to OLS agencies. From the constructivist perspective, the Dutch government adherence to these international standards of behaviour shows that humanitarian norms and principles do matter and that norms that are accepted do not merely reflect the interests of the materially powerful. In this view, what states aim to do is an endogenous variable, not an exogenous given as neorealist and neoliberalist argued, and norms shape both goals of states – their perceptions of their interests – and the means they use to achieve those goals.

While neorealism and neoliberalism see norms as reflections of the fixed preferences of the most powerful states, this thesis believes that one of the roles norms and principles play is to help determine those preferences. Because the ability of states to make correct choices of strategy is constrained both by limited rationality and by great uncertainty, the behavioural guidance provided by international norms is crucial as “a cognitive energy-saver and as a clue to successful strategies”.<sup>390</sup> In this case, the government of the Netherlands, like all EU member states, was guided in its approach to the humanitarian crisis in the Sudan by

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<sup>387</sup> Interview with Jan Gruiters, December, 1996

<sup>388</sup> See David Gillies, *Between Principle and Practice: Human Rights in North-South Relations*, Montreal, McGill-Queen's University Press, 1996; Peter R. Baehr, “The Netherlands and the United Nations: The Future lies in the Past”, in Chadwick F. Alger, Gene M. Lyons and John E. Trent (eds.), *The United Nations System: The policies of Member States*, Tokyo, United Nations University Press, 1995, pp. 271-328

<sup>389</sup> See, for example, Peter R. Baehr, “Problems of Aid Conditionality: The Netherlands and Indonesia”, *Third World Quarterly*, Vol. 18, No. 2, 1997, pp. 363-376

<sup>390</sup> Ann Florini, “The Evolution of International Norms”, p. 366

the international humanitarian norms and principles. This was clear from two major policy papers written by the Minister for Development Co-operation, Mr. Jan Pronk: *A World of Difference* and *A World in Dispute*.<sup>391</sup> Mr. Pronk, who was Minister for Development Co-operation from 1973 until 1977 and again from 1989 until the present (1996), was one of the main architects of EU policy implementation in the Sudan. According to a Dutch Foreign Ministry official I met in The Hague, the Dutch government believes, like all other Western industrial democracies, that humanitarian norms play an essential element as guiding principles and moral foundation for democratisation processes.<sup>392</sup> It can be argued thus, that humanitarian principles had provided the Dutch policy makers with an inspiration and motivation for policy development and implementation. For example, since the establishment of the OLS in 1989, the Netherlands government directed its humanitarian aid policy to the promotion of human rights and good governance in SPLA controlled areas. A greater portion of Dutch assistance to both sides was channelled multilaterally as well as bilaterally through ECHO, the UN and the international non-governmental organisations. Aid was “part of our dialogue with the Sudan government,” says a Foreign Minister official in The Hague. While such assistance “can’t turn around the whole atmosphere,” he concludes, it has proved a useful way of keeping communications open and conveying concerns.<sup>393</sup> From the idealist perspective, the Dutch policy was humanitarian in its goals and methods<sup>394</sup> and it strengthened EU policy in the Sudan. But from the realist perspective, the keeping of communication open between Amsterdam and Khartoum was in the national interest of the Dutch government because this was the best option of influencing the behaviour of the Islamist Sudanese regime. Like all Western governments, there was a concern by the Dutch government about contagion by example if unacceptable behaviour of the GOS was not dealt with effectively.

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<sup>391</sup> Second Chamber: 1990-91 Session, 21 813, nos. 1-2: hereafter quoted as *A World of Difference; A World of Dispute*, The Hague, Ministry of Foreign Affairs 1993

<sup>392</sup> Interview with a Dutch Foreign Ministry official, The Hague, August 8, 1998

<sup>393</sup> Ibid.

<sup>394</sup> According to Amstutz, there are three methods by which international norms influence international relations. First, the conscience of decision makers. Second, the influence of domestic public opinion, and third, the influence of international reputation. See Amstutz M. R. , *International Ethics*, 1999, p. 13

The United Kingdom government also played a leadership role among representatives of donor governments based in Khartoum, pressing the authorities particularly energetically to reinvigorate OLS. The British government took a right-based approach to the Sudan humanitarian crisis. British history, too, affects London's modern orientation to human rights and democratic governance.<sup>395</sup> All political parties (for example, the Conservative, Labour and Liberal Democrat) strongly identify with civil and political rights and are proud of such early documents as the *Magna Carta*, and the English Bill of Rights of 1689, and so forth. Like the USA and The Netherlands, the UK prides itself on a strong legal culture emphasising constitutionalism. Not surprisingly, various British governments, unlike the USA, have not only accepted the full International Bill of Rights, along with European legal instruments, but also have undertaken concrete policies for specific situations – engaging in quiet diplomacy, and suspending foreign assistance to the Khartoum government for its failure to return to democracy and the rule of law to the Sudan. Even before the establishment of OLS in 1989, the British government was in the forefront in the race to save the lives of starving people of Southern Sudan. Between February and May 1988, the House of Commons Foreign Affairs Committee held a series of hearings on famine in the Horn of Africa.<sup>396</sup> Although Ethiopia featured in the debate much more than Southern Sudan, these series of hearings helped educate the British politicians, who were more interested in trying to undermine the Marxist government in Addis Ababa<sup>397</sup>, were now beginning to learn about the suffering of the Sudanese war-victims. For example, the case of the Nuba Hills was instructive in this respect, and was raised in the British House of Commons by Baroness Chalker:

*I am extremely sad over a year since the problems of Sudan were last debated in the House the situation is grim as ever and, in a number of areas like the Nuba Mountains, is even worst than it was a year ago... We are deeply concerned about the Government of Sudan's lack of commitment to the international efforts which is designed to provide 153,000 tonnes of sorghum for the relief effort. International NGOs face*

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<sup>395</sup> For further discussion of this subject, see Human Rights in Foreign Policy, *Foreign Policy Document No. 268*, London, Foreign and Commonwealth Office, July, 1996; *Foreign Policy and Human Rights*, Vol. 1, House of Commons Sessions 1998-9, Foreign Affairs Committee, London, The Stationary Office, December, 1998

<sup>396</sup> Foreign Affairs Committee, London, 1988, p. 40

<sup>397</sup> *Ibid.*, p. 90

*problems obtaining visas and permits to work in Sudan. The Churches and NGOs have great difficulty in gaining access to areas in severe need if the Government of Sudan decides to intervene.*<sup>398</sup>

Due, in part, to domestic criticism, the British government supported much of OLS programmes, funding NGO activities such as Oxfam-UK as well as the work of UN agencies. Such generosity can, however, be seen as a mixture of humanitarianism and political opportunism, though it was very much inspired by the Prime Minister Tony Blair's "ethical foreign policy", which was contained in the mission statement promulgated by the Foreign Office on 12 May 1997. This policy set out the new government's understanding of Britain's foreign policy objectives. The document, titled *Mutual Respect*, explains: "We shall work through our international forums and bilateral relationships to spread the values of human rights, civil liberties and democracy which we demand for ourselves".<sup>399</sup> This is the 'ethical dimension' of Britain's foreign policy. Mr. Robin Cook fleshed out what is involved in a speech of 17 July 1997, entitled *Human Rights into a New Century*. After presenting a list of rights, he added: "These are rights which we claim for ourselves and which we therefore have right to demand for those who do not yet enjoy them...The right to enjoy our freedom comes with the obligation to support the human rights of others".<sup>400</sup>

Mr. Cook's statement reflects the current international humanitarian disaster situation and the principles and rules that govern it are a product of a history in which their most fundamental beliefs have had to be subverted and subordinated to Western liberal beliefs for the sake of continued existence or economic survival. Moreover, the British Foreign Secretary's statement above clearly shows that humanitarian norms often have to take their course through a filter of various domestic structures to become accepted by states as guiding political principles. The British state, like other members of the international society, has accepted humanitarian norms for three reasons. First, it has been forced to through domestic political pressure as neorealists claim; second, because it is in its self-interest as

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<sup>398</sup> House of Lords Debate on Sudan, HANSARD, Vol. 551, No. 25, London, 19 January 1994, p. 596

<sup>399</sup> Mission Statement for the Foreign and Commonwealth Office, London, May 12, 1997 (<http://fco.gov.uk/aboutfco/mission>).

neoliberalists maintain; or, third, because the British state perceived principles and norms as legitimate. These domestic and foreign factors interact to produce a foreign policy on rights somewhat similar to those of other EU member states – increasingly active and complicated, but inconsistent due to its variety of interests in international relations. However, the point to keep in mind - which is relevant to this thesis - relates to the significance of the consensus on the principles and rules of humanitarian intervention and action. The British ‘ethical foreign policy’ is more important for considering norms settled than acting purely upon those principles and rules. Accordingly, the British Foreign Secretary’s statement above provides a classic example of the interplay between geopolitical considerations and humanitarian impulse. This fitted well into the principal argument of this thesis, which is that there is no conflict between humanitarianism and geopolitical interest, because the social practice we are engaged in necessarily includes both the two human natures of charity and egoism. Therefore, the decision of the UK government to give substantial amount of money to the UN-led Operation Lifeline Sudan and to its UK-based NGOs, can arguably be said to be humanitarian.

However, it has been stated above that the so-called ethical foreign policy emerged mainly as a result of domestic pressure from concerned politicians and from civil society. Much of this pressure came from the lobbying efforts - sometimes through their members of parliament - of non-governmental organisations.<sup>401</sup> Humanitarian agencies, with the support of the media, have a relatively strong position in the United Kingdom.<sup>402</sup> They repeatedly pointed to the deficiencies in the humanitarian relief disaster in the Sudan, and Christian Aid, Oxfam, Save the Children and other interest groups led this criticism. In terms of positive impacts, civil society influenced government policy through advocacy activities. An ethical foreign policy depends, in part, on an informed public opinion, and civic associations in Britain has been able to raise public awareness and

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<sup>400</sup> ‘Human Rights into the New Century’, Foreign Secretary’s keynote Speech, London, July 17, 1997

<sup>401</sup> Interview with Robert Rees, Project Officer, Catholic Fund for Overseas Development (CAFOD), London, December 15, 1996

<sup>402</sup> The politics of an individual country cannot be understood without knowing what groups lobby the government and what debate there has been in the media. Similarly, international diplomacy does not operate on some separate planet, cut off from global civil society. Analysts of British politics use two terms: interest group conveys a bias towards a group, such as a company or trade union seeking

understandings of the war in Southern Sudan and its impact on the civilian population. NGO such as Christian Aid and World Vision-UK prepare newsletters, information kits, produce audio-visual presentations, organise talks, supply information to and attract the attention of the mass media, maintain websites on the internet, and develop materials for schools. Since 1995 Britain donated more than £200 million to the OLS agencies. As one ODA official said: "Since 1989 the British Government has contributed a substantial sums of money to the relief efforts in the Sudan. We made clear that we stood ready to provide further assistance as necessary. Thus, when the initial pledge was fully committed, we allocated a further 6.23 million pounds in May and another £15 million in June. We are supporting international charities working in the area, and the work of the United Nations Humanitarian Co-ordination Unit based in Khartoum, UNICEF and the World Food Programme".<sup>403</sup> Clare Short, British Secretary of State for International Development, wrote letters to her EU colleagues, urging their governments to increase their contribution to the relief effort in Sudan. Such bilateral efforts of the British and the Dutch governments clearly show that despite EU member states inconsistent humanitarian agendas, and the internal difficulties in formulating a common policy towards Sudan, EU aid co-operation remained frozen until there is 'concrete' evidence of a return of democracy.<sup>404</sup>

The Dutch and the UK have shown above that EU governments are no doubt also motivated by humanitarian concerns, prompted by the sincere efforts of individual minister (s) or under compulsion from outraged public opinion. For example, the former British Foreign Secretary Douglas Hurd said:

*Situations are developing in Europe, in the Middle East, in Africa....which don't immediately threaten Western Europe or British national security but which are themselves as a situation unacceptable. They are unacceptable because of the amount of death and suffering which they caused and because they could spread outwards...Some scholars have in recent months made an intellectual distinction: they have divided the kind of actions we might have to think about into two broad categories: wars of interest and wars of conscience, but I am not*

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to influence economic policy; while pressure groups invokes a wider range of groups promoting their values.

<sup>403</sup> Interview with Allan Zachariades, Co-ordinator, Greater Horn of Africa, Department of International Development, London, August 21, 1997

<sup>404</sup> Interview with Paul Filler, ECHO Representative, Nairobi, May 24, 1996



*sure that these distinctions are absolute. I think that it is too simple a division...If we really want a world that is truly more secure, more prosperous and more stable, then humanitarian problems may from time to time be seen not only as a moral issue but as a potential security threat as well. We help people because they are hungry and because if they are not fed they will die, but it is also true that countries which are racked by famine or civil war will be unsafe neighbours in the world village.*<sup>405</sup>

This statement reflects a mixture of realism and idealism in the Western humanitarian policy. Realists, for example, argue that such intervention can be understood in terms of the power and interests of nation-states, in particular great powers such as Britain, acting collectively through the European Union. In this case, states such, as the United Kingdom and The Netherlands, tend to cloak their interests in the language of humanitarianism, and may claim to be acting in the name of the international community. Thus, Mr. Hurd's statement above may not represent a meaningful departure from the Cold War political interests. Arguing, however, from a constructivist perspective, great powers often articulate their particular interests in the language of universal principles in an effort to persuade others to accept them. However, to realists within the states establishment, the key point is that what might appear to be the action of an international community is in fact a reflection of dominant Western states. While it is true that there is much of self-interested public relations (PR) exercise in the donor governments humanitarian involvement, it is equally true that the EC/EU and member states have a genuine commitment to the images of suffering civilian population everywhere.

## **B. CONFLICT RESOLUTION AGENDA**

The second agenda which attempted to address the Sudanese crisis was the use of humanitarianism as a strategy for conflict reduction, and possibly for confrontation with the warring parties. However, as stated above, consideration was given to the long history of EU member states' interest in the Horn of Africa. At the junction of Asia and Africa, and commanding the Suez shipping route through which oil and other raw materials are imported by Western Europe, the East African coast

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<sup>405</sup> Douglas Hurd, Speech at Royal United Services Institute, 13 October, 1992, *Arms Control and Disarmament Quarterly Review*, Vol. 27, 1992, pp. 34-5

commands a highly strategic position.<sup>406</sup> It also, even in the best of times, one of the most politically, ethnically, and climatically unstable regions of the world.<sup>407</sup> While the Cold War witnessed extensive American and Soviet engagement in the Horn, the European Union member states also have a long history of external bilateral interest in the region. Italy, the United Kingdom and France have held colonies within the Horn of Africa and many EU member states have invested heavily in the region. However, there are still a number of outstanding claims for self-determination among groups which lie both within and between IGAD member states.<sup>408</sup> Thus, continuing inter-state tensions have led to support for transnational militia movements, fuelling regional instability. Cross-border linkages include a history of assassination attempts, armed incursions and direct military support to rebel groups. Indeed, some states in the region have adopted a directly interventionist approach in their search for a better internal security environment. However, the 1990s show several major changes in conflicts and peace in the Greater Horn of Africa, after decades of destruction and massive human suffering because of long and interrelated wars.

Some are still persisting, while changing shape. But the wars in Eritrea, Ethiopia and Djibouti have been terminated and major demobilisations have taken place. Major efforts are made in these countries to support reintegration of ex-combatants and other war-affected groups and facilitate a broader process of peace-building. Despite some significant progress in parts of this subregion region, Sudan Islamist regime remains a major obstacle, at least from the Western states' eyes, to peace and stability. Thus, one of EC/EU geopolitical considerations was the resolution of the Sudanese conflict as an essential condition for political stability in the Horn of Africa. Although the subject of peace *per se* is beyond the scope of this thesis, the reader should bear in mind that European Union's policy also influenced the types of programmes OLS co-ordinated, which included grassroots peacemaking

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<sup>406</sup> See for example, Emma Visman and Emery Brusset, *Prevention of Violent Conflict and the Coherence of EU Policies towards the Horn of Africa*, Channel Research LTD: London, April 1998, p. 4; James Fairhead, *Conflict Over Water Resources: Complex Emergencies, Environment and a Critique of Greenwar in Africa*, a paper presented for the UNU/WIDER and Queen Elizabeth House meeting on The political Economy of humanitarian Emergencies, July 1997

<sup>407</sup> USAID, *Breaking the Cycle of Despair: President Clinton's Initiative on the Horn of Africa*, Report of the President's Representative, June 1994, p. 6

<sup>408</sup> The 1994 IGAD Declaration of Principles accords recognition of the right to self-determination of the peoples in South Sudan.

and regional peace initiatives. The motive for supporting humanitarian programmes in the Sudan was tied to the ambitions of the EU to become an important global player, for example, to strengthen the Common Foreign and Security policy of Europe.<sup>409</sup> Furthermore, the heightened concern with the Horn of Africa stability is reflected in EU statement<sup>410</sup>, which took note of Islamic threat, and formulated a common position concerning conflict prevention in the region. These efforts fit well with the English School definition of diplomacy as an expression of the concept of a morale. According to this school of thought, the main function of diplomacy is to contain conflicts, resulting from different value-conceptions or interests, to promote co-operation and communication and mutual trust between the negotiation parties, and to collect knowledge about the others' identity and culture.<sup>411</sup> As Bull has noted: "Diplomacy...in its essence is common sense and charity applied to International Relations; [it is the] application of intelligence and tact to relations between governments...The foundation of good diplomacy is the same as the foundation of good business – namely, credit, confidence, consideration and compromise".<sup>412</sup> This interpretation of diplomacy presupposes that states, although lacking a common executive and judiciary in international sphere, have a commitment to international peace and security as contained in the UN Charter. This form of diplomacy was beneficial not only to the Sudanese war-victims but has also the potential of defusing sources of instability in the Horn of Africa sub-region.

In the minds of the Western political leaders was the war in the Sudan, and its regional implications discussed later on in this chapter. Establishing a connection between relief and development also complemented the increasing importance of conflict prevention and resolution. Insofar as humanitarian strengthened local capacities as discussed in the next chapters, it was also seen by EC as contributing to conflict mitigation. Thus, in addition to promoting self-sufficiency, humanitarian programmes were seen as a way of addressing Sudan social and political dimensions of instability discussed in chapter 1. This focus has moved EC external aid policy

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<sup>409</sup> The Council of the European Union, Common Position Concerning Conflict Prevention and Resolution in Africa, Brussels, 2 June 1997 (97/356/CFSP)

<sup>410</sup> *Ibid.*

<sup>411</sup> Bull, *The Anarchical Society*, pp. 162-171

<sup>412</sup> Harold Nicolson, quoted in Martin Wight, *International Theory*, p. 180

into the area of conflict prevention and resolution but mainly through IGAD.<sup>413</sup> EC Development instruments have taken account of: "...their potential for balancing the interests and opportunities of different identity groups within a state, for encouraging democratic government (s) that enjoy widespread legitimacy among the population, for fostering consensus on key national issue...and for building mechanisms for peaceful conciliation of group interests".<sup>414</sup> Apart from the Netherlands and Norway, Britain played a crucial role during its Presidency of the EU to voice European concerns on the situation in Sudan and their likely spill-over into the neighbouring states. The British government had long regarded the peace process pursued by IGAD as the best chance to bring an end to the fighting through a negotiated settlement. According to one Overseas Development Agency (ODA) official, Britain's attempt to bring about a peaceful end to the Sudan conflict was motivated, in part, by the need to end the suffering of the Sudanese people. The UK government also pursued behind the scene diplomacy with Khartoum on the issues of democracy and human rights, but leaving ODA and NGOs such as Christian Aid, Oxfam and Save the Children Fund to deal with humanitarian consequences of the war in Sudan.<sup>415</sup>

A government official was clear about London commitment to a peaceful end to the Sudan conflict: "Our interest in Sudan since 1983, when the war broke out in the south of the country, is peace. We pressed for an early meeting of the IGAD Partners Forum, which consists of the IGAD members and a number of EU donor countries. This was hosted by the Netherlands on 17/18 June 1998 in the Hague".<sup>416</sup> Throughout the period discussed in this thesis, the EU policy objectives in the Sudan were fairly consistent and clear: they sought peace, respect for humanitarian norms and good governance. From the start of IGAD peace initiative, the donor governments such as the United Kingdom and the Netherlands were pursuing an active diplomatic strategy in support of EU objectives. The EU and member states reaffirmed their support for the Sudan peace process within IGAD framework, on the basis of the Declaration of Principles (DoP) and in accordance with the IGAD

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<sup>413</sup> IGADD was revitalised in 1996, and it is now called Inter-Governmental Agency for Development (IGAD). This thesis will use abbreviation IGAD rather than IGADD.

<sup>414</sup> European Commission, *The Issue of Conflict in Africa*, March, 1996, p. iii

<sup>415</sup> Interview with Daniel Collison, Sudan Project Officer, Christian Aid, London, October 9, 1996

<sup>416</sup> Interview with an ODA official, London, November 13, 1998

and the OAU principles and objectives embodied in its Charter: “In order to ensure swift progress towards a general and comprehensive cease-fire and medium and long-term improvement of the humanitarian situation, the urgent enhancement of the IGAD peace process on Sudan, in accordance with the DoP, it was recognised as essential... The participants encouraged Kenya, as IGAD Chairman for the Sudan peace process, to appoint a Special Envoy to mount a concentrated and continuous media effort”.<sup>417</sup> Consequently, IGAD received support from EU member states for institution building and sub-regional projects, including support for the organisation’s initiatives in conflict prevention, resolution and management. The EC provided technical assistance to the IGAD secretariat and specific IGAD projects, while Italy and the Netherlands provided capacity building support. Even though an analysis of the IGAD peace process is beyond the scope of this thesis, it is important to point out here that among the EU member states, Belgium, Germany and Sweden provided support for the peace process for Sudan.<sup>418</sup>

### 3 . 4 . IGAD AND MEMBER STATES’ POLITICAL AGENDAS

This section will also show that geopolitical motivations operate within sub-regional settings in a manner that often impose heavy additional pressure on the United Nations co-ordination of humanitarian assistance. Nonetheless, this thesis argues that IGAD (Inter-Governmental Agency on Development), as an organisation of states, did not intervene in the Sudan on purely humanitarian grounds, but that it used principles and rules as a legitimation for involvement in the Sudanese internal crisis. The conception of IGAD followed the United Nations General Assembly resolution 35/90 of 5<sup>th</sup> December 1980 and 38/216 of 20<sup>th</sup> December 1983, recommending that countries in the Eastern African sub-Saharan sub-region established organisation to co-ordinate their efforts in the area of drought and development.<sup>419</sup> However with the simmering conflict in the Horn sub-region, the IGAD brief was expanded to include political, humanitarian, and peacemaking roles. The justification of this could not be questioned: the tasks of security and post-

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<sup>417</sup> Fourth Meeting of the Committee on Sudan of the IGAD Partners’ Forum, p. 2

<sup>418</sup> Kees Kingma & Kiflemariam Grebbrewold, “Militarisation, Reintegration and Conflict Prevention in the Horn of Africa”, Bonn International Center for Conversion, July 1998, p. 30

emergency recovery could not be tackled without the prerequisite of a sustainable peace.<sup>420</sup> It is clear from this point that IGAD was motivated by two main agendas – humanitarian agenda and security agenda.

#### A. HUMANITARIAN AGENDA

The interplay between relief and peace is perhaps the most intriguing and complex aspect of the entire IGAD initiative. It can be argued that the ethical factor in the Sudan conflict was a humanitarian one, employed by the IGAD and member states.<sup>421</sup> The terms of the public debate about the merits and demerits of regional involvement were set by international norms. These norms are contained in the Geneva Conventions and agreements (or treaties) and have informed the vocabulary of regional debate. To the extent that member states see themselves as beneficiaries of these norms, then they supported them. With the establishment of the Operation of Lifeline Sudan (OLS) as a UN humanitarian relief programme, the IGAD member states used their political leverage to put pressure on the Sudanese government not to use its territorial integrity to obstruct international efforts to relieve the suffering of the southern Sudanese people. During 1992 and also when IGAD was revitalised in 1996, pressure, mainly from OLS agencies and donors, grew for the organisation to get actively involved in the UN humanitarian operations in the Sudan.

IGAD was directly asked by its major Western European partners to also take a pro-active role in the traditional humanitarian operations through its newly established Department for Humanitarian Affairs. This new mandate recognised the link between humanitarian emergency and conflict resolution. In order to handle the new mandate of humanitarian diplomacy (conflict prevention and peace promotion and relief assistance), IGAD set up a division of political and humanitarian affairs, and in April 1996 a Secretariat to handle Sudan peace process was inaugurated in

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<sup>419</sup> IGADD Secretariat, Executive Brief on Inter-Governmental Authority on Drought and Development, Djibouti: Unpublished Report, January 1996

<sup>420</sup> 'It is impossible to talk of development and the environment in an area where there is no peace and stability', was how President Museveni of Uganda put at the September 1993 IGADD Summit, *HAB*, Vol. 5, 1993; see also Lionel Cliffe, "Regional dimensions of Conflict in the Horn of Africa", 1999, p. 96

<sup>421</sup> IGADD Secretariat, Executive Brief, pp. 2-3

Nairobi, under the auspices of the Kenya Ministry of Foreign Affairs. But the decision to establish the Department of Political and Humanitarian Affairs (DPHA) stems from a declaration passed at the Horn of Africa Summit on Humanitarian Affairs issues held in Addis Ababa in 1992. The declaration of governments and political leaders states the following:

*We have come together because we believe that humanitarian problems facing our people, which have accumulated and worsened over the years, require our full and immediate attention. We also believe that because of their regional dimension, they call for concerted regional solution. Finally, we recognise that unless we address them on an urgent basis, we can not hope to make progress in solving other equally critical problems that also require action".*<sup>422</sup>

The seriousness of member states to tackle the humanitarian relief disaster in the Sudan meant that the main aim of the Department of Political and Humanitarian Affairs was, therefore, to enhance IGAD's ability to mitigate humanitarian relief disaster through improvement of disaster management and promote the voluntary repatriation and integration of refugees in the sub-region, among other activities. The Department has already conducted research on the link between humanitarianism and conflict management, and develop an effective conflict early warning system within the IGAD Secretariat. As to underline the importance of the OLS in the IGAD peace initiatives, the Kenyan Foreign Minister said: "We have keenly followed the work of Operation Lifeline Sudan since it was established. Its importance in humanitarian activities remains central to survival of the many people in the area..."<sup>423</sup> Dr. Godana, who was also in charge of IGAD peace initiative, made a spirited diplomatic offensive that took him to Sudan, and to the neighbouring countries in order to put further pressure on the warring parties to respect international humanitarian norms and rules and allow unimpeded access to the needy population. The new department for humanitarian affairs was expected to work together with that of political affairs to formulate policies that would ease tensions among IGAD member states in order to direct their efforts towards the peace process and regional stability. This humanitarian agenda was strengthened by member states' security interests discussed below.

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<sup>422</sup> IGAD, IGAD Forges Regional Cooperation, Nairobi, 1996, p. 10

<sup>423</sup> Interview with Dr. Bonaya Godana, Kenya Foreign Affairs Minister, Nairobi, August 10, 1997

## B. SECURITY AGENDA

As stated above, the changed security climate also witnessed a convergence of Western geopolitical considerations and the IGAD member states' national interests. One of the reasons that propelled the IGAD member states to expand the mandate of the organisation to encompass the field of conflict management and resolution was the realistic fear that the humanitarian emergency in the Sudan could affect peace and stability in the Horn of Africa. But it was OLS, through its offices in Khartoum and Nairobi, which played an important role in persuading frontline states to initiate a peace process on Sudan.<sup>424</sup> Although OLS did not end the war, it used humanitarian norms to encourage dialogue and provided a point of agreement when division prevailed virtually everywhere in the Sudan. In fact, the IGAD peace initiative on Sudan would hardly have taken-off without the regional diplomatic efforts of UNDP and UNICEF, agencies that were responsible for co-ordinating OLS humanitarian operation in both Northern and Southern Sectors.<sup>425</sup> Along side relief assistance, the international community used humanitarianism as a strategy for conflict reduction in Southern Sudan.

But by 1994 this strategy was undermined by the security interests of the IGAD member states.<sup>426</sup> One way of characterising the overall regional pattern that has subsequently emerged would be in terms of a basic polarisation between Sudan on the one hand, and Ethiopia and Uganda, now supporting Eritrea, on the other, with the two sides each having their foes and allies internally, in the region and internationally.<sup>427</sup> One critical incident in triggering off these reversals of détente occurred in December 1993 when an armed column purportedly of the Eritrean Jihad Movement infiltrated across the border from Sudan to be accosted and wiped out by the Eritrean army.<sup>428</sup> The Eritrean government launched an official complaint with the UN Security Council. The government of the Sudan denied any

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<sup>424</sup> Interview with Dr. Godana, Kenya Foreign Minister

<sup>425</sup> Interview with Christopher Jaeger, UNDP Resident Representative, Nairobi, March 12, 1996

<sup>426</sup> At the time of writing-up this thesis, the Islamist regime in Khartoum had improved diplomatic relations with Ethiopia, and Eritrea was in the process of restoring its diplomatic office in Khartoum. The war between Eritrea and Ethiopia benefited Sudan diplomatically after many years of isolation.

<sup>427</sup> See John Prendergast, *Crisis Response: Humanitarian Band-Aids in Sudan and Somalia*, London, Pluto Press, 1997, pp. 64-65

<sup>428</sup> Lionel Cliffe, "Regional dimensions of Conflict in the Horn of Africa", *Third World Quarterly*, Vol. 20, No. 1, 1999, p. 96



involvement, though it claimed that the rebellion was internal to Eritrea. Nevertheless, this incident proved a watershed that marked the deterioration of Eritrea-Sudan relations, despite some conciliatory diplomatic moves during 1994, and the reversion to mutual antagonisms affecting the region as whole. During 1994 efforts were made to resolve tensions by negotiation. One eventual response was for Eritrea to host a conference of all group opposing the military, 'Islamist' regime in Sudan, including both factions of the SPLA, plus many civilian and exile groups from northern Sudan, many under the umbrella of the Nation Democratic Alliance (NDA). The Asmara Conference was hosted by the ruling Eritrean party, and was supported by finance from Egypt and the USA.<sup>429</sup> The newly independent state of Eritrea too did not have any warm relations with the government in Khartoum. So strained were their relations that Eritrea actually handed over the Sudanese embassy building in Asmara to leaders of the opposition to the Khartoum government.<sup>430</sup>

Sudan too had bad relations with its other neighbour – Ethiopia. Ethiopia's concerns about Sudan's role in the region dated back in early 1994. In January it warned Sudan against 'exporting ideology and creating trouble',<sup>431</sup> but the two countries continued a diplomatic dialogue to ease tensions. Even in mid-1995 the Ethiopian President, while still complaining about interference, stated that 'it has not reached the stage where we need to take action...has not necessitated a widespread deterioration in relations...and would be dealt with through the diplomatic channels'.<sup>432</sup> However throughout that year, Ethiopia continued to accuse Sudan of army incursions and other interference, but relations became more fraught after the attempt to assassinate President Mubarak of Egypt at an OAU meeting in Addis Ababa in June 1995 which was attributed to a group of terrorists, three of whom were thought to have escaped to Sudan. Tensions between the two countries continued through 1996. In January 1997 Sudan further claimed that Ethiopian forces had attacked border towns of Kurmuk and Qassein in this same area.

Paralleling these developments, there was a marked deterioration in Sudan's relations with its southern neighbour, Uganda. The relations between Sudan and Uganda were often characterised by accusations and counter accusations about who

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<sup>429</sup> Cliffe, *Regional dimensions of Conflict in the Horn of Africa*, p. 97

<sup>430</sup> See *International Security Digest*, Vol. 3, No. 5, February 1996

<sup>431</sup> *HAB*, No. 1, 1994

<sup>432</sup> Lionel, "Regional dimensions of conflict in the Horn of Africa", p. 98

should or should not be blamed for the incursions of insurgents against each other's territory. The latter maintained since the mid-1980s that it was not providing bases nor support SPLA, and as one example of what was possible under earlier agreements about mutual non-interference, the Sudanese were allowed to provide military monitoring teams to operate on the other side of the border. Reciprocal arrangements allowed Ugandan teams to operate on the other side of the border. But Uganda began to feel there were attempts to export a politicised Islamic agenda, and adherents of Sudan's NIF were deported in July 1990. For example, the alleged support of the Lord's Resistance Army – a fundamentalist Christian movement – by the GOS, and of SPLA by the Uganda government led the two IGAD member states to conclude that they could not continue having normal relations, and hence the break of diplomatic relations between them.<sup>433</sup>

It is clear from above that IGAD support for OLS relief operation was influenced more by the security concerns of member states than humanitarian imperatives. Nonetheless, a major change IGAD's expansion introduced was humanitarian relief as an additional priority area, and this was interpreted by the regional observers as an incorporation of the humanitarian issues into the regional security agenda. Massive displaced of people across the borders, if they were not tackled at the political level, would have led to regional instability.

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<sup>433</sup> See Makumi Mwangiru, "Towards an Architecture of Peace in the Horn of Africa Conflict

### 3.5. CONCLUSION

The conclusion from this chapter is that humanitarian norms and principles can be used by states as policy instruments of foreign policy. Nonetheless, it is evident that political as well as humanitarian concerns also played a role in the involvement of many governments in relief activities in the Sudan. OLS experience has shown that the two human natures – egoism and generosity – can work together to the benefit of the starving war-victims. In addition to the UN's own interest in making its mark, it offered a convenient vehicle for governments, themselves largely excluded from assisting in the south, to become involved without accepting the diplomatic consequences for their intervention. Most prominent in pressing for the creation of OLS were donor governments. Foremost among them was the US, and its Western allies. For the state, the issue of humanitarianism is articulated differently than for the humanitarian NGOs and the ICRC. Governments that were themselves having great difficulty getting the attention of the Khartoum government were willing to see OLS shoulder the lead responsibility. The EC and the IGAD member governments were themselves comfortable with OLS playing that role as well.

The nature of OLS as an intergovernmental programme influenced its involvement in relief. Constituted of member states, the UN-led OLS represented the interests, political and humanitarian alike, of governments. Because most political conduct typically involves multiple policy objectives, it is arguable that humanitarian action will inevitably involve trade-offs among relevant competing norms. Indeed, as Realism correctly claimed, self-interest undoubtedly plays a commanding role in the donor states policies towards Sudan. It is only natural that states individually and jointly seek to advance their interests, because, as Morgenthau and his followers argue, we (humans) are self-centred, and our egoism affects almost all we do, often corrupting even our genuine love for family and friends. The attraction of wealth and pleasure, security and prestige, are obvious and powerful. But for the solidarists and constructivists, humanitarian duplicity and hypocrisy do not justify the removal of humanitarian values from international politics.

## CHAPTER FOUR

### THE EFFECTS OF HUMANITARIAN NORMS ON SPLM/A

#### 4.1. OVERVIEW

Chapter 3 has discussed the humanitarian role of the donor governments in the Sudan, and it was clear that humanitarian norms and principles became policy instruments of donor states' political agendas, but that their role in saving the lives of starving non-combatant Sudanese civilian population was not circumstantial.

The aim of this chapter is also to prove that the usefulness of international norms in a civil war operational environment strengthens the case against the realist denial of norms effectiveness under conditions of anarchy, and pluralists claim that principles of sovereignty and non-intervention make humanitarian action in state's domestic affairs difficult. The neorealists and neoliberals would argue that the SPLM/A acceptance of humanitarian norms and rules as the basis for humanitarian operation in the Southern Sector was driven by short-term calculations of interest and that the rebel movement's actions were constrained only by the sanctioning behaviour of donor governments; its actual behaviour was driven by a logic of consequences that was detached from these broadly accepted norms of international behaviour.<sup>434</sup> While a valid argument, I argue that humanitarian norms and rules have constituted an important development in the relationship between international community (the UN, donors and NGOs) with the Sudan People's Liberation Movement and Army (SPLM/A). From a constructivist perspective, both self-interest and altruism enabled OLS to extract some concessions from the SPLM/A in terms of access, for the development and implementation of effective codes. The reader should, however, bear in mind that the effects of these political devices on

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<sup>434</sup> From a classical sociological perspective, behaviour is seen as embedded in normative structures that include both values (desired objectives and norms, the way the objectives are pursued). The central question for individual is not whether a rule is instrumentally useful but rather what is the right normative principle in a given environment. For the parties to the Sudanese conflict (GOS and SPLM/A), legitimacy derived from conforming with moral precepts. Conformity arose out of a sense of an obligation to adhere to local Sudanese humanitarian norms, which were incorporated into the OLS Ground Rules.

the behaviour of the Khartoum government itself will be discussed in chapter 5. In this chapter, the effects of these rhetorical devices on the behaviour of the rebel movement will be gauged from the extent to which OLS action plans discussed in chapter 2 were implemented and accomplished. A set of issues to show whether the Southern Sector performance was successful or not are examined: reforms within the political institutions of the Movement itself; and the impact of capacity building policy on local structures, and access to SPLA-held areas. This chapter will also consider the role of civil society in a civil war setting. In the areas controlled by the opposition movement, development and human rights advocacy was seen by civil society as the most constructive way to address some of the deeper issues of Sudan conflict.<sup>435</sup>

#### 4.2. THE CONTEXT OF HUMAN RIGHTS VIOLATIONS

In defining the context of human rights violations in the rebel movement's controlled areas, I will not repeat in detail what has already been mentioned in chapter 1. The major feature of OLS operational environment was the war itself, and this affected humanitarian action in Southern Sudan. An important impact of war is the break down of social norms and values; SPLM/A's policy towards its own population was just as cruel as that of the Sudan government.<sup>436</sup> Before the war broke out in 1983, inter-group disputes were settled at periodic tribal conferences, which could assess compensation and reach a compromise. Customary southern Sudanese law,<sup>437</sup> varying from tribe to tribe - though the basic principle of correcting the wrongs of the community are the same - is applied by chiefs in tribal courts in much the same way as it was under the Anglo-Egyptian Condominium

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<sup>435</sup> Thus, the development of the advocacy component of the strategy was informed by a growing recognition of the need for positive action by the NGO community at the political level, in addition to actions to minimise any negative effects of aid. Some of these issues are contained in European Working Group on the Horn of Africa, Minutes of the 15<sup>th</sup> Meeting of EWOHA, Copenhagen, March 11, 1994, p. 5

<sup>436</sup> International Non-Governmental Organisations, Aide Memoire to Jan Eliason, Khartoum - Nairobi, September, 1992, p. 2

<sup>437</sup> Early British officials sometimes wrote about a "tribal code" or "tribal law" but in general they adopted the legal category of "customary law" to cover all such codes, and to distinguish it from the written codes of civil, criminal and Sharia law. I refer to it as customary southern Sudanese law to distinguish it from other areas of the country.

government (1899-1956), run by the British.<sup>438</sup> Disputes among the southern Sudanese tribes were settled by negotiations between ad hoc groups of mediators drawn from the heads of opposing social family units. In feuds, where strong feeling inhibited groups from meeting together, a neutral arbitrator who could impose additional sanctions, usually the land priest or the rain-maker, was brought in. He or she was able to persuade groups to meet and to agree on a settlement. And where a local compromise cannot be reached, it was often left to the relevant government agencies to deal with it accordingly. However, modern weaponry overwhelmed this system. The war exacerbated tribal tensions, promoted conflict between groups and polarised ethnic differences in Southern Sudan.<sup>439</sup> Between 1983-92, SPLA adopted a policy that was hostile towards traditional structures. As Wal Duany puts it:

*The SPLA has attained...adequate means of coercion and has terrorised the southern population into passive compliance. The predominant instruments of the movement since 1983 have been and still are coercion and corruption. It has not managed to integrate society around any positive political values. The movement has been able to persist only as it successfully coerces and demoralises social groups in the region. Because the co-operation of the civil population is needed, at times, in order to carryout the liberation, coercion has not been a successful strategy. Corruption, in various doses, might have worked for sometime, but it demoralises both the commanders and the people...Institutionalisation of the top-down arrangements by the socialist group who initially established the SPLM/A has led to a permanent oppression of those persons in the area under the control of the movement, that is, most of rural Southern Sudan.<sup>440</sup>*

Perhaps one of the most telling signs of SPLA treatment of civilians came from 1996 International Refugee Day exercise that asked children in UNHCR camps in northern Uganda to draw pictures depicting refugee camp life.<sup>441</sup> What surprised

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<sup>438</sup> See Douglas H. Johnson, "Judicial Regulation and Administrative Control: Customary Law and the Nuer, 1895-1954", *Journal of African History*, No. 27, 1986, p. 62

<sup>439</sup> Biro Gasper, *Situation of Human Rights in the Sudan*, New York/Geneva: UNESCO Commission on Human Rights, February 1, 1994, p. 9

<sup>440</sup> Wal Duany, "What Can Be Done to Move Peace Negotiations Forward in Sudan", Washington D.C., Presentation to USIP Conference, April 1994, p. 4

<sup>441</sup> This was an attempt by the United Nations at trauma counselling, and my role there as OLS Communications director was to video the activities, which was then distributed to the entire refugee and displaced camps as an example of how children affected by war can be reintegrated into society. In most parts of the OLS Southern Sector, this kind of exercise helped traumatised children recover from their ordeal.

this author was that most children drew harrowing pre-rape scenes, killings and looting – and captioned many of them “SPLA”. Much of the above reflects a more general operational environment, and such a situation has been acknowledged by some leaders of the rebel movement. For example, Dr. Samson Kwaje, SPLM/A Secretary for Education and Culture, agreed that the lack of accountable political institutions within the Movement resulted in gross human rights violations, which affected the moral of the soldiers:

*Its political sensitisation work among the people, as well as within its own membership and forces, was weak. This led to many mistakes being committed and, the SPLM/A, between 1991 and 1994, suffered heavily in terms of disunity. But since 1994, the SPLM/A embarked on a process of reforms aimed at addressing the mistakes made and consolidating the success. This has included the process of democratisation in the realms of both society and the state, and the development of civil and political structures”.<sup>442</sup>*

The largely – though by no means exclusively – internal quality of war, its embeddedness in the civilian population, the difficulties of discriminating between military and civilian personnel, the breakdown of law and order, weak lines of authority and the economic agendas of some combatants, all reflect and contribute to the chaotic quality of the Southern Sector’s operational environment during 1989 to 1992.<sup>443</sup> The chaos inherent in this war environment encouraged international community to seek some protection and good governance. As discussed in chapter 2, OLS lead agency – UNICEF – was under pressure by the donor governments and NGOs to initiate dialogue with the rebel movement over relief access and human rights.<sup>444</sup> Thus, the mechanisms used by OLS may be categorised narrowly as

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<sup>442</sup> Interview with Dr. Samson Kwaje, SPLM/A Secretary for Education and Culture, November 12, 1997

<sup>443</sup> US House Committee on Foreign Affairs, Africa Subcommittee, Hearing on Sudan, 102<sup>nd</sup> Congress Session, May 1992, p. 21

<sup>444</sup> See, for example, Africa Rights, Food and Power in Sudan: A Critique of Humanitarianism, London, Africa Rights, 1997, pp. 279-80

institutional.<sup>445</sup> OLS institutional development extended well beyond an organisation, and it sought to change norms and values in its wider environment or more generally in society. This distinction matches the definition in social sciences of institutions as norms, rules of the game, behavioural patterns,<sup>446</sup> which are distinguished from the organisations that uphold them. In the Southern Sector, the Ground Rules sought to define the minimum acceptable standards of conduct for the activities of the OLS Southern Sector's agencies.<sup>447</sup> They also sought to define the minimum acceptable standards of conduct for the activities of the opposition movement's relief wing in areas controlled by the SPLA. It was these Rules of which the international community used to shame and sometimes sanction the behaviour of the opposition movement.

#### 4.2.1. THE PROCESS OF SHAMING SPLM/A

The evidence in this section show that OLS agencies mobilised international norms to name and shame the SPLA commanders involved in obstructing relief access, as well as violation of human rights. There was a genuine attempt by the international community to reduce excesses of the rebel movement's violation of humanitarian norms and rules.<sup>448</sup> For instance, OLS role was to encourage and support the Movement and civil society to be able to make a reality of the Ground Rules. Indeed, by May 1994, Dr. John Garang, the leader of the SPLM/A, signed an agreement with OLS, which led to the incorporation of humanitarian principles into the Ground Rules. By endorsing and agreeing to respect these international norms of behaviour, the rebel leader has exposed his movement to national and international scrutiny, particularly on the issues of human rights and democratic governance. In fact since the inclusion of the Grounds Rules into humanitarian principles, there was a serious attempt by the

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<sup>445</sup> It is clear from chapter 2 that institutional mechanisms refer to a set of rules and relationships which OLS used as means of defining the contractual framework of the Southern Sector, and of gaining some degree of regulatory control over NGOs and movement counterparts. Institutional mechanisms include Letters of Understanding (LOUs), which UNICEF signs with NGOs, and Ground Rules, which the humanitarian wing of the opposition movement were expected to adhere to.

<sup>446</sup> Stephen Krasner, "Structural Causes and Regime Consequences: Regimes as Intervening Variables," in Friedrich Kratochwil and Edward Mansfield (eds.), *International Organization: A Reader*, HarperCollins College Publishers 1994, p. 97

<sup>447</sup> *Ibid.*



rebel movement to convince international community that it was committed to the liberal principles of democratic governance.<sup>449</sup> Thus, the effects of these rhetorical devices on the rebel movement cannot be underestimated. One positive effect of the Ground Rules on the behaviour of the SPLM/A occurred in 1994 when the rebel movement formulated its own civil governance<sup>450</sup> policy with local structures in the opposition movement's controlled areas. During 1994-5, a series of conferences followed, including an Officers Conference and a conference on humanitarian principles and rules.<sup>451</sup> In all these conferences OLS representatives were present, in most cases as facilitators. One of the most important conferences that opened the floodgate of demands for the restructuring of the SPLM/A political and military structures was the 1995 Chukudum humanitarian conference.

The Chukudum conference set a pace for political restructuring within SPLM/A movement. For example, working groups in the conference studied the relationships between the SPLA and communities, the SPLA and NGOs, and the SPLA and SRRA.<sup>452</sup> The aim of the democratisation process was to develop a national consciousness and common purpose in the New Sudan around the fundamental principle of putting the individual in the centre stage of decision-making and development. The success of this conference was also acknowledged by the OLS Review Team. According to the Review Team, the eventual signing of the new Ground Rules by the SPLM/A in July 1995 can be

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<sup>448</sup> These efforts are also contained in DHA, Operation Lifeline Sudan Review, July, 1996

<sup>449</sup> Marion Muor Muor, SRRA Position Paper on Operation Lifeline Sudan (OLS) Southern Sector, Nairobi, November 27, 1995, pp. 2-5

<sup>450</sup> The choice of the terminology of "governance" rather than "government" is also important for several reasons. First, governance calls attention to various forms of institutional and collective efforts to organise human affairs on an international scale, intending to move from the global institutions of the UN system through the various UN agencies and down to transnational and local grassroots initiatives. Second, the idea of governance is intended to be flexible and analytical, avoiding the anti-sovereignty connotations of "global" or "world" government. For a helpful explanation of global governance, see The Commission on Global Governance, *Our Neighbourhood*, Oxford: Oxford University Press, 1995

<sup>451</sup> SPLM/A, SPLM/A First National Convention: A Major Watershed – Resolutions, Appointments and Protocol, Chukudum, New Sudan, March 12, 1994; SPLM/A, Conference on Humanitarian Assistance to the New Sudan: A Partnership for the New Sudan – Facilitated by the Sudan Relief and Rehabilitation Association (SRRA), Chukudum, September 21, 1995. Since then both UNICEF and SRRA have been organising a number of workshops/conferences for local people as part of the OLS capacity building policy.

<sup>452</sup> *Ibid.*, Conference on Humanitarian Assistance to the New Sudan, 'A Partnership for New Sudan,' Chukudum, 21-23 September 1995, draft report, Item III/(1)

seen within the context of an overall “attempt at institutional deepening, as well as opening the movement to local and international scrutiny.”<sup>453</sup> Even before 1994, there was already some serious discussion within the opposition movement and among its supporters about the need to set up civil and political institutions, and provide a home for skilled civilians who were not ready to join the army.<sup>454</sup> Another evidence of the significance of international norms was in September 1995, when Dr. Garang, the SPLM/A leader, invited his field commanders for a workshop on Ground Rules in the presence of the international aid agencies and “to communicate to the commanders that observation of them is not optional”.<sup>455</sup> This was a departure from previous hostile attitude towards humanitarian norms such as codes of conduct and the Ground Rules. Humanitarian norms and rules governing the conduct of combatants towards civilians and neutral personnel, developed into a relatively effective net of constraints on the SPLA behaviour. Although it was the case that violations of these norms and principles routinely occurred in most OLS designated locations, these violations, when reported, usually resulted in some reimposition of discipline and change in procedure by the SPLA. As one SPLA senior officer told this author:

*We are tired of these kinds of accusations that our soldiers are violating OLS Ground Rules. Compare the time when these rules were not yet developed and today, you will find that we have protected aid agencies and ensured that relief food reaches its destination. The Islamic regime is continuously bombing relief centres, and yet the UN is not doing anything to stop it. Don't get me wrong here; we do not endorse any violation of OLS rules just because the government does it. It is in the interest of the Movement that our people don't die from hunger, and we are committed to see that those who violate OLS Grounds Rules are punished. I am not saying there will not be such violations, but those caught will be disciplined accordingly.*<sup>456</sup>

For the realists, such statements can be seen as reflecting opportunism, rather than a substantial change of behaviour on the part of the opposition movement.

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<sup>453</sup> DHA, OLS Review, p. 54

<sup>454</sup> Interview with Dr. Samson Kwaje

<sup>455</sup> World Vision, Sudan: The Cost of Continuing Conflict, London, World Vision Policy Report 1997, p. 16

<sup>456</sup> Interview with Commander Pierre Ohure, Military Administrative Officer, Nairobi, March 6, 1996

Accordingly, the SPLM/A change of behaviour was not so much because it valued the principles and rules that guided humanitarian operation; thus, the neorealists and neoliberals can claim that it was rather a manipulative way of attracting donor community's resources that the movement so desperately needed for rehabilitating its controlled areas.<sup>457</sup> But from a constructivist perspective, such self-interested humanitarianism is also an essential condition for a successful humanitarian operation. In other words, there is nothing wrong here because that is what human nature is all about – seeking one's material interest. In this respect, the society's legitimating discourse can evolve due to considerations of material interest as espoused by the rebel movement. This device (material interest) has produced a congruence between domestic and international humanitarian norms in the rebel movement's territory. This was reflected in the SPLM/A leader appeal to the international community:

*I take this opportunity to appeal to Europe and the international community to assist the New Sudan (that is, the areas of Southern Sudan, Southern Kordofan and Southern Blue Nile that are under the administration of the SPLM), to achieve and nurture through development, irrespective of whether there is a peace agreement... Indeed, assisting the New Sudan with development can lead to peace by using development as a commodity for peace making and peace building, the establishment of a Civil Authority for the New Sudan, and promotion of transparent and good governance, as these measures will provide a conducive environment for economic, freedom and peace.<sup>458</sup>*

The wider implication of this statement is that humanitarian norms and rules are more likely to become salient if they are perceived to support important domestic material interests, whether economic, or security. This point was supported by some Sudan observers. As John Prendergast puts it in relation to the potential impact of material interest in changing the behaviour of the rebel movement: "In the Sudan, if the SPLM is to engage effectively in peace efforts and to be prepared to implement a peace agreement, its civilian leadership capacity must be greatly enhanced. Concepts of citizen participation, rule of law, sustainability, and reciprocity between

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<sup>457</sup> SPLM/A, First National Convention, Chukudum, 1994, p. 4

<sup>458</sup> Dr. John Garang, Address to the United Nations Human Rights Commission, Geneva, March 24, 1999, p. 3

governing and governed must achieve wider circulation and commitment”.<sup>459</sup> To some extent, these concepts have achieved wider circulation and commitment within the rebel movement.<sup>460</sup> However, some among the rebel movement leadership frowned upon the very idea that the movement was pushed into reforming itself by domestic and external factors:

*“We are not restructuring our Movement because of international pressure; we are doing it because in these areas we are the government of the day. As a government, we have a responsibility towards the welfare of our people. Foreigners cannot dictate their agendas to us, and you must understand that we have the means to make things difficult for the UN in the areas controlled by us and those held by National Islamic government. We will not do this because it is in our interest not to do so”*<sup>461</sup>

In politics, such denials are inevitable, because hardly any political leader want to be seen to be making policies on the basis of external or domestic pressure. There is no doubt that the opposition movement had an enormous firepower at its disposal to frustrate humanitarian relief efforts in areas it effectively controlled. But as one commander told this author, “the slogans of our liberation struggle have always been to restore a sense of justice and dignity among our people. To oppose those principles would have defeated the very purpose of our liberation struggle”.<sup>462</sup> Many of the insurgents I met shared this view; they all agreed that some of the abuses committed by their soldiers indeed tarnished the image of their movement both inside and outside the Sudan.<sup>463</sup> Even one of the top political advisers told this author off record that OLS gave them the opportunity to rebuild the image of their movement.<sup>464</sup> Respect for humanitarian principles, including the right of the child<sup>465</sup>, the rule of law, good governance, the right to offer and receive humanitarian assistance, and the need to facilitate access to populations in need,

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<sup>459</sup> John Prendergast, *Building for Peace in the Horns of Africa: Beyond Diplomacy*, Washington, D.C., United States Institution of Peace Special Report, 3 November, 2000, p. 13. See also <http://www.usip.org>.

<sup>460</sup> John Okwahi, Deputy gGovernor, Yambio, august 26, 1997

<sup>461</sup> Interview with Commander Abu-John, Governor of Equatoria Region, Yambio, New Sudan, June 19, 1996

<sup>462</sup> Interview with Commander Deng Oyai, SPLA Commander of the First Sector, New Cuss, New Sudan, August 13, 1997

<sup>463</sup> I interviewed five officers during a workshop on Humanitarian Principles, New Cus, August 15, 1997

<sup>464</sup> Ibid.

formed the aspects of the Ground Rules. As stated above, the Ground Rules relate to mutual obligations of the parties to the agreement, and to how relief properties and supplies should be used. They were meant to regulate opposition counterpart agencies and their relationship with the OLS agencies.<sup>466</sup> In addition to these rhetorical devices, the domestic pressure for changing the political character of the movement also came from the growing presence of southern Sudanese in East Africa who wanted to see SPLM/A leaders end human rights abuses in areas they control. However, some SPLA soldiers complained of being misunderstood and misjudged by aid staff. One senior SPLA officer was quoted as saying:

*“Aid agencies have to realise that we, the soldiers care about our people very much because we are in the bush for them, and without them we would not make a dent on the northern government. The problem with some aid workers is that they come here with a notion that we the military are the enemy of the people. It is time they change their perceptions about us. We are both trying to make a difference in the lives of our people. If the Movement as a whole is being criticised at the leadership level up there, what has that to do with us as individual soldiers here at the bottom? Among us here, just like it is among aid workers, there are some who are bad as there are others who are excellent”.*<sup>467</sup>

Such feelings played a significant role in pushing the SPLM/A leadership to overhaul its political and military structures so much blamed for the prevalence of human rights abuses and diversion of relief aid. Some of the SPLA who were critical of the movement handling of the situation contended that if the SPLM/A wanted to show to the world that the people of South Sudan were its primary concern, it should encourage the establishment of civil governance and the rule of law.<sup>468</sup> These kinds of sentiments were seen by the UN officials as clear success of political devices in the form of the Ground Rules.<sup>469</sup> Thus, the impact of humanitarian norms can be divided into four sections – the first section deals with the process of internal democratisation, the second section discusses the establishment of civil

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<sup>465</sup> In March 1999, in Maputo, Mozambique, SPLM/A signed a protocol on the rights of the child.

<sup>466</sup> Ian Levine, Memo to Philip O’Brien: Definition of Counterparts: Some Preliminary thoughts, Nairobi, November 24, 1994, p. 3

<sup>467</sup> Interview with an SPLA officer, New Cuss, New Sudan, February 14, 1996

<sup>468</sup> I had a confidential conversation with three SPLA soldiers during my trip to Akot on 6 October, 1996

administration, the third section examines the establishment of the SPLM/A legal system, and the fourth section describes the emergence of some form of civil society in the context of a civil war environment.

#### 4.2.2. ATTEMPTS AT CIVIL GOVERNANCE

The first effect of humanitarian norms on the behaviour of the SPLM/A should be seen from the extent to which international agencies were placed in direct contact with sections of the opposition movement, and the degree to which this contact informed a process of institutional reform within the rebel movement. This section considers the evolution and implications of this contact. Seeing from the past history of the movement, – which was hostile towards local structures - these were remarkable changes worthy of emulation by similar situation of conflicts.<sup>470</sup> A combination of pressure from within and outside the opposition movement, forced the SPLM/A leadership to convene a meeting in Torit, eastern Equatoria region of Southern Sudan, in early September 1991 to reassess the structures and goals of the movement for the first time since its formation in 1983.<sup>471</sup> The High Command set up committees to review issues of control and accountability and to initiate civilian administration. The significance of the meeting to the role of international norms was that the SPLA High Command issued the ‘Torit Declaration’ which declared, among other things, “that a system of civil administration will be established, and that military training would no longer be compulsory for members of the Movement”.<sup>472</sup> This as an attempt to build civil governance in the opposition

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<sup>469</sup> Interview with Hamish Young, Humanitarian Principles Deputy Officer, Nairobi, November 20, 1996

<sup>470</sup> UNICEF/OLS, Report on SPLM Meeting on Humanitarian Assistance, Nairobi, September 1995, pp. 1-4

<sup>471</sup> SPLM/SPLA, Torit Resolution, 1991 of the SPLM Political Military Command, Nairobi, September 12, 1991

<sup>472</sup> The SPLM/A convened its first national Convention in the period between 2-12 April with the objective of debating all issues of concern to the movement and its future direction, specially in the aftermath of the split. There were more than twenty items on the agenda of the convention. Some of the most important issues that were discussed include: reviewing the movement’s manifesto, democratisation and restructuring of the political and military institutions of the movement, and the movement’s policies and strategies for a peaceful resolution of the conflict in the Sudan. The SPLM/SPLA Torit Resolution, 1991 of the SPLM Political Military High Command, Nairobi, September 12, 1991, p. 3

movement-held areas. Since the establishment of Ground Rules, following the killing of four relief officers in 1992, SPLM/A encouraged moves toward some form of civil governance in its controlled areas.<sup>473</sup> For example, the political wing of the SPLA, the Sudan People's Liberation Movement (SPLM), took its first steps toward democratisation and improved governance by convening a National Convention, which mandated the separation of the military and civil authorities.<sup>474</sup> The establishment of administrative structures, separate from those of the military, was welcomed by relief agencies. One Italian NGO official, who worked in Southern Sudan for more than five years, was impressed by the dramatic changes within the opposition movement:

*In all my ten years work in many parts of the world, I have never seen anything like what is going on in southern Sudan. It has never happened anywhere that a rebel movement can humble itself to the demands of the international community. Today in Southern Sudan, it is possible for a relief agency to walk into a commander's compound and tell him that some of his soldiers are misbehaving without fear of any victimisation. I worked in Cambodia, Liberia, Bosnia, and Somalia, and the kind of consultations and discussions that I witnessed between the UN and the rebel movement was nowhere near seen in these countries. My view is that this is a good precedence for future humanitarian action.<sup>475</sup>*

Such comments were common among aid agencies. The pressure for changes in the movement from non-governmental organisations working under the auspices of the OLS Southern Sector led to a conference in September 1995, which brought together SRRA and NGO officials to discuss the issue of democratic governance, among others.<sup>476</sup> The fact that much of the pressure for an establishment of civil structures and the rule of law came from NGOs and concerned leaders in areas controlled by the insurgents, which formerly exhibited intolerance towards those who had called for respect for human rights, was seen as an evidence of the effects of the Ground Rules on the behaviour of the SPLM/A's leadership.<sup>477</sup> Indeed, during 1994-6, the human rights situation in the Southern Sector improved, and

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<sup>473</sup> Ian Levine, Capacity Building: OLS Presentation [Notes], Nairobi, April 1996

<sup>474</sup> Interview with Martin Okeruk, General Secretary, SPLM/A National Executive Council, Nairobi, July 19, 1997

<sup>475</sup> Interview with Antonio Luciano, Caritas-Italy, Lokichoggio, June 7, 1996

<sup>476</sup> SPLM/A, Conference on Humanitarian Assistance to the New Sudan, September 21, 1995, p. 3

<sup>477</sup> This emerged from group discussions during the SPLM/A-Church Consultative Dialogue held in Yei, central Equatoria region, July 7-10, 1997

many communities were relating somewhat normally to the traditional structures of authority in Southern Sudan: chiefs and elders. The civil society conferences, which were funded by USAID and facilitated by OLS, were important in changing the attitudes of the opposition movement's leadership. This is a prove that the work of international regimes has helped link international institutions and governance by establishing that governance (and order) is more than organisational structures; it must encompass sets of rules governing behaviour, the principles and norms underlying those rules, the practices of actors that signal the convergence of their expectations, their acceptance with rules, as well as any formal structures.<sup>478</sup> SPLM/A position paper to the Great Lakes Region Consultation Conference on Sudan stressed the importance of these principles and rules: "We have to take them (Ground Rules) seriously because they are all aimed at dialogue between the Movement and various constituencies of our country and people for the purpose of achieving greater understanding, reconciliation, and peace and unity among our people so that we can resolve the enormous challenges facing us now during the war and after..."<sup>479</sup> The mutual obligations established within the Ground Rules played an important role in shaping the development of social welfare structures in opposition movement areas. In this regard, there was a symbiotic relation between the two processes. This can be seen most readily in relation to the programme of capacity building and institutional support that OLS developed for the humanitarian wing of the opposition movements".<sup>480</sup>

Although such behavioural changes can be credited to their human rights advocacy, many within the rebel movement did not want to hear even the very idea that the movement was forced by a combination of domestic and external pressures to reform itself. According to Dr. Samson Kwaje, SPLM/A Secretary for Education and Culture, the impulse for democratic reforms within the movement was not a consequence of humanitarian principles and rules, but rather the result emanating directly from the SPLM/A liberation struggle aims and objectives: "Since 1983, the vision, objectives and programme of the SPLM are based on the fundamental principle and goal of the Movement, which is the liberation of the individual from

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<sup>478</sup> Margaret P. Karns, "The Changing Architecture of World Politics: Multilateralism, Cooperation, and Global Governance", in Kenneth W. Thompson (ed.), *Community, Diversity, And a New World Order: Essays in Honor of Inis L. Claude, Jr.*, Boston, University Press of America, 1994, p. 274

<sup>479</sup> Dr. Kwaje, *Vision, Perspective, and Position of the SPLM*, p. 22



all forms of political, economic, social and natural constraints to freedom and the pursuit of happiness and self-fulfilment, and that is for this purpose that society and the state are organised to promote and harmonise this goal among its citizens, so that there is peace, security and stability necessary for sustained individual and societal development".<sup>481</sup> Despite such protestations from political leaders, I argue that humanitarian norms have had effects on the behaviour of the rebel movement. Part of the effort of OLS was to articulate the notion of humanitarian norms by reference to good governance, examining the positive and negative trends along a few axes of normative concern: respect for the rule of law, the social aspects of human rights and democratisation in the context of the ongoing civil war. In the OLS jargon, good governance was also conceived in relation to the otherness of inhumane governance, a reference to how the opposition movement treats its populations, violation of international norms and the silencing of the voices of civil society. It is not surprising therefore that some observers considered the creation of OLS as an impulse towards liberalisation in the rebel-held areas of Southern Sudan.<sup>482</sup>

#### **4.3 . ESTABLISHMENT OF CIVIL ADMINISTRATION**

The second example of the effects of humanitarian norms on the behaviour of the rebel movement was the attempt to establish civil administration. As explained below, international community's shaming behaviour became hard to ignore, and on 20 February 1993, the SPLM/A issued a press release announcing preparations to convene a National Convention as part of a process of democracy and restructuring.<sup>483</sup> As mentioned above, the success of this convention in separating the military from civilian structures, and the Movement's stated commitment to human rights, can arguably be described as a landmark in the history of the civil war. The "New Sudan"<sup>484</sup> was proclaimed, and the basis for a decentralised

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<sup>480</sup> Kwaje, *Vision, Perspective and Position of the SPLM*, p. 22

<sup>481</sup> Interview with Dr. Samson Kwaje, Nairobi, 1996

<sup>482</sup> Interview with Michael Lang, US Embassy official, Nairobi, August 15, 1997

<sup>483</sup> SPLM/SPLA Press Release, Kampala, 20 February 1993

<sup>484</sup> New Sudan refers to the areas of the Sudan, which are controlled by the Sudan People's Liberation Movement and Army. The differences between the so-called Old Sudan, areas under the national government and New Sudan is based on the contradictory visions of what Sudan should be. The Old Sudan vision is one of an Islamic state, where all the institutions of government will be

government within a new regional structure established.<sup>485</sup> A blueprint for a radically reformed SPLA was adopted and the first steps were formally taken to set up SPLM as a political party. A National Liberation Council (NLC) was set up as the legislative organ of the Movement, with smaller liberation councils for each region and smaller administrative division. Pre 1976 provinces were formally designated as regions and former districts (called provinces in GOS federal nomenclature) became counties, which were then further subdivided into “payams” (rural councils). Governors were appointed to administer the regions, and Commissioners to run the counties.<sup>486</sup> The payams were the responsibility of the Payam Civil Administrators (PCAs), and Executive Chiefs administered villages. Many of the new PCAs were formerly civil military administrators (CMAs), although many also were in civil administration before the war. In this case, the SPLM administration is therefore characterised by decentralisation, popular participation, transparency, accountability, responsiveness, consensus orientation, fairness, effectiveness and the rule of law, so that the people of New Sudan are provided with the necessary conducive environment for accelerated socio-economic development and increased happiness. According to the opposition movement, the decentralised system of governance through the Liberation Councils is designed and aimed at achieving the following:<sup>487</sup>

- a) Ensuring that the system of decentralisation is based on democratically elected Liberation Councils (LCs) on the basis of universal adult suffrage in accordance with the articles of the SPLM Constitution, and that functions, powers and responsibilities are devolved and transferred from the centre to the local administrative/political units;
- b) ensuring the full realisation of democratic governance through popular participation and democratic control in decision making through empowering local units to plan, initiate and execute policies in respect of all matters affecting the people within their jurisdiction;

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inspired by Sharia law. The New Sudan vision is that of Sudan, where religion and state are separated (secularism), and where all ethnic, and religious groups live in harmony with one another.

<sup>485</sup> SPLM/A, SPLM/A First National Convention: A Major Watershed – Resolutions Appointments and Protocol. Chukudum, New Sudan: SPLM/A, March 12, 1994

<sup>486</sup> See Africa Rights, Food and Power in Sudan,

<sup>487</sup> SPLM, Vision and Programme of the Sudan People's Liberation Movement, p. 13

- c) empowering the local units/LCs to oversee the performance of persons deployed or employed to provide services in their area and to monitor the provision of services, including security and maintenance of law and order, and oversee as well as participate in the implementation of projects in their areas so that they achieve the best standards possible;
- d) ensuring that political, social and economic priorities are based on broad based consensus in the society, where voices of the poorest and vulnerable groups, including the disabled, women and children, are heard in decision making over allocation of development resources and other matters affecting their lives.

It can be argued that increased participation and inclusivity will strengthen the SPLM/A, prepare the south for its future, and reduce warlordship and authoritarianism. One of the ways for these objectives to be reached was through the development of the SPLM/A' civil administration. As explained in chapter 3, the US government's Sudan Transitional Assistance for Rehabilitation (STAR) programme, designed to support democratic institution building in the opposition-held areas of Sudan, has, by and large, engendered the development of a responsive administration in the OLS Southern Sector. For instance, the establishment of a civil administration in the opposition movement's controlled areas also triggered a chain of changes which were seen by many humanitarians and observers as a further evidence of the effects of humanitarian norms on the policies of the opposition movement.<sup>488</sup> While it is true that the establishment of civil administration in the SPLM/A held areas did not resolve all the difficulties that OLS agencies faced in the Southern Sector, I argue that at least in the war zone of Southern Sudan relief agencies knew who to approach when confronted with problems of a political nature. Throughout the middle of 1990s, as a consequence of donor and the UN sanctioning and shaming behaviour respectively, the process of internal democratisation with the opposition movement appeared unstoppable. Consistent with the Movement's policy on human rights, the SPLM believes that the "Movement shall adhere to and respect internationally accepted norms and standards of human rights and shall protect and respect the rights and civil liberties of all persons resident in the New Sudan without prejudice based on race, tribe, religion or

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<sup>488</sup> Interview with Dr. Mohammed Hasouni, lecturer, Institute of International Studies and Diplomacy, Nairobi University, March 25, 1997

gender”.<sup>489</sup> The significance of this transformation is that the SPLM has accepted to guarantee and respect the independence of genuine human rights non-governmental organisations, which protect and promote human rights, and the Movement also agreed to establish an autonomous New Sudan Human Rights Commission (NS-HRC).<sup>490</sup> Its recent vision statement on democracy, good governance and human rights explains that:

*The SPLM affirms that fundamental rights and freedoms of the individual are inherent and inalienable, and not granted by the Movement. The rights and freedoms of the individual, and of social or cultural groups, shall be respected, upheld and promoted by all organs, agencies and officials of the Movement. Every person has an inalienable right to life, and no person has the right to terminate the life of a person or of an unborn child except as may be authorised by law. Every person has a right to own property, either individually or in association with others, and no person shall be deprived of property or any interest in or right over property of any description except where authorised by law. All persons are equal before or under the law in the spheres of political, economic, social and cultural life, and in every other respect, and shall enjoy equal protection of the law. A person shall therefore not be discriminated against on the ground of gender, race, colour, ethnic origin, tribe, birth, creed or religion, or socio-economic position, political opinion, or disability.<sup>491</sup>*

The fact that this process of democratisation in the movement followed the signing of the tripartite OLS agreement in May 1994, which led to humanitarian norms and rules being fully incorporated within the Ground Rule framework,<sup>492</sup> meant that OLS played an important role in reducing the kind of humanitarian chaos that the international community experienced in parts of the world. Since 1995, “living in the SPLA controlled areas became more secure than living in Nairobi or New York”.<sup>493</sup> For the SPLM/A political and military leaders, the decision to embrace democratisation process in the midst of the liberation struggle was a political gamble that paid-off in terms of the movement’s domestic and international reputation. Some SPLM/A political and military leaders acknowledged that such a restoration

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<sup>489</sup> SPLM, Vision and Programme of the SPLM, p. 22

<sup>490</sup> Ibid.

<sup>491</sup> Ibid.

<sup>492</sup> UNICEF/OLS, SPLM/OLS Agreement on Ground Rules. Nairobi, June 1994, pp. 2-4

of discipline improved the image and credibility of the Movement among the local population, which suffered from cattle raiding, pillaging and looting practices of their forces.<sup>494</sup> The need to win the minds and hearts of the civilian population ensured that the Movement's political leadership continues with the process of good governance. In one of its recent document on democracy, it is clear that:

*In running its affairs, the SPLM shall establish and base itself on the democratic path of development, which empowers and encourages active participation of all citizens at all levels in their own liberation and in their own governance, and where the people in positions of authority or decision-making are mandated periodically by the people. All the people of the New Sudan shall have access to leadership positions at all levels of the Movement, and the running of the affairs of New Sudan shall be guided by a system of decentralisation and devolution of functions and powers to the people at various levels, so that the people are empowered to manage and direct themselves. The SPLM Movement system of democracy shall be broad based, inclusive and non-partisan, non-tribal, non-sectarian and shall conform to the principles of participatory, popular and grass-roots democracy, and subjected to accountability, transparency, accessibility to all positions of leadership by all citizens, and individual merit shall be the basis for election to political office.<sup>495</sup>*

In an attempt to get rid of corrupt practices that could undermine this process within the Movement, the SPLM has begun to set-up and establish good governance, where the exercise of political, economic and administrative authority in the management of the country's affairs at all levels will be people-based, so that individuals and groups have an effective say in the allocation and management of resources and in decisions that affect their lives. The SPLM was based on a system of Liberation Councils (LCs), as mechanisms, processes and democratic institutions through which citizens and social groups articulate and mediate their differences and exercise their rights, freedoms and obligations. The Boma became the basic political and administrative unit and the cornerstone of SPLM administration. Several Bomas have formed a Payam, several Payams a County, and several Counties a Region, and the five Regions have constitute the New Sudan, and the Liberation Councils has

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<sup>493</sup> Interview with Rev. Mark Nickol, an American missionary working in southern Sudan, Nairobi, January 18, 1996. See also DHA, OLS Review, pp. 81-88

<sup>494</sup> Interview with (Rt.) General John Okwahi, Deputy Governor of Equatoria Region, Yambio, August 26, 1997

<sup>495</sup> SPLM, Vision and Programme of the Sudan People's Liberation Army, Nairobi, March, 1998, p. 13

been established at all these levels. This democratisation process has put the movement in a much more favourable position in terms of external resources needed for rehabilitation and development. In this respect, the development of the Ground Rules was seen in relation to the SPLM/A's attempts to develop the basis of a civil administration in South Sudan.<sup>496</sup> Thus, the democratisation process embraced by the movement also included the establishment of the legal system.

#### 4.3.1. ESTABLISHMENT OF THE LEGAL SYSTEM

The third impact of humanitarian norms and rules on the behaviour of the opposition movement is to do with the establishment of some form of a legal system. Rule of law is also important in conflict prevention and management. The events described early in this chapter have shown that unfair judicial system can support the arbitrary use of power. This was the case in 1980s and early 1990s when many SPLA commanders were engaged in serious human rights violations in Southern Sudan. By the middle of 1990s the donor states' capacity building programme, especially the US STAR programme, helped build the foundation for the rule of law in the opposition movement controlled areas of the south. This material aid had positive impact because it enabled the SPLM/A to develop its own penal code to govern the conduct of its armed forces, as well as those of its non-combatant civilian population. A British relief worker in Southern Sudan was asked by a member of one of the drafting groups to provide a copy of the British Constitution so that it could be studied along with the American model.<sup>497</sup> The SPLA Code defined the new political system and its various organs as well as the rights of the people within the system.

*Corruption threatens everything and everybody. It is a major obstacle to economic development, and even before we reach that stage, corruption can seriously jeopardise and even destroy the liberation movement. The SPLM will therefore vigorously combat corruption at all levels of the Movement, so that it is completely eliminated. To this end, combating and elimination of corruption, the SPLM shall establish an Anti-corruption unit, a sort of Ombudsman, to fight corruption, as an independent organ. Laws governing it shall be enacted. Corruption must be ruthlessly combated at all levels, so that good governance becomes a*

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<sup>496</sup> DHA, OLS Review, pp. 54, 66

<sup>497</sup> Interview with an Oxfam-UK official, Yambio, South Sudan, September 15, 1996

*basic character of the New Sudan. Public property in the form of immovable and movable assets, cash, title deeds, etc, belong to the Movement and no single person, be he/she a civilian or soldier, is allowed to use it for private ends, and in the interests of accountability and transparency, public property must always be disbursed by a three man committee. The SPLM shall establish at each level, from the Boma to the national level, a sound financial system that is based on the committee system and periodic auditing to ensure transparency and accountability, and thereby combat and eliminate corruption. The severest of punishments, as prescribed by law, shall be meted out to corrupt officials in all departments and branches of the SPLM, so that corruption is completely eliminated, and a healthy environment created for rapid socio-economic development of the New Sudan.*

The SPLA Code is basically secular. It listed substantive offences that were military in nature: mutiny, disobedience of lawful orders, drunkenness on duty, desertion and theft of firearms.<sup>498</sup> It also established economic, cultural, social and foreign policy guidelines. The Code, however, also attempted far-reaching regulation of civilian life, criminalising for civilians the following actions: posing as soldier, robbery, theft, criminal breach of trust, forgery, rape, traffic in kidnapping of minors. These acts are crimes for the military also. The Code also punishes failure to produce food, to observe sanitation and dress standards, and indolence, and provides for game preservation.<sup>499</sup> In a more serious class than any of these offences, however, forbidden to civilians and military alike, is that of being an “enemy of the people”. The offence, which reflects the Soviet/Cold War origins of the 1983 SPLA Code, provides the greatest opportunity for abuse since its provisions are vague and overly broad. An enemy of the people includes “members of the SPLM that may break away from the principles of the people’s socialist movement” and “individuals or groups of people who propagate or advocate ideas, [ideologies], or philosophies, or organise societies and organisations that tend to uphold or perpetuate the oppression of the people or their exploitation by the Khartoum or similar bourgeois system”.<sup>500</sup> Accordingly, customary southern Sudanese law still applies to civilians.<sup>501</sup> According to Ambrose Ring Thik, SPLM/A Chief Justice, a number of laws were

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<sup>498</sup> SPLA, The SPLA Penal Code, New Sudan, 1995, sections. 26-34

<sup>499</sup> Ibid., Penal Code, sections. 35-50

<sup>500</sup> Ibid., Penal Code, sections 10, 10 (c), 10 (f)

<sup>501</sup> Under the SPLA Code, similar to the British system, the customary courts do not have the power to sentence defendants to death nor long-term imprisonment.

enacted during 1995 to protect civil rights.<sup>502</sup> Since the establishment of the legal system in the Sudan in 1995, unnecessary misconduct by soldiers has been reduced drastically, except in some areas of Upper Nile and Bahr el Ghazal regions which experienced tribal violence. The provisional Constitution was significant because it defined responsibilities and procedures; what constitute a crime, who can carry out an arrest, under what circumstances, the length of detention, and through what procedures. It defined the penalties for those who abused their authority by false arrest or detention, illegal search, as well as for use of torture during interrogation.<sup>503</sup> But an unpredictable civil war environment has shown that a law in itself is no guarantee of protection of rights or justice. Accordingly, the actual extent and rigour of the application of the SPLA Code is hard to determine. Chief Justice Ring Thik admitted that there were still many problems to overcome in the application of the law: “There are still abuses and errors made because some representatives of the civil and military authorities do not yet fully understand the laws and have been under-trained. Not all judicial personnel have backgrounds in law and there are not enough lawyers in the New Sudan. It takes time to educate the public and train legal staff, and many laws have only recently been approved while others are still under study”.<sup>504</sup>

It is not just the lack of trained judicial personnel which was a threat to the opposition movement’s legal system, but the ignorance of the many commanders about the existence of such Code also contributed to the continued violation of human rights. According to one senior commander, the code was given to each commander, who was expected to explain the law to his soldiers as part of his responsibility to lead and control his troops.<sup>505</sup> However, a copy of the code was extremely hard, if not impossible, to come by in the field. Many told this author that commanders deliberately ignored; it obviously was not followed if it was not available to those who should be administering it. It is difficult to know how the rudimentary judicial system functioned in all parts of Southern Sudan under the control of the SPLM/A. However, a major defect in the SPLA Code was its lack of procedural guarantees or any procedural guidelines. For instance, there was no limit

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<sup>502</sup> Interview with Ambrose Ring Thik, SPLM/A Chief Justice, Nairobi, September 10, 1997

<sup>503</sup> SPLA Penal Code, sections 35-50

<sup>504</sup> Interview with Ambrose Ring Thik

<sup>505</sup> Interview with a senior SPLA Commander, Akot, New Sudan, August 23, 1996



on the time any accused persons could be held for investigation and no requirement to bring him to trial within a certain time period.<sup>506</sup> Prolonged arbitrary detention – for years – of dozens of political prisoners was the result. Nor is there any rule of law available to guarantee a fair trial. The lack of procedural guidelines gave absolute discretion to military officers and others unrestrained in the law. It is not surprising that by 1996, there was pressure from local and international non-governmental organisations for a revision of the SPLA Code. According to Chief Justice Ring Thik, the SPLM/A leader Dr. Garang has asked those Sudanese with legal expertise to read and review the code. It was also clear from the Chief Justice that the draft of the penal code will be put to a referendum before it is formally signed by the leader of the movement. However, the significance of the legal system should be seen from the extent to which it allowed some form of civil society to emerge in an environment of ongoing civil war.

#### **4.3.2. THE ROLE OF CIVIL SOCIETY IN THE OLS SYSTEM**

The fourth issue that these political changes within the opposition movement triggered was the emergence of some form of civil society. Given the lack of good governance discussed above and the inadequacy of the rebel movement's mechanisms to resolve them, it is understandable that increasing numbers of citizens have considered civil society as a way to enhance public participation, consultation, transparency and accountability in the rebel movement. Throughout the OLS period mentioned in this thesis, international community had laboured to couple top-down democratic reform with substantial support to grassroots civic initiatives that can provide ways of getting around the stultifying ethnopolitical divisions, even though they did not fully meet the numerous demands of physical and social reconstruction.<sup>507</sup> Their capacity building efforts enabled civil society (NGOs, religious organisations, and so forth) to become a key in managing and moderating the effects of the war on civilians by broadening participation, engendering debate, enhancing accountability, and providing war-victims in the OLS Southern Sector with a political voice. Though much of this activity has emerged in Equatoria

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<sup>506</sup> SPLA Code, sections 10, 10 ( c ), 10 ( f )

region, it has been stunted in Upper Nile and Bahr el-Ghazal. This is because historical ethnic animosities and political inertia and the utter absence of a civic culture, as well as the deep unhealed wounds and suspicions left behind by the split of the SPLA into Dinka versus Nuer, have made it difficult for those within these critical communities to translate into action even the most sincere wishes to restore fragile social bonds. Broadly speaking, however, civil society in the OLS Southern Sector was associated with the establishment of a set of social and political virtues described as “civility”<sup>508</sup>: respect for rule of law and common standards of international behaviour. Monitoring and reporting of human rights had helped ensure that the SPLA soldiers do not violate, with impunity, the rights of the civilian population. The significance of this point can be gauged from the fact that the absence of a strong civil society during the period 1986-89, and the consequent weakness of civic virtues became tumbling blocks to the establishment of the rule of law in SPLM/A controlled areas.<sup>509</sup> But with the establishment of OLS in 1989 as a solution, and the subsequent acceptance of the rebel movement to reform itself, some form of civil society emerged in the Southern Sector. The southern Sudanese academics, lawyers, journalists, teachers, religious and women associations, which played a significant role in the SPLM/A democratisation process, constituted a civil society.

During the past eight years, this civil society was not only part of the solution to the humanitarian emergency, but it also articulated normative values and democratic sensibilities. In other words, the language of civil society was an expression of the values of globalism, and it identified with the human suffering in southern Sudan. This “self-organising” or “autonomous” quality of civil society allowed associational life to act as both a staging ground for opposition to the war policies of the SPLM/A and the basis for mobilising plural, popular agencies as an alternative site of politics in an evolving form of democratic governance in non-government areas of Southern Sudan. These non-governmental humanitarian players

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<sup>507</sup> Much funding for civil society came from the European Community. See ECHO, Global Plan II. Second Global Package of Humanitarian Aid to the Sudan and Sudanese Refugees, Brussels, European Commission Humanitarian Office, April 1994

<sup>508</sup> In the context of this thesis, “civility” is principally conceived in relation to the preservation and management of humanitarian operation. The norms of behaviour demands that warring parties respect the impartiality and neutrality of relief aid.

<sup>509</sup> Charles Lamuniere, Mission to Sudan and Kenya: 28 to 30 November and 4 to 6 December 1992, Geneva, Department of Humanitarian Affairs, December, 1992, pp. 4-10

- New Sudan Council of Churches, Sudan Law Society and Sudanese Women Voice for Peace (SWVP) - became fora where citizens, regardless of their political, ethnic, or religious affiliation, can assemble and freely express their views and address community needs in an environment of co-operation. It is arguable that humanitarian norms offered opportunities for the various sectors of society to help articulate national goals and projects and to join debates about the future shape of New Sudan.<sup>510</sup> For this participation and debate to be effective, many different humanitarian players must be mobilised, especially activists who can represent the war-victims. This process of mobilisation began in April 1994, when the SPLM/A leader, Dr. Garang charged military, politicians, local professionals and OLS agencies to draft a document identifying the institutions of civil governance. The humanitarian conference proposed measures to strengthen the judicial system and ensure law and order. Important as this initiative may be for good governance and procedures, however, the real key to the successful democratisation of opposition movement was mobilisation at the grassroots level – the community, payams and counties – around the search for solutions to the problems of war.

The Sudan Law Society (SLS) work challenges much of the conventional thinking on the role of civil society in democratisation not only in the OLS Southern Sector but more generally. It is often assumed that civic institutions act as a natural counterweight to the powers of the state and have vested interests in democratic developments because that is how their autonomy is secured. In the same manner it is assumed that civil society will almost naturally evolve as a force for democratisation when human rights are abused or undermined. From the start of the formal process of the 1983 of the SPLM/A provisional Constitution in late 1995, the SLS has sought to set the parameters of the constitutional discussion and suggest signposts for public discussions on the review of the constitution and engage civic institutions in that process. In such a complex situation of the ongoing civil war active steps were required to reverse a tide of ethnic animosities and violence which required the mobilisation of the civic rather than the state sector institutions. However, since 1991 split of the rebel movement into hostile ethnic armed factions,

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<sup>510</sup> It can be argued that the Ground Rules relative success in encouraging democratic governance also encouraged the development of civil society. In the Southern Sector context, development was defined in terms of the active promotion of civil society, democratic governance and liberal economic policies, and structures that protect human rights.

civic institutions have generally tended to reflect the same divisions that have come to characterise the liberation struggle in Southern Sudan. So, for example, there were many religious and grassroots leaders who supported the opposition movement even if there were serious human rights violations. There were groups within civil society that in a patterned manner fell on one or the other main sides in the aftermath of the split. At the same time it is far too simplistic to say that there were only two sides. To straightjacket all shades of opinion into two blocs is to deny that differentiation exist in Southern Sudan as indeed in all other societies. Besides the overwhelming identification with tribe, people have numerous other basis for their political and social associations. These include gender, and religious affiliations. Even within the Dinka and Nuer tribes categories there are diverse groups. At the other end, the southern Sudanese community comprises a number of linguistic and traditional groups with widespread social and cultural differentiation. By locking them all into two main ethno-political ideologies (e.g. Dinka versus Nuer), incalculable harm is done to the nature of the democratisation process going on in non-government areas of the Sudan. The quality of human rights debates in recent times amply demonstrates the consequences of the liberation struggle ethnic preoccupation.

In such debates important national policy considerations are reduced to some form or the other of tribal bargaining. This distorts the capability of national institutions to deal with what clearly are national, rather than ethnic issues. In this regard the SWVP and the NSCC have created an alternative and people-based space where Southern Sudan diverse civic institutions can participate in discussions about problems that it faced and explore ways of dealing with them. Such a space also facilitated a modest level of direct interaction between civic institutions and the ethnic-based armed factions so that the diversity of opinions and interests are given expression. More important, however, such a space also provided citizens with an opportunity to discuss political issues without the overbearing influence of ethnic-centred political movements enabling consequently a slight erosion of the monopoly of political groups over the political and constitutional discourse. Being an open forum rather than a structured organisation has enabled the two institutions to continue to project a national agenda and a national point of view in relation to critical constitutional and political issues. In ethnically torn societies forums that are open to all communities and where informed debate and discussion can take place

on even the most sacred of political issues are exceptions rather than the norm. Clearly, the NSCC and SWVP have had no parallel since the opposition movement cave in to international pressure for democratic reform. Both the NSCC and SWVP can best be conceived as a people-based space that existed in a violent and uncertain war environment. They also provided a vehicle for building consensus progressively without subjecting individuals to defending what are widely regarded as entrenched ethnic positions. The SWVP and NSCC approach seeks to anchor democratic change directly amongst the people rather than solely amongst armed factions and political leaders. This can happen if governance discussions largely take place in the public fora. So that civil society is not disadvantaged when dealing with complex political issues such as alternative self-determination contained in the IGAD Declaration of Principles, civic forums like the SWVP needs to enhance the capability of civic institutions and ordinary citizens to deal with them through education campaigns. Quite appropriately, this was a high priority on the SWVP and NSCC agendas. Given their contribution to the process of democratisation in the OLS Southern Sector, it can be argued that the civil society in Sudan has represented that space occupied by associations which, although working in collaboration with the opposition movement and international non-governmental organisations (INGOs), were officially independent and ultimately only accountable to their international membership. As discussed above, INGOs were fundamentally pressure groups that did not contest the overall legitimacy of a specific warring party, but merely sought to alter the military policies and strategies of the parties to the Sudan conflict. While the factors in the rebel controlled areas were an obvious and vital aspect of explanation as to why the opposition movement changed its violent policies into political reforms, they were also seen in terms of their relationship to the humanitarian imperatives.

#### **4.3.3. FACTORS CONTRIBUTING TO NORM EFFECTIVENESS**

The argument of this section is that humanitarian norms and rules alone would not have had much impact without the role played by other actors. Although it is true that the democratisation process that took place within the opposition movement in the mid-1990s was a result of the effects of the Ground Rules on the behaviour of the SPLM/A, I argue nevertheless that such shaming devices would not have had

any impact on their own if the UN and its donor states did not condition resources to an improvement in human rights in the Southern Sector.<sup>511</sup> This argument is fully in line with the constructivists position regarding conditions (material interest norm salience) on which humanitarian action can be successful. In this case, the rebel movement was confronted by four major enormous pressures to continue with democratic reforms.

The first pressure, which contributed to the rebel movement change of behaviour, was the collapse of the Mengistu Haile Mariam Marxist regime in Addis Ababa (Ethiopia) in 1991. The fall of Mengistu regime was significant because it caused the SPLM/A to lose its political and military sanctuary in Ethiopia. The relevance of this events to this thesis is that for the first time in the history of the rebel movement, Dr. John Garang leadership was challenged over human rights issues, among other demands which are beyond the scope of this study. On 28 August 1991 three top commanders of the SPLM/A, Dr. Riek Macar, Dr. Lam Akol, and Gordon Kong Chuol, declared that they had removed Dr. Garang in order to end his human rights violations.<sup>512</sup> The coup leaders accused Dr. Garang of ruling the movement autocratically, jailing officers who challenged him, and forcibly recruiting teenagers into the SPLA.<sup>513</sup> The issue of human rights was well received by the people of Southern Sudan and relief agencies who had suffered greatly as a result of the SPLA war strategies. This led to the need by the rebel movement leadership to rethink their attitude towards the civilian population, as well as to those who assisted the war-victims. According to Dr. Samson Kwaje, SPLM/A Secretary for Education and Culture, the weakness of the Movement was that it did not succeed in developing itself into a mass-based political movement or in building a viable alternative civil administration in the areas it liberated. Even though it is true that internal schism within the rebel movement was responsible for the changes that took place during 1992-96, it has to be noted here that the split

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<sup>511</sup> It seems that the decoupling between norms and behaviour may be a common state of affairs because to secure resources from the external environment organisations, any organisation must honour externally legitimated norms and at the same time efficiently provide technical and material resources to its constituents. See Brunsson N., *The Organization of Hypocrisy: Talk, Decisions and Actions in Organizations*, Chichester, John Willey & Sons, 1989, p. 7, 168

<sup>512</sup> SPLM-United, Press Conference, London, August 21, 1991. The reader should bear in mind that other smaller SPLM/A factions are beyond the scope of this thesis.

<sup>513</sup> *Ibid.*, 1991

alone, without international pressure in the form of UN and member states, would not have led to the type of democratic governance that the SPLM/A embraced.

The second pressure was from the United States in the form of Ambassador Donald Petterson, who visited SPLM/A leader Dr. John Garang in February 1993. His dialogue with the opposition movement leadership pushed the momentum for the development of an open civil society.<sup>514</sup> The intervention of the US did not come as a surprise to the Sudan observers. For the US, relief aid was a conscious element of winning the hearts and minds of the civilian population of South Sudan in its war of words with the Islamist government in Khartoum. As discussed in chapter 3, the point was to use assistance to affect the outcome of the war in the pursuit of Washington's interest in the Horn of Africa. In fact, in his talks with the political leaders of the opposition movement, Ambassador Peterson raised two issues in support of his demand for good governance. The first one was that OLS programmes – which the movement so desperately wanted - would not be effectively implemented unless there was some form of civil administrative machinery to work alongside OLS. The second issue was that the US Ambassador encouraged the SPLA leadership to adopt definite measures of liberalisation.<sup>515</sup> Given the US significance as an important ally to the rebel movement, the SPLM/A leadership was left with no illusion of Washington's commitment to good governance. The US government has undertaken a number of related tasks in support of a more stable environment in the opposition controlled areas.<sup>516</sup> Much of the work focused on establishing sound institutions in support of the rule of law and effective democratic mechanisms for encouraging wider participation and

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<sup>514</sup> Interview with a senior US Embassy official, Nairobi, October, 21, 1996

<sup>515</sup> The hidden hand of Adam Smith free-market policies were very much in the minds of Washington's decision-makers. The demand for liberalisation in a war-environment has illuminated the fact that political leaders in Washington have found that the interest of the US are better served by recognising a rebel movement that occupies an economically significant territory, but which lacks juridical independence.

<sup>516</sup> The US government has supplied humanitarian assistance to the Sudan, and mostly to the SPLM/A controlled areas of southern Sudan, in the amounts US\$ 60.2 million in fiscal 1992, \$99.6 million in fiscal 1993, and \$70.8 million in fiscal 1994 (October 1993 through May 1994, eight months). These information was contained in the USAID/Bureau for Humanitarian Response/OFDA, Situation Report No. 11, Washington D.C., USAID, May 24, 1994, p. 4. Chapter 3 of this thesis has also shown that by the end of 1996, this amount was increased substantially.

accountability in the political process.<sup>517</sup> Working in conjunction with NGOs, Washington also supported activities designed to develop civil society organisations and to encourage reconciliation and peaceful methods of conflict resolution (these issues are discussed below). Washington also supported programmes designed to alleviate poverty and foster economic development in the SPLM/A areas of Southern Sudan.<sup>518</sup> Political and material support for OLS Southern Sector operation had to be cobbled together through a time-consuming diplomatic process. OLS operation in the opposition territories was sustained largely because of Washington's willingness to absorb many of the financial costs of its own contribution to the operation.

The third pressure was from the European Union, or EU. While the EU development aid to Sudan remained suspended because of the GOS radical Islamic orientation and abuse of human rights in Southern Sudan, EU took up strengthening of civil society as a specific aid objective.<sup>519</sup> In the decision authorising linkages between the EU and the opposition movement, it was viewed by the Commission as an 'essential condition for building the rule of law in non-government areas.'<sup>520</sup> Because of the importance of democratic principles and human rights in the relations between EU and SPLM, 'democratic governance was given special attention in the opposition movement areas. Since 1995 the EU has supported OLS projects promoting a democratic society, practices of good governance, respect for human rights and respect for the rule of law'.<sup>521</sup> Although earlier EU Sudan Global Plans emphasised short-term emergency interventions, later Plans reflected a longer-term planning horizon. Another component was EU's indirect financial support to local administration and the establishment of local councils in opposition movements' controlled areas. The transfer of democratic practices to the SPLM apparatuses was considered part of the strategy to implement elements of good governance in the opposition government controlled areas.<sup>522</sup> There were a number of advantages tied

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<sup>517</sup> USAID/OFDA, Situation Report No. 11, p. 6

<sup>518</sup> *Ibid.*, p. 10

<sup>519</sup> ECHO, ECHO Global Plan III: Funding Proposition for a Global Humanitarian Aid Plan in Favour of the Affected Populations of Sudan Both Within Sudan and in Uganda, Brussels, December, 1995

<sup>520</sup> Interview with Heather Elkins, Delegation of the Commission of the EC, Nairobi, May 15, 1997

<sup>521</sup> *Ibid.*

<sup>522</sup> European Commission Humanitarian Office, ECHO Global Plan II: Second Global Package of Humanitarian Aid to the Sudan and the Sudanese Refugees, Nairobi-Brussels, December, 1994, p. 5



to the idea of promoting democratic governance as a foreign policy issue in the Horn of Africa. First, ‘democracy’ and humanitarian aid were probably the most effective civilian non-military means that the EC/EU had at its disposal to promote regional stability and thereby enhance European security. As Stefan Schirm explains: “Because the EU’s international ‘power’ is of an economic nature, and because the EU members do not agree on a common military security policy, a socio-economic approach to CFSP is the more appropriate option. Europe can focus on its specific strength as a civil power in order to promote ‘stability transfer’ as a preventive security policy”.<sup>523</sup> Second, the positive attitudes towards good governance and human rights in Western Europe could contribute to create and strengthen popular support to the ambitious goal of having a Common Foreign and Security Policy, if promotion of such values were conspicuous and integrated elements of the CFSP.<sup>524</sup> So, the promotion of democratic governance as a prominent theme in the foreign policy of the EC/EU could contribute to the existing good image of donor states in the Horn of Africa, particularly in the Sudan.

From the constructivists perspective, these two motives show that EC/EU support for OLS was guided by both self-interest and a relative commitment to Western humanitarian values. Although – as seen in chapter 3 – humanitarian norms reflected the policies of donor governments, they enabled donor states and their development agencies to dialogue with the opposition movement.<sup>525</sup> They were to one extent or another the result of donor sanctioning behaviour.<sup>526</sup> Accordingly, they were the result of self-interested voluntary choices. Motivated, it seems, by a concern for human rights and a sense of urgency in the face of the scope of humanitarian disaster in the Sudan, the United States and other Western

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<sup>523</sup> Schirm S., “Europe’s Common Foreign and Security Policy”, p. 76

<sup>524</sup> *Ibid.*, pp. 70, 78

<sup>525</sup> In fact, OLS survival in an unpredictable war environment has depended much on its donor governments’ commitment to maintain political pressure on the Government of the Sudan (GOS), and the Sudan People’s Liberation Movement and Army (SPLM/A). Moreover, the ability of SPLM/A to respond to political as well as to economic conditionalities discussed in chapter 3, was extremely limited; the movement was heavily relying on OLS to feed its population.

<sup>526</sup> The inclusion of such programmes into the OLS Plans of Action was done by donor governments, particularly European Community Humanitarian Office (ECHO). These programmes are contained in ECHO Global Plan I: Global Humanitarian Plan in Favour of the Affected Populations of the Sudan, Brussels, April 1994; ECHO Global Plan III: Second Global Package of Humanitarian Aid Plan in Favour of the Affected populations of Sudan Both Within Sudan and in Uganda, Brussels, December, 1995

governments intervened in the affairs of the Sudan in the hope of contributing to peace in that country and beyond.

The fourth pressure emanated from the advocacy efforts of civil society. As discussed later on in this chapter, NGOs were also involved in human rights advocacy and development initiatives in order to attain some order in an ongoing war situation. Some humanitarian NGOs such as church groups were themselves federations representing their members in a centrally organised process in which co-ordination functions were already in-built. Through such initiatives, the community was educated on their role in promoting human rights as well as a solution to the conflict. The work of the Sudanese Women's Voice for Peace was one such effort. Other groups such as Sudan Working Group, People for Peace in Africa and the Horn of Africa local groups in Europe and North America were pivotal in keeping Sudan conflict on the regional and international agenda. They also engaged in promoting dialogue and negotiation among Sudan's warring parties. Their contribution to the development of democratic governance in the rebel held areas of Southern Sudan was acknowledged by the SPLM/A leader Dr. Garang: "...It is not only the gun that we need here, we are opening up everything. So, those who want to go into the army, will go into the army, but we have other fields. Those of you who are agriculturists, for instance, will be engaged in the agricultural field, those who are teachers will be absorbed in teaching. We are opening all fields and institutions; those of health, development, education, administration, so that the New Sudan actually grows..."<sup>527</sup> More generally, co-operation and co-ordination between NGOs themselves, and between NGOs and other organisations and actors involved in peace building in Southern Sudan was a positive one.

Such co-operation and co-ordination was based on a long tradition of shared experiences; it was an essential feature of everyday working activities, and it included not only planning, but also operational aspects of humanitarian action. However, NGO efforts would not have paid-off if it had not been because of the sanctioning behaviour of donor community; there is enough evidence in this thesis to prove that donor motivations for democratic governance, expressed in terms of political aid, were based on providing an arena for the development of other

dimensions of political culture: promotion of pluralism, supplementing the role of political movement in stimulating political participation, and respect for human rights. In order to secure external resources and diplomatic recognition, the opposition movement agreed to honour, in most cases in talks, international humanitarian norms and rules but at that same time acted in ways that often violated these norms. The realists see such a behaviour as a consequence of anarchy in which each actor is expected to guard its interest above all other things. I argue, however, that both egoism and altruism have contributed to saving millions of lives that would have perished if the donor states had not intervened. Within this context the practice of good governance emerged as a central part of what the UN and member states have to offer to the war-torn Southern Sudan. Thus, a combination of the donor states' sanctioning behaviour and international norms ensured that some form of democratic structures were established in the opposition movement's controlled territory.

#### 4.4. IMPACT OF CAPACITY BUILDING

As stated in chapter 2, the primary focus of OLS was to save lives, but by 1993 its action plans included the responsibility to foster national or local capacities to cope with long-term needs. This has already been sufficiently discussed in the OLS own review document<sup>528</sup>, and I will not be expected to rehearse those arguments here in detail. The shift in OLS programmes in the Southern Sector was from pure, relief-oriented interventions, to programmes aimed to rehabilitate rural production systems and social services in the context of protracted warfare.<sup>529</sup> With the reduction of conflict and the need to strengthen civil society, the United Nations included capacity building into its programmes. The language and images used when talking about capacity building were clarified, and I will only discuss here those capacity building elements relevant to the OLS Southern Sector. In the field of humanitarian

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<sup>527</sup> For recent speeches of the SPLM/A leader John Garang, see Elwathig Kamer (ed.), *The Vision of the New Sudan: Questions of Unity and Identity*, Consortium for Policy Analysis and Development Strategies, Cairo, Egypt, 1997, p. 71

<sup>528</sup> See DHA, *Operation Lifeline Sudan Review*, Nairobi-Geneva, July, 1996, pp. 180-4

<sup>529</sup> Blakeway S., *Evaluation of the UNICEF Operation Lifeline Sudan Southern Sector*, Nairobi, April 1995

politics, many people have relied heavily on the word capacity building<sup>530</sup> to refer to events and activities in which people are taught specific ways of responding to humanitarian emergencies. The emergence of capacity building as a distinct OLS project was initiated in June 1993, and “it was a genuine attempt by UNICEF to empower the Sudanese”.<sup>531</sup> UNICEF’s rationale was that capacity building can defuse potential hostilities, and assist societies in transition from violent conflict towards more normal political conditions and processes. This can occur at the micro-level, through aid to rebuild links between communities and to restore authority structures and local decision-making capacities. This solidarist view of capacitation was done through a series of workshops, as well as short-term courses. Whatever the weaknesses of the institutional capacity building policy, it is obvious from the rebel movement’s internal reforms discussed above that capacity building made significant contributions in the opposition movement areas. In a situation of ongoing civil war, any little progress should be acknowledged, particularly when compared to the past UN experiences in Somalia and Liberia, where even the little done was looted or destroyed.<sup>532</sup> There were, therefore, two important contributions directly related to capacity building – traditional grassroots peacemaking, and local structures for relief management,

#### 4.4.1. THE ROLE OF CIVIL SOCIETY IN PEACEMAKING

The argument of this section is that the use of humanitarian norms and rules as rhetorical devices for shaming allowed civil society to revive (through workshops, etc.) southern Sudanese traditional mechanisms for conflict resolution and management.<sup>533</sup> Non-governmental organisations (NGOs) at best embody values of liberalism and democracy, unsullied by more Machiavellian (realist) considerations

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<sup>530</sup> As Lederach puts it: “Capacity building implies that we are oriented toward expanding on what is already in place and available. It reflects an emphasis on the intrinsic value of people’s abilities and knowledge, and, at the same time, a recognition that increased insight, learning, and growth is necessary and possible. At the deeper level, the roots of the word ‘capacity’ provides us with an important philosophical orientation. It is built from “capable” – to be able, or to have the power to effect something.” John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies*, United States Institute of Peace Press: Washington D.C., 1997, pp. 108-9

<sup>531</sup> Interview with Sally Burnheim, UNICEF/OLS Communication Co-ordinator, Nairobi, April 14, 1996

<sup>532</sup> See, for example, Weiss & Minear, *Humanitarianism Across Borders*,

<sup>533</sup> UNICEF/OLS, *Report on Workshop on Humanitarian Principles for Sudanese NGOs*, 1995, p. 6

to which governments and the UN are prone, which are indispensable ingredients of a civil society.<sup>534</sup> Although UN agencies were wary of getting directly involved in the issue of peacemaking because the concept of peace has a political connotation, OLS commissioned document on humanitarian values – discussed in chapter 2 - supported and encouraged the revival of traditional Sudanese mechanisms for conflict resolution. The document acknowledges that:

*Peacemakers played an important role in limiting actions of reprisal and in stopping cycles of revenge. In Eastern Equatoria this peacemaking role was played by Rainmakers and other incumbents of sacred power. Persons seeking a non-violent settlement of a conflict could seek sanctuary at the Rainmaker. With his or her power over the elements, the Rainmaker could coerce parties in conflict to accept the terms of an agreement...Inside the community the Rainmaker was supposed to transcend factional and clan divisions, and propose solutions to conflict that put the interests of the community above that of the conflicting parties. In other Nilotic groups it might be played by prophets, so called spear-makers. Outside the community, women and blacksmiths acted as mediators. They moved freely between enemy lines.<sup>535</sup>*

OLS support for this kind of politically sensitive programme was usually through providing the necessary logistics, and some times funding, to NGOs involved in organising them. Since the mid-1990s, donor governments and NGOs have adopted an even more comprehensive view of the Sudan civil war and identified the need for a multifaceted approach that supported a sustainable grassroots peace in Southern Sudan. Accordingly, grassroots peacemaking or bottom-up approach was an attempt by relief agencies to transform hostile and violent operational war environment into an environment where normality can prevail. In the broad view, this conceptual framework responds to the set of needs and challenges confronted by war-victims. It is meant to address the social dynamics of building relationships, and the development of supportive structures and institutions. Some relief officials interviewed by this author acknowledged that the most desirable solution was to prevent the recurrence of conflict through policies aimed at the reconciliation of

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<sup>534</sup> For a general discussion of the role of NGOs in conflict resolution, see Feargal Cochrane, "Beyond the Political Elites: A Comparative Analysis of the Roles and Impacts of Community-Based NGOs in Conflict Resolution Activity", *Civil Wars*, Vol. 3, No. 2, Summer 2000, pp. 1-22

<sup>535</sup> Simon Simonse, *Human Rights and Cultural Values*, p. 19

divided communities.<sup>536</sup> From this perspective, grassroots peacemaking became an instrument for constructing a more stable humanitarian environment. The bottom-up approach was rooted in an assessment of two important features of the situation in Southern Sudan. First, since the outbreak of the war in 1983, the formal, political infrastructure of the region had disintegrated. Second, southern Sudanese have a rich history of traditional mechanisms for dealing with disputes. Given this background, efforts to identify national leaders or convene peace conferences relying on common diplomatic devices, such as bringing together warring parties, would create a superficial structure unable to sustain itself. Instead, the most promising approach would be to develop a process that builds on the traditions of the Sudanese people. Indeed, consistent with OLS policy of capacity building and support for a peace constituency in Southern Sudan was the need to build on the cultural and contextual resources for peace and conflict resolution present within the war setting. Apart from delivering relief food, there were also innumerable NGO supporting initiatives designed to help the churches play a peace-making role.<sup>537</sup>

OLS played an important role in this situation by providing logistics to grassroots peace workshops and short-term training courses on peacemaking and monitoring. These workshops complemented humanitarian norms and principles and the policy of constructive engagement at the local and national levels because they were meant to change attitudes, and attitudinal change in the service of reconciliation objectives. A major initiative by UNICEF was to train community leaders from all walks of life. The initial workshop began with a regional seminar in March 1995 that brought together church representatives from all the areas controlled by the SPLM/A; these representatives were given the responsibility for implementing workshops at the grassroots level. In most of the areas where these kinds of workshops took place, positive steps to maintain the peace were implemented. A variety of experiments were tried with local peace monitoring and peace commissions. In 1996, for instance, the New Sudan Council of Churches

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<sup>536</sup> A more critical view has been offered by Roland Paris who argues that: 'A single-paradigm – liberal internationalism – appears to guide the work of most international agencies engaged in peace-building. The central tenet of this paradigm is the assumption that the surest foundation for peace, both within and between states, is market democracy, that is, a liberal democratic polity and a market economy.' Ernie Regehr, "The Challenge of peace-building", *Ploughshares Monitor*, No.16, December, 1995, p. 3

<sup>537</sup> UNICEF/OLS, Report on Workshop on Humanitarian Principles, pp. 1-3

trained local peace monitors in Kenya in interpositioning to strengthen cease-fires and peace agreements, and ultimately to develop institutional capabilities to peacefully transform local conflicts.<sup>538</sup> That is what one senior relief aid official dubbed as “Field Diplomacy”,<sup>539</sup> which means sending non-governmental teams to areas of conflict on a long-term basis to stimulate and support local conflict prevention initiatives. In the OLS context, the primary aim of field diplomacy was the creation of a network of people based on trust. Such a bond of trust was necessary for the observation of the dynamics of conflict, for timely taking of measures, such as keeping open the channels of communication between the parties in conflict, the creation of a favourable climate for exploring solutions, the development of a constructive culture of conflict, giving advice and evaluating governmental peace proposals or deals.<sup>540</sup> A number of other important programmatic efforts aimed at promoting field diplomacy at the grassroots level suggest a broader scope of possibilities. Three examples of peace-building efforts targeted at the grassroots level took place in the Southern Sector, where initiatives emerged from both the churches and UNICEF.

The first initiative was that of 1995 Ikotos conference, which attracted more than 200 people from different villages of Torit county. Church-initiated Ikotos conference was conceived as a way to open up and deal with conflict and peace issues in the Southern Sudan setting, with a specific focus on the county (district) and payam (sub-district) levels. The Ikotos conference brought together political, military and church representatives from Torit county; these representatives were then given the responsibility for implementing workshops at local levels. An integrated approach was taken to the content of the workshop discussions, which ranged from topics such as religious perspectives on war and peace, to family and the Church involvement in conflict resolution, to issues of human rights and good governance. The aim of such peace workshops was to deal creatively with the conflict, violence and militarisation that confronted local communities, especially their jobless youth. The Ikotos conference not only captivated audiences but also

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<sup>538</sup> NSCC, Report on Interpositioning Workshop, March 15, 1996, p. 3

<sup>539</sup> Dr. Reginald Moreels, “Ideas on Humanitarian Aid, Interventions and Field Diplomacy”, London: A paper presented to the International Alert Conference on Conflict Prevention and Resolution, November 15, 1997, p. 8

<sup>540</sup> Ibid.

served as a way to publicly grieve over the losses the communities had suffered, but also address concerns of the people, and to set the stage for changes and movement toward peace in the county. Following the Ikotos Conference (a peace initiative that addressed intercommunal violence in Equatoria region of southern Sudan), Bishop Paride Taban of the Catholic Church of Torit formed an association of peace scouts to act as a peace monitoring mechanism in support of the Ikotos agreement. Sixty monitors – trained by this author – were selected from numerous villages. The scouts were charged with reporting violations of the Ikotos agreement to the elders of the village.<sup>541</sup>

The second example from the Southern Sector was the effort of UNICEF, which integrated conflict reduction approaches within broader community and public health programmes that dealt with trauma. Conflict resolution components included training in dealing with community conflict and violence, and reducing prejudice and enhancing community decision making. The workshops were conducted in OLS approved locations as part of the health-delivery system, and drew on resource teams made up of conflict resolution trainers, public health officials and counsellors. In most parts of Southern Sudan, this author facilitated more than twenty workshops which integrated health care with conflict resolution and community reconciliation. The project showed concern, namely the restoration of public health, as a vehicle to convene, engage, and train health Church professionals in conflict management and community reconciliation techniques. My main task during 1995-97 was to train grassroots peacemakers. The purpose of peace workshops was to empower religious communities to take the initiative in pursuing a variety of peace building activities, including, but not limited to negotiation and mediation. I was inspired by the belief that developing a critical mass of support for such activities among grassroots Christian communities is essential to overcoming the stranglehold of ethnic division on both individual and collective spirit.

A third example from the OLS Southern Sector was a Church-UNICEF collaborative effort to bring peace among two Nuer clans in Upper Nile region. This peace effort was successful because mobile peace committees were formed that

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<sup>541</sup> Inter-Church Committee, Inter-Village Peace Meeting, Diocese of Torit, southern Sudan, November 11, 1999



included community and church leaders, who were tasked with travelling to fishing holes and cattle camps to explain, monitor, and promote the peace agreement. The agreement was commemorated in various locations by re-enacting the covenant's sealing and sacrificing animals. Since the conference, small peace meetings were held throughout the Upper Nile region, during which traditional methods of conflict resolution were discussed.<sup>542</sup> In Nuer areas of Upper Nile, especially since the Akobo Peace Conference, the chiefs reasserted their authority in the area of customary law, with the support of military commanders. In these areas, the concept of *cieng naath* – or covenanting – was a key mechanism for solving conflict in the family, as well as between larger social groups (indeed, it was used in the Akobo Conference).<sup>543</sup> In Otuho areas in Eastern Equatoria, community leaders were updating, monitoring, and enforcing customary law in the context of the locally initiated process of *emwara* (reconciliation). In Xande areas in Western Equatoria, a museum of culture was established and interest in local laws increased.<sup>544</sup> The importance of these grassroots efforts cannot be underestimated. Local dispute resolution mechanisms were yet another indigenous, grassroots-level effort to manage conflict and build peace. Traditional courts at the local level had stabilising influences within and between communities. In some parts of southern and central Sudan, communities were reviving their culture by solidifying and updating traditional law – their reason for doing so was to combat the breakdown of order and values accompanied the endless civil war and was intensified by the inter-communal and inter-factional fighting that plagued the region during 1991-3.<sup>545</sup>

What stands out in all three of these examples is the effort to provide an opportunity for grassroots leaders and OLS agencies to work at the community level on issues of peace and conflict resolution. In all these grassroots peacemaking endeavours, the Church role was singled out as an important step towards a comprehensive reconciliation among the Sudan ethno-religious society. “We are grateful for the assistance the Church has provided from relief and rehabilitation to development, education and some aspects of governance...We take note of the

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<sup>542</sup> Julia Aker Duany, “Making Peace: A Report on Grassroots Peace Efforts”, Union Institute, October 1995, unpublished mimeograph

<sup>543</sup> William Lowrey, “The Role of Religion in Peacemaking and Reconciliation: A Case Study among the Nuer in Sudan”, Union Institute, 1994, unpublished mimeograph

<sup>544</sup> Interview with John Okwahi, Yambio, August 26, 1997

Churches' concerns toward peace process, especially that the IGAD Declaration of Principles (DoP) should be the foundation of negotiations. We urge you to continue with the participatory grassroots peace keeping models".<sup>546</sup> The peace keeping role mentioned in the Kenya Foreign Minister's statement refers to the peace monitors mentioned above. Programmes such as these frequently work through existing networks, such as churches or health associations. These grassroots-level programmes were also characterised by their attempts to deal with the enormous trauma that the war produced, especially among the youth. However, we should avoid the tendency to romanticise local and indigenous capacities for peacebuilding. While they are vitally important, it is often overlooked that traditional capacities for conflict management have failed (for a myriad of reasons) to manage or contain the conflict from becoming violent in the first place. Some traditional approaches to conflict management reinforce undemocratic patron-client relationships, and may have contributed to the conflict.

Indigenous capacities are often unable to mitigate the wrecking effects of regional and international influences. These may be political and military interventions, or regional and global trade which underpins the economic interests of armed groups. Indigenous or traditional capacities for dispute resolution or conflict handling are not always commensurate with the demands of contemporary conflicts. Consequently, there is a legitimate role for INGOs in supporting - but not supplanting - local organisations in peacebuilding. The Sudanese Women Voice for Peace (SWVP), a civil society initiative, has worked as both a facilitator and an advocate of democratic social change. The SWVP has sought to create a space for dialogue on a number of contentious national issues which simply would not otherwise have been addressed. Its work challenges much of the conventional thinking on the role of civil society in conflict prevention and democratisation within the opposition controlled areas. This is one important success of OLS capacity building. Indeed, OLS Southern Sector has shown that the process of advancing political negotiation at important cities, while very difficult and complex in its own right, is both a more formal and a more superficial process than the experience of reconciliation in which former enemies are brought together at the

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<sup>545</sup> NSCC, *The Issues in the Sudan Conflict, and the Prospect for Peace*, Nairobi, 1996, p. 18

<sup>546</sup> GOK, *Statement by the Kenya Minister of Foreign Affairs*, Nairobi, April, 1996, p. 15

village level. Apart from the grassroots peacemaking described above, the Sudanese churches also contributed to the national debate on what kind of political system (s) would be appropriate for the multinational state like Sudan. The Sudanese churches were active not only at the grassroots level through humanitarian relief assistance and peace building initiatives, but also at the national level. The document, *Here We Stand United in Action for Peace*<sup>547</sup>, which this author helped prepare, explained the Church position on the conflict. The Church role in building a foundation for reconciliation arose precisely because of the link between national and religious identity and the respect and influence that some religious leaders enjoy. They are based on an assumption that reconciliation after the past 14 years of bloodletting will require more than restoring tolerance, law and justice as important as these are.<sup>548</sup> While popular and civil participation in peace and conflict prevention processes does offer some hope of transforming conflict situations, they require international support. The case of OLS Southern Sector has shown that civil groups operate from a position of extreme vulnerability when they challenge the activities and interests of armed groups.

Thus, in the case of the Church, the formation of the Sudan Working Group (SWG) strengthened the Sudanese churches' efforts<sup>549</sup>, and it allowed many church agencies with active interests in the Sudanese peacemaking to collaborate at the regional level. Over the years, churches and their organisations were involved in peace and reconciliation initiatives at the local and national levels. The SWG comprised representatives from the New Sudan Council of Churches, the National Christian Council of Kenya, the All Africa Conference of Churches, Norwegian Church Aid, Nairobi Peace Initiative, and People for Peace. All of these groups had considerable experience in conflict mediation in Sudan. They were important not only because they supported IGAD in the quest for a GOS/SPLA peace agreement, but they also supported local reconciliation efforts in southern Sudan, where destructive inter-communal tensions flared. Material and financial support, as well

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<sup>547</sup> NSCC, *Here We Stand United in Action for Peace*, Nairobi, 1996, p. 5

<sup>548</sup> *Ibid.*, p. 6

<sup>549</sup> IGAD stands for the Inter-Governmental Agency on Development. It is a sub-regional organisation, which includes in its membership seven countries of Africa: Kenya, Uganda, Ethiopia, Eritrea, Djibouti, Somalia and Sudan. The significance of IGAD as a regional framework for conflict resolution is its role in the Sudan peace process. The IGAD Committee produced a document, entitled the *Declaration of Principles (DOP)*, outlining six principles to form the basis of negotiations.

as trained personnel helped local NGOs and communities develop grassroots conflict resolution and peacemaking programmes in the OLS Southern Sector. These programmes designed not only to address pressing disputes among communities and ethnic groups but also to impart enduring conflict resolution and peacemaking skills based on traditional social structures.<sup>550</sup> It is also important to bear in mind that it is difficult to build an effective and sustainable framework for preserving peace and security without some kind of normative underpinning. This means that the task of constructing appropriate peace-and-security mechanisms needs to be related to the challenge of building a community values at various levels of the country. In the case of the OLS Southern Sector, UNICEF was instrumental in the development and dissemination of a core of normative standards covering such areas as human rights, humanitarian principles and child rights.

#### **4 . 4 . 2 . LOCAL STRUCTURES FOR RELIEF MANAGEMENT**

The second impact of capacity building was the skilling of local structures for relief management. Resources for capacity building, which UNICEF and other NGOs gave in the context of acceptance of the Ground Rules provided a degree of leverage over the humanitarian wing of the rebel movement. The project promoted more effective relief, rehabilitation and development programmes through strengthening the capacity of indigenous organisations and communities to plan and manage community level relief and rehabilitation programmes.<sup>551</sup> In most parts of southern Sudan visited by this author, health services improved, and local professionals ran most of these health centres, a situation that was different from the early stages of OLS when foreign professionals effectively controlled such programmes. UNICEF and INGOs supported primary health care initiatives across southern Sudan. Coterminous with this extension of access was a phenomenal increase in the number of INGOs and the Sudanese NGOs (SINGOs) operating, or seeking to operate, under OLS. According to DHA review document, the growth in numbers of SINGOs was particularly noticeable following the 1992 agreement.<sup>552</sup> For example, while there were only two SINGOs (CRS & SMC) in mid - 1993, by early 1996 the number of

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<sup>550</sup> Interview with Jerome Zururu, Nairobi, NCA Southern Sudan Co-ordinator, June 23, 1996

<sup>551</sup> World Vision, Sudan: The Cost of continuing Conflict, p. 9

<sup>552</sup> DHA, OLS Review, p. 183

those seeking to register with OLS had reached nearly 30, out of which six signed Letters of Understanding with UNICEF.<sup>553</sup> Another achievement of capacity building contained in the OLS review document was the encouragement of Sudanese professionals to work among aid agencies. In 1996, there were over 200 southern Sudanese working for international aid agencies.<sup>554</sup> But the most significant achievement was to get the movements to discuss humanitarian principles. Given that OLS operated in an ongoing conflict situation, without any protection force, getting the warring parties to agree on Ground Rules was a key achievement of capacity building project. Capacity building support was also widely believed to have pressed SRRA to make significant organisational improvements over the several years.

#### **4 . 4 . 3 . THE DANGERS OF CIVIL SOCIETY**

One of the issues arising from the influence of the liberal political science debate on the international donor establishment is its particular normative approach to non-governmental organisations. The upsurge in enthusiasm among the donor establishment for supporting NGOs in war-affected countries has occurred simultaneously with renewed commitments to programmes aimed at the elimination of poverty. In current donor documentation, both aims are usually linked: support for civil society is not only about the promotion of democratic governance as an end in itself, but is also seen as instrumental in the removal of poverty. This section, however, argues that instead of empowering the poor, NGOs have become self-perpetuating, and opportunistic. It was stated above that the war had a devastating effect on agriculture and the rural economy and that aiding the people of a war-torn nation by rehabilitating and reconstructing their society became a delicate political process that required substantial financial commitment and programmatic coherence from the donor community and NGOs. It required a multi-faceted, co-ordinated effort to rebuild not only economic but also, and perhaps more important, social and political institutions devastated by war and violence, tasks for which the OLS system was ill prepared. The challenge was especially daunting because of factional fights and government obstruction, which resulted in the deaths of half a million

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<sup>553</sup>DHA, OLS Review, p. 183

people and the subsequent internal displacement over two million. But during 1993-6 when the GOS and the SPLM/A demanded that OLS move away from relief to development, the operational roles of NGOs as OLS implementers, grew tremendously during that period.<sup>555</sup> While NGOs were praised for their human rights advocacy, they, however, faced a tremendous challenge in creating productive and accountable relationships and building democratic components into their role in the international relief system in the Sudan. Even though NGOs have been commended for human rights advocacy, their role as OLS implementing partners has raised doubts about their commitment to community-based development. The recent donor emphasis on NGOs assumes that such support will benefit the war-victims. It therefore presumes to be readily connected to the international agency goal of poverty eradication. Unfortunately, in the Southern Sector, there is evidence that a considerable part of NGO activity did not necessarily lead to a reduction of poverty among internally displaced communities in southern Sudan.<sup>556</sup> I argue that casual linkages between NGO activity and democratic governance, and democratic governance and poverty reduction, are assumed without being critically examined in local contexts. Although NGOs were relatively successful in their human rights and protection advocacy, they were unsuccessful in implementing OLS Southern Sector's development objectives.<sup>557</sup> It was not difficult to find examples where NGO contributions appeared doubtful. This section examines some downsides of civil society involvement in humanitarian relief charity in the OLS Southern Sector – four weaknesses have been identified accordingly.

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<sup>554</sup>DHA, OLS Review, p. 183

<sup>555</sup> GOS/NGOs/UN, Agreements Adopted by the Joint GOS/NGOs/US Meeting, 25-28, Khartoum, January, 1993, pp. 1-4

<sup>556</sup> Operation Lifeline Sudan, as a UN humanitarian relief programme, was only dealing with policy and co-ordination issues; the implementation aspect of its programmes were done by non-government organisations. However, the failure of development efforts can be apportioned to the failure of the entire OLS system on which NGOs are members.

<sup>557</sup> The focus of programmes in the Southern Sector was different from those in the North. In the Northern Sector, "development" involved a transformation of the subsistence economy of rural areas, and pressure on the war-displaced to become part of a large, agricultural labour reserve. In the Southern Sector, programmes aimed at reinforcement of rural subsistence economies, and "development" was defined in terms of rehabilitation. There was a more sustained attempt by UNICEF, WFP and a number of INGOs to focus support on food production. There was also an attempt to refine understandings of food security and the food economy. In general, OLS programming moved away from a concern exclusively with relief aid, and toward tackling the problem of local manpower training or capacity building.

The first weakness of NGOs development efforts is to do with their attempt to create income-generating projects for the internally displaced population in southern Sudan. Both the beneficiaries and OLS officials accepted that the rehabilitation and development performance of NGOs fell short of reasonable expectations and that none of the players was immune of criticism. Critical issues such as women's workload and accessibility to information, resources and opportunities were missed. Instead, many NGOs, particularly the traditional ones such as Oxfam and World Vision International, focused their efforts in income generation through promotion of activities such as tailoring, needlework, food services and sale of crafts. What difficult to understand is the naiveté of these agencies to encourage such skills as tailoring and dressmaking in the Southern Sector's areas where the second hand industries virtually killed textile and dressing making business. In addition, profits from these businesses were so slow that women and other vulnerable groups who were taught these skills did not make enough income to support their families.<sup>558</sup> Even among relief officials there is no disagreement over the failure of NGO community in the Southern Sector. One senior NGO official was even uncompromising in his attack on the behaviour of some relief agencies:

*A lot of the money earmarked for development and rehabilitation goes to the unnecessary allowances given to most expatriates working in southern Sudan. In Torit County both Norwegian Church Aid and CRS are supposed to run health centres, and yet for more than seven years one can hardly see a functioning medical centre. People have travelled all the way to either Uganda or Kenya in search of medical services. One wonders where have all the money raised in the name of the war-victims gone".<sup>559</sup> It is not surprising that NGOs with many years of experience in practical development work in the Southern Sector were said by their detractors to have betrayed a rudimentary grasp of the concept of development advocacy.<sup>560</sup>*

Take for example, some NGOs such as World Vision and Oxfam were involved in seeds and tools programmes among internally displaced communities for more than six years. On average, a hoe provided to a household, lasts for at least two production seasons. During this period, assuming rainfall is good, the household

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<sup>558</sup> Interview with Asunta Igwana, Women Association Secretary, Hiyala Payam, New Sudan, January, 8, 1996

<sup>559</sup> Interview with Rev. Ohima, African Inland Church, Nairobi, March 16, 1996

should attain reasonable food security and at least replaced the tools and seeds from their own production. This never happened, at least in areas of Upper Nile and Equatoria regions where there was a high concentration of NGO activities. The reason can obviously be found in the statement above. As one senior Norwegian relief officer told me:

*There are some NGOs who have no right to be involved in the delivery of humanitarian assistance or development, or rather if I had the money for such purpose or have authority of approval, I will seriously question their credibility. Aid agencies falling under this category are amorally wasteful and extravagant with funds, providing luxurious housing, office, and benefits for their expatriate staff that do not match the benefits of the target population. While other NGOs specialise in writing beautiful proposals to donors for programmes which may be more in the interest of donors rather than recipients of humanitarian assistance".<sup>561</sup>*

It was also clear from my field observation that many aid workers were after securing themselves employment. At least to some extent this appears to be the case, given the number of inappropriate humanitarian assistance programmes implemented, particularly in areas, which experienced emergencies, such as Bahr el Ghazal and parts of Upper Nile.

**Figure 1**

Region	Number of NGOs
Bahr el Ghazal	4
Eastern Equatoria	11
Jonglei	8
Lakes	13
Upper Nile	15
Western Equatoria	11

**NOTE: Based on the list of NGOs and their activities provided by OLS July 1996 Review document, Nairobi.**

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<sup>560</sup> Interview with MSF-Holland official, Nairobi, March 12, 1997



The second endemic weakness of NGOs was their reluctance to cede managerial or programme autonomy towards the goal of greater strategic coherence or managerial efficiency.<sup>562</sup> Most lacked either the will or the self-discipline to surrender autonomy and integrate their work with other players. Their focus on the village and neighbourhood was at the expense of dealing with national problems of governance, planning and policy. Closely linked to this policy implementation failure, OLS Review Team saw a noticeable difference in the type of programmes being implemented in various regions of the South, and in the extent to which implementing agencies were attempting to apply a shift away from relief toward rehabilitation. In general, more rehabilitation-oriented programming gravitated towards the more stable regions in the south of South Sudan, and away from Bahr el-Ghazal and other insecure regions in the Transitional Zone. OLS agencies undertook a variety of community-based rehabilitation programmes, most notable of which were the provision of seeds and tools to farm households.<sup>563</sup> But as figure 1 above shows, the growth of OLS programmes, however, guaranteed no equitable distribution of humanitarian services to all populations in need in the South.<sup>564</sup>

Despite the dearth of data, there was some evidence of concentration of humanitarian services in some regions at the expense of others. Only MSF-Belgium's interventions in the Ajiep area provided employment for the local population. For example, many people attained experience and skills through their involvement in feeding programmes. The income from such employment sometimes yielded benefits. The salaries received from MSF helped local people establish small business. But the overall development record of NGOs is very poor. In terms of the potential of aid for reducing dependency, a number of sectors required more attention. Local people wanted more support for education, trade and agriculture, infrastructure (including water and sanitation), health services, and for fostering local institutions, including community self-help organisations. Because of the short-term emergency approach to this long-term conflict, a rather minimal

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<sup>561</sup> Interview with an official of the Norwegian Church Aid, Ikotos, Southern Sudan, May 18, 1996

<sup>562</sup> The impact of OLS humanitarian programmes are extensively discussed in DHA, OLS Review, 1996

<sup>563</sup> UN/OLS, OLS Southern Sector Needs Assessment: Final Draft, Nairobi, November, 1995, p. 4

<sup>564</sup> WFP, Workshops for Food Monitors, Lokichoggio, Kenya, April 9, 1996

contribution was made to development, including the provision of services such as health and education. There were requests for more support for education. In particular, educated southerners realised how important the educational opportunities they had between the two civil wars (the first civil began in 1955 and ended in 1972; the second was in 1983, and continued at the time of this research) were in creating a body of people who could communicate with the outside world. Of course, there was support for primary education since 1992, but all these schools lacked basic educational materials, and trained teachers.

The third failure of NGO development efforts concerns the insensitivity to local traditions and cultures. According to Inga Bjork, humanitarian assistance should be given a clear development perspective with the aim of supporting recovery and making it easier for capacity available locally to contribute to the organisation and implementation of the assistance.<sup>565</sup> While the OLS action plans discussed in chapter 2 were clear on this subject matter, NGOs, as OLS programmes implementers, approached development with closed minds and with attitude of “we know what they need”. This arrogant attitude prevented NGOs from getting a good understanding of complexities of the Sudan emergency situation, and develop programmes that would have effectively addressed local relief/rehabilitation agenda as contained in the OLS action plans. For instance, in a peaceful environment, there is a mechanism to ensure that the most vulnerable in the society (women, children, orphans, widows and disabled) are protected through kinship support and extended family support and extended family system reinforced by the traditional value system. Anyone found neglecting his/her responsibilities is punishable by the traditional court law. The same value system makes it shameful for a man to be unable to provide for his family – for a mother to have nothing to give to her dying child and for a community to have nothing to offer to the vulnerable. Of course, it can be argued that in the Sudan war environment, such traditional support and value systems were vulnerable to attacks. But OLS, through its humanitarian principles programme, managed during 1994, to revive them, and in many parts of the Southern Sector they worked well. The mistake was that most NGOs responded to the lack of systems by creating artificial structures or systems to deal with problems

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<sup>565</sup> Interview with Inga Bjork-Klevby, Swedish Humanitarian Envoy to East Africa, Nairobi, November, 13, 1998

of delivery and targeting assistance. Unfortunately, unlike traditional systems, these imposed structures were insensitive to traditional support and value systems of the Sudanese communities. They became very powerful as they were being used as vehicles for the distribution of valuable resources; they undermined or weakened the traditional ones further. It was not surprising that in most parts of Bahr el Ghazal and Upper Nile regions of southern Sudan most chiefs and community elders neglected their responsibilities towards the vulnerable members of the community.

The fourth failure of NGO development efforts, which is little understood but which had tremendous effect on chiefs and community leaders ability to serve their communities, was the power shift that resulted from the inability of local leaders to provide relief to their suffering people. Consequently, respect and power were accorded to NGOs instead of local authorities and leaders, and this was very much resented by local leaders.<sup>566</sup> Some NGOs argued that it was difficult to trust local leaders because most of them were in fact SPLA officers masquerading as community leaders. There are evidence to support this NGO view. In areas of Upper Nile and Behr el Ghazal regions visited by this author, matters were made worst by the intermingling of combatant and non-combatant populations. What this means is that it is difficult to escape the conclusion that humanitarian action contributed greatly to the consolidation of the rebel movement. Although there is a reason to accept the proposition that diversion of relief aid fuels conflict, there are numerous plausible counter-arguments in this chapter. For example, OLS Southern Sector has proved above that such material incentives can speed the process of orderly return and normalisation in combat zones. The channel of delivery, in other words, may be unconventional, but the result is nonetheless positive from the perspective of the victim. More basically, while humanitarian assistance might have enhanced the capacity of the SPLM/A to sustain war, that does not necessarily mean that their absence (or more effective efforts to reduce leakage) would have the opposite effect of bringing people to the table. As one UNICEF official told this author: "SPLM/A took 90 per cent of southern Sudan from the Khartoum government even before

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<sup>566</sup> When I visited Akot, in Bahr el Ghazal region in October 1996, I was surprised by the degree of local hostility towards Oxfam-UK. In fact, some of its foreign relief workers were arrested for allegedly sowing seeds of discontent among internally displaced community against local authorities. It was, however, clear from my reliable source that the conflict between Oxfam officials and the local authorities was the refusal of that agency to deal directly with the concerned authorities in the area.

OLS was established. They will continue to fight even without outside relief aid".<sup>567</sup> This view was supported by many SPLM/A political and military leaders interviewed in East Africa.<sup>568</sup> Humanitarian action had only a marginal effect on the calculations of the rebel movement regarding both conflict and political settlement. Thus, although it is sensible for programming decisions to take the potential impact of humanitarian action into account in a contextually sensitive way, there is no justification for general policy decisions to be made on the basis of the role of humanitarian action in fuelling conflict. Thus, the failure of the NGO community to make use of local relief management structures in some areas in the Southern Sector was responsible for the tension between OLS and the authorities of those areas. The fundamental point in the dimensions of relationship between humanitarian action and conflict lies in the fact that humanitarian (and development) assistance brings additional scarce resources into societies.

Local parties seek to influence the distribution of these resources to strengthen their position and, in relative terms, to weaken that of their potential or actual adversaries. Consequently, the activities of humanitarian players – while perhaps sound from a strict humanitarian (that is, mitigation of suffering) or developmentalist (that is, meeting basic needs and encouraging sustainable growth) point of view – may inadvertently exacerbate tensions between communities. In the case of the OLS Southern Sector, this resulted in friction between community leaders and NGO workers, and the victims were the community. It was evident from this author's fieldwork that most NGOs interpreted the lack of co-operation and diversion of resources by local leaders as inability to manage the operations rather than anything to do with shift of power and deterioration of social structure, value and support systems. Diversion of relief in the Southern Sector was seen by NGOs as a manifestation of corruption or malevolence. Outsiders' emphasis on soldiers taking relief from intended beneficiaries seemed to have encouraged soldiers to cover up their activities – rather than perhaps explaining why they think they are and should be included in relief allocation.

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<sup>567</sup> Interview with a UNICEF/OLS official, Nairobi, August 14, 1996

#### 4.5. CONCLUSION

In spite of the failure of development efforts, it was clear from this chapter that the success of the OLS Southern Sector was based on its pragmatic use of humanitarian norms and consensual approach to its war environment. In order to overcome such operational obstacles, Operation Lifeline Sudan worked agreements with the government of the Sudan and the opposition movement, which ensured that relief aid reached those in need. Serious and sensitive political issues were often taken into account in mounting relief operations. Such issues involved securing the cooperation of both GOS and opposition forces in the conduct of relief operations. The fact that by 1993 OLS negotiated framework established access to almost all parts of southern Sudan, meant that humanitarian principles were asserted as the foundation of international agencies' involvement in Southern Sector.

The importance of these principles is that they enabled OLS to dialogue with the opposition movement over relief access. The fact that they shared a core common conception enhanced their legitimacy in the Southern Sector. UNICEF and other agencies devoted considerable efforts to publicising these standards. Not surprisingly, these principles became matters of public record in southern Sudan, increasingly available to individuals, particularly among the insurgents. The pervasive knowledge of humanitarian standards and their widespread legitimacy made it increasingly difficult for the opposition movement to openly argue that these norms were not applicable to its actions in the territories it controlled. Whether this represents a genuine commitment or merely rhetorical acceptance makes a difference, but I argue that even rhetorical acceptance created a momentum toward genuine adherence to democratic governance in the rebel movement territory. Whatever violations there existed in the context of the civil society, there is no doubt that by defining and publicising humanitarian principles and rules Operation Lifeline Sudan impacted on the progress that was made toward democratic governance in the opposition movements' controlled areas of southern Sudan.

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<sup>568</sup> Interview with a senior SPLA officer, Nairobi, September 12, 1996

## CHAPTER FIVE

### EFFECTS OF HUMANITARIAN NORMS ON GOS

#### 5.1. OVERVIEW

Chapter 4 has examined the effects of humanitarian norms on the behaviour of the rebel movement. It was found that these rhetorical devices were asserted as the cornerstone of relief agencies' involvement, even though their acceptance was - as neorealists and neoliberals rightly argued - partly due to the economic and diplomatic incentives that the Sudan People's Liberation Movement and Army (SPLM/A) received from the donor governments and international non-governmental organisations (INGOs).

The argument of this chapter is that humanitarian norms and principles<sup>569</sup> as technique for communication and dialogue, though considered inconsequential in an anarchic international system, do have some weight that solidarists and social constructivists have attributed to them.<sup>570</sup> In assessing the relative effectiveness of these rhetorical devices on the Khartoum government, the reader should bear in mind that there is a difference between success in imposing economic hardship that is not within the scope of this study, and the success in achieving behavioural

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<sup>569</sup> The ontological given for international society perspective is the underlying institutional structure, a structure that is defined by a set of mutually shared norms and expectations. This structure cannot be directly observed. Rather, it is reflected in the behaviour and explanations offered by individuals in their capacity as representatives of states.

<sup>570</sup> In chapter 2, political humanitarians maintained that humanitarian norms and principles were necessary to force the GOS and the SPLM/A to respect human rights, and allow free access to the needy areas. Although a system based on the formal or constitutional autonomy of states (the exclusion of external intervention) does not preclude the de facto influence of external humanitarian players, the case of the OLS Northern Sector shows the vulnerability of humanitarian norms and principles to Sudanese sovereignty.

reform.<sup>571</sup> In spite of their vulnerability to political and sovereign prerogatives, humanitarian/human rights norms have been useful in communicating<sup>572</sup> international community's concerns to the Sudanese government. In measuring the behavioural changes of the host government, this chapter will use Sikkink's approach mentioned in the introduction. According to Sikkink, it is enough to say norms are effective if the target state denies any wrong doing (e.g. human rights violations) or use those norms to justify its actions. OLS is an important case to explore the changing conception of sovereignty, since, as stated in the introduction, the GOS has a diplomatic tradition of anti-Western rhetorics and of intransigent defence of the doctrine of sovereignty and non-interference. Changes in the understandings of these two stages with regard to humanitarian norms pressure serve as an indication of how sovereignty is being reconceptualised in Sudan.<sup>573</sup>

## 5.2. THE CONTEXT OF HUMAN RIGHTS VIOLATIONS

The Sudanese government role in obstructing relief operation has been generally discussed in chapter 1, and in more detail in OLS review document<sup>574</sup>, and this chapter will only state them here briefly. According to Mark Duffield, successive Khartoum governments "have sought to promote displacement by sponsoring and tolerating raiding and promoting scarcity and famine in the south".<sup>575</sup> The realists can rightly argue that armed conflict and deliberate government strategies were largely responsible for the long history of famines in the Sudan; famine can be regarded as an outcome of political process of impoverishment resulting from a deliberate disruption of agricultural activities by the parties to the conflict. Three

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<sup>571</sup> "Behavioural reform" here refers to the situation in which the host government has been pressured to modify its humanitarian policies, and its willingness to use humanitarian norms and principles to deny or justify its actions.

<sup>572</sup> The main advantage of the logic of arguing (communication) in contrast to economic sanctions is their ability to explain not only the transformation of behaviour and interests, but also the transformation of identities and normative frameworks. Thus, the internalisation of OLS principles and norms in the Sudan and their validity within the OLS Northern Sector operational environment can only be mediated by the process of arguing.

<sup>573</sup> Some humanitarian observers have emphasised the contested nature of humanitarian principles but, in contrast with this study, they have thought to explain variations in terms of intersubjectivity shared ideas rather than the calculations of rulers who are free to choose among material and ideological resources.

<sup>574</sup> See DHA, OLS Review, July, 1996

<sup>575</sup> Mark Duffield, Sudan: Unintended Consequences of Humanitarian Assistance, November, 1999, p. 56

specific groups were chiefly responsible for the 1986-88 famine that had taken so many lives; three of these groups were vehicles for state policies and were utilised as proxies by the government to attack the SPLA and its supporters at a relatively low cost to the government. First of the groups were government-aligned militias and others. Their task was to attack and plunder other civilians and take their reward in the form of looted cattle. They also harassed and looted famine migrants. Second was the army, which supported militias, isolated some garrison towns from the surrounding areas by forcibly preventing civilians from fleeing besieged towns, created and maintained artificial scarcities of food in these towns, and actively obstructed relief efforts. The third group that contributed to famine in the eighties, and much of early nineties were traders connected with the military. Because the army had sole control over the movement of commodities in garrison towns, some officers used this control as an opportunity to extract maximum profits in times of scarcities they helped to create.

This GOS counterinsurgency strategy had serious humanitarian consequences for the civilian population in the south of the country. By 1986, an estimated two million people were displaced throughout Sudan. While the war was prosecuted in Southern Sudan, its consequences in the form of the internally displaced persons was felt in Northern Sudan. With the influx of thousands of displaced persons to the northern towns in 1990-2, the central government became so concerned that internal displacement became an issue at the policy level for the national authorities. Accordingly, the Khartoum government saw the implications of such massive migration of the war-victims as posing a potentially veritable threat to the stability of Northern Sudan, especially the capital, Khartoum, where more than fifty thousand displaced persons were said by the aid agencies to have congregated.<sup>576</sup> However, a combination of domestic and international pressure in the form of shaming and sanctioning - which was triggered by television images of starving Sudanese - forced GOS to issue its general draft policy towards the displaced, and to reaffirm the rights of displaced citizens as well as emphasis government efforts to provide relief aid.<sup>577</sup>

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<sup>576</sup> DHA., OLS Review, 1996, 190

<sup>577</sup> Government of Sudan (GOS), A Draft Provided by the Ministry of Social Welfare, Zakat and the Displaced regarding The government's General Policy towards the Displaced: Khartoum: GOS, September 22, 1988, p. 12



### 5.2.1. SHAMING AND SANCTIONING GOS BEHAVIOUR

The GOS decision to agree in 1989 that OLS solve the consequences of its political actions in Southern Sudan was due to the shaming behaviour of OLS agencies as well as the sanctioning policy of donor governments. Therefore, one of the lessons from chapter 2 is the importance of setting minimum demands based on humanitarian norms and adhering to them regardless of their perceived weakness in an anarchic international system. Even before OLS was established in April 1989, international community had already mobilised humanitarian norms to shame, and sometimes, to sanction the behaviour of the Sudanese government. In response to increasing dissemination of information on the GOS conduct of the war in Southern Sudan, Western governments<sup>578</sup>, led by the United States of America, condemned the Khartoum government disregard of the human rights of its war-affected populations. Donor states' condemnation was followed by the imposition of development aid embargo in 1990.

Even though the GOS claimed that such statements constituted unacceptable intrusion in its domestic affairs and a violation of the Sudanese territorial integrity, the actions of the donor states, particularly towards the end of Communism, indicate that they did not accept the GOS claims. As seen in chapter 3, international norms provided intervening states with a legitimation to violate Sudan sovereignty on humanitarian grounds. The primary witnesses providing human rights data and information pertaining to the situation of the displaced population in the Northern Sector were the representatives of humanitarian NGOs. During the period described in this thesis, the US State Department had maintained close contacts with and sought out the information of NGOs. In fact, early US action on Sudan (discussed in chapter 3) was based primarily on the human rights documentation provided by American-based agencies such as Catholic Relief Service, US Committee on Refugee, Amnesty International, and so forth. In the European countries, points of influence within the state centred on Ministries of Foreign Affairs and Overseas

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<sup>578</sup> States have used a variety of foreign policy instruments to influence the behaviour of foreign countries. These include, for example, forcing weaker states to alter their behaviour in conformity with the sanctioning state's preferences, and dissuading a target state from carrying out unacceptable behaviour. See James M. Lindsay, "Trade Sanctions as Policy Instruments: A Re-Examination", *International Studies Quarterly*, No. 30, June, 1986, pp. 155-56; Margaret P. Doxey, *International Sanctions in Contemporary Perspective*, New York, St. Martin's Press, 1987

Development Agency. In the UK and the Netherlands, NGOs such as Oxfam, Amnesty International and Pax Christi International provided data and information to their respective governments. Indeed, throughout 1989 and mid-1990s NGOs attempted to deal with such priorities, and their lobbying effort was accompanied by an increasing commitment within donor communities to tackling the realities of the war.<sup>579</sup> For example in August 1995, Sudan Focal Point persuaded OLS donor governments to pressure the IMF (International Monetary Fund) not to give new loans to the Government of the Sudan. According to the Sudan Focal Point background policy paper, the IMF policy was part of the strategy to address the problem of Sudan's overdue financial obligations:

*“The growing financial co-operation between IMF and Sudan is contradictory to the political isolation following gross violations of human rights and international law in Sudan. While the United Nations Special rapporteur on Sudan is not allowed by the Government of Sudan (GOS) to review the human rights performance, the same government hails IMF missions to review its economic performance. Even though most bilateral and multilateral aid to Sudan is frozen, the ban on IMF assistance is lifted. While democratic rights are violated on a large scale, IMF is reportedly considering the implementation of a Rights Accumulation Program”.*<sup>580</sup>

The renewed IMF interest was vital to Sudan, as it was attempting to break its international financial isolation. This financial isolation severely affected the country, particularly when most Gulf States withheld their financial backing after Sudan sided with Iraq during the Gulf War in 1991. The success of transnational network advocacy policy led some Western political leaders to link the gradual normalisation of the relationship between IMF and Sudan with improvements in the human rights and political situation. In early 1993, the Minister of Foreign Affairs in the Netherlands stated, in reply to questions raised by the Pax Christi organisation for peace and human rights, that the Dutch Government would not support a resumption of the relations between GOS and the IMF and the World Bank as long as political and human rights situation in Sudan has not improved. The success of Pax Christi in persuading the Dutch government to take a tougher line on the

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<sup>579</sup> INGOs, Aide Memoir to Jan Eliason, Khartoum, September 5, 1992

<sup>580</sup> Rene Brooklet, From a Cooperative Towards a Conditional Strategy: Background Paper on IMF Policy Regarding Sudan, Sudan Focal Point – Europe, Copenhagen, Denmark, August 4, 1995, p. 1

government of Sudan can be seen as evidence that most substantial contributions to the cause of human rights in the Sudan were contingent on domestic and international developments. In April 1994, the Danish government, in co-operation with Scandinavian countries, also worked from within the IMF decision-making framework to freeze the relationship between the IMF and Sudan until the human rights situation improved. As discussed in the previous chapters, the reports and counterreports attracted press coverage on the plight of Sudan war-victims. All these examples indicate that state/civil society collaboration on human rights and good governance issues will continue to increase. It is worth mentioning here that the success of NGOs' advocacy in Europe and America would not have been possible without the support of local institutions, in particular the role of civil society. Local Sudanese human rights organisations, such as churches and their humanitarian and development wings, in turn, learnt that they could directly or indirectly pressure the GOS to change practices by providing information on human rights abuses to human rights networks in Africa, US and Europe for inclusion in their advocacy policies. It is evident in chapter 4 that by 1989-96, Sudanese NGOs, inside and outside the country, began to form and develop significant external contacts. Members of the Sudan Council of Churches, and Sudanese Women Voice for Peace travelled frequently to Europe and the United States, where they met with their counterparts, talked to the press, and met with the political leaders of those countries.

These groups sought external contacts to publicise the human rights situation of the displaced population in Sudan, to fund their humanitarian activities, and to help protect themselves against government repression. In particular, the Church organisations were a vital link in providing documentation and information to spur the interests and concern of the donor states policymakers. Much of the funding for domestic humanitarian Church organisations came from European and US-based NGOs such as Christian Aid, Norwegian Church Aid, Oxfam, World Vision International, and many others. While the effects of these pressures are examined in the next pages of this chapter, the reader should bear in mind that donor governments' support strengthened humanitarian norms and principles in the government controlled areas. It can also be argued from the realist perspective that donor states' willingness to sanction the behaviour of the sovereignty authority in Khartoum was partly influenced by the perceived threat posed by the emergence of Islamic fundamentalism in the Sudan. The decision of donor governments to impose

development aid embargo against the Islamist regime in Khartoum was motivated by concerns among Western governments about Sudan alleged support for the Middle Eastern terrorist groups. Giving other Islamist movements access to Sudan, and promoting the Islamist movements internationally, were prominent features of the post-1989 regime's policies through the first half of the 1990s.<sup>581</sup> Evidence of its complaisance towards, if not support for, the use of violence by non-governmental bodies, was provided by the shelter and protection which it gave to the non-Islamic guerrilla Carlos, who resided in Sudan between 1992 and 1994 – before his whereabouts became known to external bodies, and a Sudanese-French deal was struck for his kidnapping and transfer to France.<sup>582</sup> The regime's self-perception as the co-ordinating point for the international Islamist movement was given institutional expression by the Popular Arab and Islamic Conferences (PAIC), of which three were held between 1991 and 1995. An official Sudanese government publication described the first conference as “the most significant event since the collapse of the Caliphate”, noting that it was the “first occasion where representatives from mass movements from all over the Muslim world came together in one place”.<sup>583</sup>

Hassan al-Turabi, then leader of NIF, saw the PAIC as a vehicle for restructuring the world order, replacing the Western-dominated UN structure by a new system “comprising free platforms, egalitarian procedures and global representation”.<sup>584</sup> The radical line espoused by the Sudanese regime ensured that by the mid-1990s Sudan had been denied development aid by the United States and its Western allies. It must however be stressed here that such geopolitical interests played a significant role in ensuring that the Sudanese military regime abides by its international obligations, which in this case means respect for humanitarian norms.

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<sup>581</sup> Tim Niblock, “Sanctions and Pariahhood: The Case of Sudan”, Paper presented to the Conference of the Sudan Studies Society of the United Kingdom, held at the University of Durham (UK), 30 August to 1 September 2000, p. 3

<sup>582</sup> According to Niblock, this has been left deliberately vague in so far as the circumstances under which Carlos' capture and transfer to France occurred remain uncertain. There is no doubt, however, that his presence in Sudan had been arranged by the Sudanese authorities, and that he had contacts with senior figures in the regime during his time in the country. There are reliable reports that Carlos' presence in Sudan was leaked to the French government by elements in the Sudanese opposition. See Niblock, “Sanctions and Pariahhood”, p. 4; *Observer*, London, 14 December 1997

<sup>583</sup> Quoted in Kobayashi, *The Islamist Movement in Sudan*, pp. 221-2

<sup>584</sup> Quoted in Niblock, “Sanctions and Pariahhood”, p. 4

### 5.2.2. HUMANITARIAN NORMS VERSUS STATE SOVEREIGNTY

Despite Pluralists position on the Westphalian constitutive principles of sovereignty and non-intervention, I argue that the meaning of the Sudanese sovereignty has generally changed since the establishment of OLS in April 1989. As a constitutive norm of international society, sovereignty is the right of *cultural* self-determination and independence. According to pluralists, states' decisions are only subject to their own will. The right to sovereignty should protect the Sudanese state against infringement and secure its rights to independence, autonomy and development. But the solidarists are right to argue that the legitimacy and the right to sovereignty of states is increasingly measured on the governmental practices of states against their own citizens. In R. J. Vincent's words, the way a government treats its people exposes the "internal regimes of all members of international society to the legitimate appraisal of their peers".<sup>585</sup> Thus, the emergence of a serious human rights process in the Sudan operational civil war environment would seem to be the most impressive ethical achievement of the United Nations-led OLS. The fundamental idea that the Sudanese government must act within certain prescribed limits – that even political and military leaders might be held accountable for their actions if they amount to severe human rights abuses in the context of intrastate conflict – represents an important development in international relief system.

As will be seen below, the GOS adopted a series of varying responses to international pressures, each roughly corresponding to a different stage on the Sikkink continuum of the erosion of sovereignty. The GOS first tried to deny the legitimacy of the humanitarian norms and international concern over human rights in the Northern Sector, to discredit United States and foreign NGOs by suggesting that its members were part of a conspiracy of the Islamic regime in Khartoum, who are in the country merely to mobilise southern Sudanese nationalist public opinion against what it defined as interference in internal affairs. When OLS proved that humanitarian norms and values were similar to those of the Sudanese people, the GOS tried to placate international and domestic opposition by co-operating with the UN agencies co-ordinating humanitarian effort in the Northern Sector, while at the same time continuing to obstruct access to the displaced camps. By 1995, the GOS

moved along the continuum from initial rejection of OLS normative position to cosmetic co-operation with the UN, and eventually to some concrete improvements in its human rights practices in response to domestic and international pressures.<sup>586</sup> Most importantly for this thesis, the government's sensitivity to issues of protection and democratic governance was usefully exploited by solidarists. The debate over human rights and democracy and concern for international reputation had created an opening for the growing number of NGOs and other pro-human rights actors to pressure the Islamist regime in Khartoum. I need to put the issue of reputation into a wider perspective. For social learning the actor's reputation plays a significant role.<sup>587</sup> Reputation is expressed by the practices of actors in connection with its rhetoric. The actor's behaviour is judged by others against the normative standard that determines the social background for interactions.

The principle of 'mirroring' or 'appraisal', which argues "that actors come to see themselves as a reflection of how they think Others see or 'appraise' them, in the 'mirror' of Others' representations of the Self" constraints the actor's behaviour and fixes the redefined identities.<sup>588</sup> For the sake of this chapter, the notion of reputation has two dimensions: the first one can be described by 'standing' and the other by 'prestige'. The concept of reputation in the form of good standing is an expression of economic and political pressure. In the case of the Sudanese government, it can be argued that a mixture of fear concerning international sanctions and the wish to become accepted within international politics led the GOS to adopt humanitarian norms and principles. Since compliance with norms is one sign of integration into international society, the Sudanese government was moved to take action on norms that it had previously rejected (see chapter 2), and this has led directly to changes in

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<sup>585</sup> Quoted in Nicholas Wheeler & Timothy Dunne (eds.), *Human Rights in Global Politics*, Cambridge, Cambridge University Press, 1999, p. 2

<sup>586</sup> Some of these concrete examples of improvement in GOS behaviour are also contained in the DHA, OLS Review, July, 1996

<sup>587</sup> For an analysis of this subject see Audie Klotz, *Norms in International Relations: The Struggle against Apartheid*, Ithaca/London, Cornell University Press, 1995, pp. 29-31; Alexander Wendt, *Social Theory of International Politics*, Cambridge, Cambridge University Press, 1999, pp. 327-336

<sup>588</sup> Wendt, *Social Theory of International Politics*, p. 327

policies toward protection and access issues. The softening of GOS attitude towards OLS and its agencies is contained in the OLS own review document of July 1996:

*This position is well represented in the GOS submission to the Review Team, which lists the government's record of support for OLS and its activities. The thrust of the argument is that Sudan is unique; a government has voluntarily relinquished part of its sovereignty for humanitarian purposes. This gesture, however, is being abused by OLS in the operation's failure to honour its commitments, and its bias toward the rebels. Moreover, donor governments and aid agencies continually fail to acknowledge what the government has done. It is worth noting that some donors and aid officials in Khartoum agree with the substance, if not the detail, of these attitudes from the GOS.<sup>589</sup>*

The Khartoum government's verbal support for the broadly accepted norms of international behaviour and its acceptance of the UN role in co-ordinating international humanitarian efforts in the north were coupled with a failure to address the security problems of the displaced persons.<sup>590</sup> Nonetheless, the GOS adopted international norms, but it did so not because it saw those norms as relating to domestic politics or as a natural extension of the Sudanese Islamic norms. Rather, adoption of humanitarian norms was seen as the necessary price of existence in the international society. When those norms were said to have clashed with domestic norms – as discussed in chapter 2 - the Sudanese government was often reluctant to respect them. The limitation of OLS mandate forced the UN to strike a balance between GOS political concerns and humanitarian imperatives, and that this balancing game shows the practical sophistication of OLS humanitarian diplomacy. But many Sudanese, particularly church organisations whose schools and churches were closed or confiscated by the central government, accused UN officials of conniving with the Sudanese government. One of the Khartoum University lecturers I met in Nairobi summarised the general perceptions of the ordinary people about the extent to which UN humanitarian role was undermined by GOS use of its sovereignty:

*I have met and spoken with some senior UN officials about the plight of southern Sudanese internally displaced persons in and around Khartoum. I can tell you that I am aware of the political pressure that UN agencies such*

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<sup>589</sup> DHA, OLS Review, p. 43

<sup>590</sup> Ibid. pp. 185-192

*as UNDP are experiencing in Khartoum. I understand that their mandates makes them work hand in hand with the government. But what I do not understand is why the UN, a body that represents the conscience of international community, should keep silent even in a situation where there is a clear evidence that the government was denying access to those who want to help our people. Why is the UN here if it cannot intervene in matters of serious human rights violations by one of its member state? From my understanding, I think we have a UN Resident Representative in Khartoum who is pro-government, and what he is doing is what I would call appeasement policy.<sup>591</sup>*

While such accusations were justified on the grounds that the UN was biased in favour of the Khartoum government, I argue that, given the contradictory nature of the UN Charter, there was not much agencies such as UNDP could do without the support of member states. Those practitioners and scholars who criticised the UN for failing to apply fully humanitarian norms in areas under government have ignored the fact that OLS was the result of self-interested humanitarianism of the Sudanese government and the donor states. These mix of motives and views led to a number of critical limitations for the OLS Northern Sector humanitarian relief mandate. First, the framework<sup>592</sup> set out by the UN Plan of Action in March 1989 did not include human rights or protection issues for people moving into the Transitional Zone, or to government controlled towns. But as discussed in chapter 2, the sophisticated nature of OLS humanitarian diplomacy was not without controversy, a controversy which this thesis sees as merely a consequence of the anarchic operational war environment. The controversy was, of course, between realists – led by the UNDP Resident Representative – and solidarists led by international NGOs and Sudanese churches.

For solidarists, the UN failure to effectively apply humanitarian principles in the Northern Sector illustrate the problem of “mission cringe”. According to Michael Pugh, the term “Cringe” is a short-hand for a group of perceived inadequacies and appeasing bullies.<sup>593</sup> While Pugh’s concept of “Cringe” refers originally to the UN aspect of peacekeeping – a subject that is beyond the scope of

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<sup>591</sup> Interview with Nereo Lope, Member of the National Assembly, Nairobi, January 25, 1996

<sup>592</sup> OLS framework, as contained in the 1989 UN Plan of Action, is negotiating access for disaster relief assistance to the war-affected population. See UN, Plan of Action: Sudan Emergency Relief Operations, Khartoum, March 4, 1989, p. 2

<sup>593</sup> Michael Pugh, “From Mission Cringe to Mission Creep? Implications of new peace support operations doctrine”, Oslo, Institutt for Forsvarsstudier, 1997, p. 7



this thesis – it can also be useful in describing the relationship between OLS (regarded by solidarists as having appeasement policies) and the GOS (considered by many humanitarian players as a bully). Thus, “mission Cringe” is defined in terms of the problem at the level of OLS mandate as well as the lack of political will from the UN and member states. The prevalence of mission cringe can be seen from the extent to which questions of humanitarian norms and principles have become secondary to political and sovereign prerogatives. Even the OLS own 1996 review document acknowledged the existence of mission creep when it argued that “the omission of such crucial considerations (protection issues) was especially noteworthy given the widespread public knowledge of, for example, the massacre of Dinka in Ed Da’eim and Wau in 1987 and 1988, which left several hundred people dead”.<sup>594</sup> The concept of “mission cringe” is also useful in describing donor states in action to deal with such tragic human rights violations. The failure of powerful states to translate their support for humanitarian principles into practice can be seen from the way GOS exercised significant control over the choice of UN implementing partners through regulatory mechanisms that restricted the OLS Northern Sector operationality.

Because the GOS was a party to the conflict, some NGO officials argued that the principle of neutrality was frequently violated both by the government’s insistence on ownership of OLS operation, and by the fact that this ownership was not sufficiently challenged by the UN.<sup>595</sup> Officials of NGOs wanted the OLS Northern Sector to take a more proactive human rights position, meaning in practice confrontation with the Sudanese government.<sup>596</sup> That is, the UN failure to effectively apply humanitarian principles in the Northern Sector shows the prevalence of mission cringe because it reflected inadequacies in OLS mandate and the lack of political will from the more powerful members of the UN. Those who favoured a more assertive humanitarianism (e.g. the inclusion of human rights issues) in the Northern Sector argued that the 1994 genocide in Rwanda would have been prevented if the international community undertook a more assertive

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<sup>594</sup> DHA, OLS Review, p. 187

<sup>595</sup> Interview with Ian Levine, 1996

<sup>596</sup> Interview with Nil Carstensen, Sudan Focal Point – Europe Coordinator, Rio de Janeiro, August 7, 1996

intervention.<sup>597</sup> Solidarists saw Rwanda genocide as a consequence of the post-Cold War appeasement policy of the UN and member states.<sup>598</sup> In theory, this view can be supported on the grounds that the World Body has all the necessary policy instruments to effect some changes in the way governments deny the rights of their own population to external humanitarian assistance. In practice, however, this kind of idealism which seeks to resolve such sensitive political issues through confrontation with a host government has ignored the realist view that the UN, working through the Security Council, operates on the basis of political choices made by its member governments, and is subject to the ideological interests of the powerful states. Mark Duffield and John Predergast rightly argued in the *Middle East Report* that during the Cold War the UN donor states were inclined to disregard evidence of human rights abuses on the part of allies and potential client states while highlighting those of adversaries.<sup>599</sup> Even if the Cold War has gone, these political interests have not changed much, though they have been redefined as discussed in chapter 3. Even after OLS was established in April 1989, following the reduction in East-West ideological conflict, the UN has not only subjugated its normative position to the geopolitical considerations of its more powerful members, but also to the prerogatives of sovereign state for smaller powers or states. As one Dutch citizen of Sudanese origin explains:

*Sometimes people go through their own emotions, and many of them say things which they know are impracticable in a situation such as ours where the UN was allowed to intervene under certain agreed conditions with the host government. Given the trauma of the war, I understand why many NGOs in the Northern Sector are criticising us (UNDP) for not applying humanitarian principles in the same way they have been implemented in the Southern Sector. They, (NGOs) have deliberately failed to see the different circumstances of the two OLS operational environments. In the Southern Sector, it has been possible to use these principles to dialogue with the rebel movements because both rebel factions agreed to abide by them. This is not the case in the Northern Sector, where the central government is still in control. The March 1989 Plan of Action gives the Government of Sudan the responsibility to deal with relief aid and protection issues. The UN role in this sector is one of facilitation, which includes building the capacity of government*

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597 UNICEF/OLS, Report on Workshops on Humanitarian Principles for Sudanese NGOs, Nairobi, April 5, 1995, p. 6

598 Interview with Carstensen

599 Mark Duffield & John Prendergast, "Sovereignty and Intervention after the Cold War: Lessons from the Emergency Desk", *Middle East Report*, March-June, 1994

*structures dealing with internally displaced population. If there are some violations of human rights, we normally report them to the concerned authorities. We do not often go public on these kind of sensitive issues; we only go public if all avenues have failed. Our policy of working with government officials has helped reduce abuses against displaced population.<sup>600</sup>*

This has been the view of ICRC officials I met in Lokichoggio, and it underlines the importance realists attach to state sovereignty.<sup>601</sup> It is important to bear in mind that the UN Charter recognises the importance of domestic jurisdiction in Article 2 (7), which prohibits UN interfering with the domestic affairs of its member states. This means that domestic jurisdiction is protected by the non-intervention principle. This norm has played a useful role in international affairs, not least in affording Sudan some protection against international community attempt to apply humanitarian norms and principles. While it is true that OLS was established with the consent of the Sudan government, this was not done without such a programme benefiting the sovereign authority in Khartoum. In fact, the March 1989 UN Plan of Action did not give the international community a blank cheque to operate without some constraints imposed by the Westphalian constitutive principles. In supporting GOS policy for the internally displaced, the UN has recognised that sovereign authorities, where they have not collapsed as in the OLS Northern Sector, should take responsibility for the needs of their war-victims. Although solidarists saw GOS control of the Northern Sector programmes as a clear breach of humanitarian principles, the UNDP officials, on the other hand, took the realist position by arguing that GOS ownership of the Northern Sector operation was merely exercise of its political and sovereign prerogatives. The UNDP Resident Representative to the Sudan, Mr. Christopher Jaeger, views reflected the principles of the UN Charter, which gave prominence to the constitutive principles of sovereignty and non-intervention:

*The UNDP prefers to work with the host government, because this is the only realistic and practicable way of raising the issues of protection and access in the Northern Sector. I have no doubt that our approach to the protection issues of internally displaced persons has worked well because the Government of the Sudan, which was previously suspicious*

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<sup>600</sup> Interview with Bortel Con, UNDP official, Geneva, March 15, 1996

<sup>601</sup> Interview with an ICRC official, Lokichoggio, July 13, 1997

*of UN role in the north, has now come around to appreciate our work in the Northern Sector. Local authorities in Khartoum and in other northern towns, where displaced people are camped, have been very co-operative in this venture. Our strategy is not to impose certain values or regulations from outside, but rather to use those that are already available within the country; that is, we work within the framework of domestic norms and regulations.*<sup>602</sup>

This statement shows that the deference accorded sovereignty by the UN meant that the OLS Northern Sector had to balance the need to assist the displaced population with the needs of the political authorities. As one international civil servant told this author during one of the UNICEF's workshops in Lokichoggio, "This is a take and give situation; the GOS gave OLS a high degree of freedom in the Southern Sector, and the UN gave back some of the GOS lost credibility in the south by pragmatically accommodating Khartoum's interest in the Northern Sector".<sup>603</sup> It can thus be argued from the constructivist position that NGO concept of human rights, no matter how conceived, seems distant from the realities of international society. One UNDP official, who had worked in the Northern Sector for many years, stressed the importance of striking a balance between host government's political concerns and humanitarian imperatives:

*I support the so-called UN appeasement policy because, despite the frustrations relief workers like myself encounter in the field, it encouraged local authorities in many towns to co-operate with us. As a southern Sudanese, I would have like this government to be totally isolated internationally for what it is doing to our people. But my experience of working in this kind of politically sensitive environment has convinced me that working within the system is better than confrontation with the authorities. These NGOs who are now calling for a confrontation between international community and the government have forgotten that it was they who partly created the tragedy of 1986 in which thousands of southern Sudanese lives were lost. During that time very few of them even were willing to mention the word 'human rights'. What is going on here is politics, and through UNDP, we have been able to find a way around it. What I want to tell you here is that we have found a way of feeding the displaced population in the north. It is not perfect, but that is how it is.*<sup>604</sup>

The way to minimise political pressure is, of course, through pragmatic and consensual approach to protection and access issues. Many NGOs, particularly the

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602 Interview with Christopher Jaeger,, May 12, 1996

603 Ibid.

604 Interview with Con Bortel, UNDP, Geneva, May 24, 1997

ecumenical organisations, failed to grasp the fact that international society, in which the Sudan government is a member, is generally negative about the humanitarian role of international institutions, who seem to pursue humanitarian diplomacy by way of countervailing power, and disregard human rights altogether except when humanitarian challenges induce philanthropic responses.<sup>605</sup> It is clear from chapter 3 that governments are dominated by self-help modes of thinking, and this orientation is transferred to most of the personnel working on behalf of United Nations agencies. Any debate examining the prospects for international humanitarian norms is treated by most realists as a waste of energy – or worse, a diverting manifestation of naïve or utopian thinking. In the case of the OLS Northern Sector, solidarists had failed to accept the fact that the pursuit of human rights was hampered by the strength of Islamic realism, which was represented in the ideological orientation of policymaking elite in Khartoum. For example, one senior Sudanese diplomat was very clear of what the GOS expect from humanitarian organisations operating within the territory under its effective control:

*We are not against anybody who want to help our war-victims, otherwise we would not have allowed OLS to operate in any part of the Sudan. What we are opposed to is the attempt by some foreign relief agencies to bypass national structures. The Government will accept external assistance for its internally displaced population on condition that such aid is in our national interest. Like any other sovereign authorities in the West, the Government of the Sudan will not tolerate any relief organisation, including UN agencies, which directly or indirectly try to violate Sudanese sovereignty in the name of the so-called humanitarian aid. It is better for our people to suffer rather than to accept national humiliation by outsiders.*<sup>606</sup>

The diplomat's statement reflects GOS determination to own and control OLS programmes in the Northern Sector. Thus, for OLS to function within the territory controlled by the government in Khartoum, the UN had to strike a balance between

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605 There are, however, realist arguments for the instrumental use of international institutions in relation to the foreign policy goals of UN member states. For example, see Thomas M. Franck, *Nation against Nation*, Oxford, Oxford University Press, 1985

606 Interview with Abu-Shama, former Sudanese Ambassador to the United Kingdom, Nairobi, July 26, 1996

the prerogatives of sovereignty and humanitarian imperatives.<sup>607</sup> In fact, the OLS Northern Sector thrived on that balance in what is arguably a suspicious and hostile operational environment. Not surprisingly, the pragmatists within OLS were able to accommodate the political realities to a larger extent, even in the face of human suffering. This means that the stressing of the independent humanitarian nature of OLS was crucially important for its credibility and acceptance in the host country, as well as for security reasons. This accommodation was an inevitable part of the OLS Northern Sector operational landscape, and the Sudanese government, within the constraints of its sovereignty, worked together with the UN Country Representative. This is bad, but what is the alternative to this approach? Aware of the negative implication of any confrontation with the national authorities, UN responded to GOS control of OLS Northern Sector's programmes with a high degree of realism and pragmatism. As one UN official explains: "Throughout 1992-5, we have tried to convince the authorities that it is in the national interest of the Sudan that government relief structures should be seen to be working well. I remember telling the RRC Commissioner that there is too much bureaucracy and corruption among its officials, and this is bad for the image of not only the country but also that of the government. The interesting thing I heard from him was that 'there is not much my office can do because this layer of bureaucracy is from the top-down. If I make any movement that would signal to my boss that I am trying to clean up my department I will be sacked'. You see, these are the types of obstacles we often encounter when trying to assist the people of Sudan. It is not just the RRC Commissioner who is fearing to lose his job; even those of us who are working for UNDP are afraid of losing our jobs. The UNDP country-Representative has a very close link with the government, and he does not want to hear anything that would put him into confrontation with the authorities in Khartoum. Those of us who want to assist the internally displaced southern Sudanese will have to work within these kinds of constraints. This is the best way because we don't lose our jobs, and the people we are helping will also continue to get the little help and protection that our presence afford to them".<sup>608</sup> In spite of such constraints, the UN agencies continued to

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607 Vieri Traxler, *Summary of DHA's Negotiations with the Government of the Sudan – from August 1993 to April 1996 – on the Issue of Humanitarian Access to People in the Area of the Nuba Mountains*, Geneva, May 13, 1996, p. 4

608 Interview with the former UNDP Field Co-ordinator, Geneva, November 21, 1997

dialogue with the central government on the best ways of channelling relief aid to those in need in the Northern Sector. The UN decision not to apply these norms and principles in the same manner it did in the Southern Sector was based on a pragmatic understanding of the obstacles of reconciling the principles of state sovereignty enshrined in the UN Charter with those of humanitarianism contained in the Geneva Conventions. The contradictions – intervention to restore international peace and security and the principles of sovereignty and non-intervention - which are contained in the UN Charter regarding external humanitarian intervention in member states, ensured that the UN agencies know how to balance the humanitarian needs of the displaced population with the interests of the host government. This is not an easy balancing act because in a war environment such realism is bound to be misunderstood by one party or a group of relief agencies. In Khartoum, where there were many southern Sudanese politicians and intellectuals, UN pragmatic approach was described as “appeasement”. But as discussed below, it was GOS interpretation of the role of humanitarian norms which presented OLS with a serious challenge to its local normative legitimacy.

### **5.3. CONFLICTING INTERPRETATIONS OF NORMS**

The difficulties of applying international norms in an environment where a sovereign authority has not collapsed are reflected in the contradictory interpretations of what humanitarian norms and principles should mean in practice. There were two conflicting interpretations of what role humanitarian norms and principles should play in the OLS Northern Sector. First, for the Sudanese government, humanitarian principles were seen as merely devices for implementing the long-term needs of the displaced population in government areas. Accordingly, humanitarian principles meant the rights of displaced people to self-reliance. GOS interpretation of humanitarian norms and principles can be seen from the Islamic perspective. The concepts of *tawhid* (which implies God’s ultimate ownership of wealth) and *Khilafa* (which stands at the heart of the relationship between God and man, carries with it ethical responsibility) underpin a vision that translates into systems for ordering human affairs centring on the achievement of universal justice by striking a balance between the legitimate needs and aspirations of individuals and

communities on the one hand and their responsibilities towards each other, the created realm and the creator on the other in a holistic, equalitarian framework.<sup>609</sup>

According to this concept, which has its central aim the achievement of equity based on a conviction that all members of the human family have an equal right to the basic essential for a decent life, humanitarian norms can only be applied if they are not harmful to what they are intended to help. For the GOS, international community's obsession with human rights was harmful to the long-term development needs of the displaced population: it is from this perspective that GOS interpretation of OLS principles should be understood. The Islamic vision insists on a balance between the material and spiritual aspects of life, upholding a concept of development as the realisation of human dignity, including the spiritual dimensions. This Islamic understanding of how humanitarian norms and principles should be applied in practice needs to be seen from the wider perspective. As discussed in chapter 2, the Islamic concept of humanitarian norms is not different from that enshrined in the Charter of the UN. The Declaration on the Right to Development, adopted by the UN General Assembly in 1986, explicitly affirmed the existence of the human rights to development, thus formally recognising a principle that was at the core of the post-Cold War II human rights movement. That principle was explained by President Roosevelt in his State of the Union Address of 1944: 'True individual freedom cannot exist without economic security and independence. Necessitous men are not free men'.<sup>610</sup>

In the same 1944 address, President Roosevelt elaborated on a list of economic rights, such as to food, clothing, housing, health, education and employment, that according to him comprised economic security.<sup>611</sup> These items were incorporated into the UN Charter in October 1945. Moreover, the Vienna Declaration of 1993 obliges donor states to balance their human rights approach with the right of the war-victims to development. Accordingly, the recognition of the right to

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<sup>609</sup> See, for example, Fazlur Rahman, "Law and ethics in Islam", in Richard G. Hovannisian, *Ethics in Islam*, Malibu CA., Undena Publication, 1983, p. 12. See also, Seyyed H., *Traditional Islam in the Modern World*, 1975

<sup>610</sup> Eleventh Annual Message to Congress of the President, 11 January 1944, cited in Isreali, F.L. (ed.), *The State of the Union Messages of the Presidents, 1790-1966*, New York, Chelsea House, 1966, p. 2875

<sup>611</sup> For a recent discussion of the right to development, see Arjune Sengupa, "Realizing the Right to Development", *Development and Change*, Vol. 31, 2000, pp. 553-578; See also Julia Hauserman, *The Realization and Implementation of Economic, Social and Cultural Rights*, London, Macmillan, 1992



development as an inalienable human rights confers on its implementation a claim on OLS resources, and obliges donor states to support that right in the Northern Sector. Although it is true that there has been considerable debate between industrial democracies and Third World countries around the question of whether the right to development can be regarded as a human right, the GOS position is clear – it is a human right. GOS interpretation of humanitarian principles is not surprising, and OLS Review document, which analysed in detail the social impact of humanitarian assistance in the Sudan, provides a number of reasons as to why GOS was desperate for OLS resources:<sup>612</sup> First, there was considerable pressure for humanitarian aid to become more developmental, in order to bridge the growing gap in investment finance since the early 1990s; second, in the absence of development assistance and adequate public welfare financing, there was increasing encroachment by other groups into humanitarian resources targeted at the war-displaced. In areas, where there were no public services in the displaced camps, international agencies substituted for government services; third, the absence of recurrent government finance begs the question as to whether or not developmental relief interventions can be sustainable. According to OLS Northern Sector Co-ordinator, Christopher Jaeger, humanitarianism should lead eventually to self-reliance:

*We often define humanitarianism as putting bread in the mouth of a starving person, but it is not humanitarian to let him get into that situation. We should replace free food deliveries and make people repay what they have received; this is what we are doing in Wau...People should repay this humanitarian loan not to us but to their community. We are taking them of the beggar mentality. People are proud to pay for themselves...this is part of society building, enabling people to feel more consciously self-reliant. It is linked to democracy building because people have to elect a management committee.<sup>613</sup>*

Therefore, the relationship between the UN and the local authorities can be seen from the acknowledgement of both sides that a switch from relief to development would remove the trauma of charity and restore the dignity of the displaced persons in the Northern Sector. By working closely with the sovereign authorities, the OLS Northern Sector did not absolve itself from its protection mandate as solidarists have asserted above. On the contrary, OLS has discharged its international obligations in

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<sup>612</sup> For detail analysis of these three implications, see DHA, OLS Review, July, 1996

<sup>613</sup> Quoted in OLS Review, 1996, p. 100

a manner compatible to its negotiated framework that relied on consensual agreements with the national government in Khartoum. As the UN Resident Representative puts it: “Some relief agencies do not understand that despite our attempt to implement GOS internally displaced policy, our behind-the-scene diplomacy has been useful in encouraging local authorities to respect human rights and grant more access for OLS implementing partners. There are those who are impatient with our approach, but there is not much we can do under the current circumstances. In fact without our quiet diplomacy, many international NGOs would have been expelled from the country long time ago. Our negotiated framework, which takes into consideration political and security concerns, is the most realistic in any war environment. The UN is not here to impose certain standards of behaviour on the host government. It is here to assist those uprooted from their homes by war, and it does this through engagement with the authorities concerned”.<sup>614</sup> This statement supports constructivists argument that the two natures represented by realism in the form of political concerns and idealism in the form of humanitarian imperatives were necessary for the survival of UN operations in Sudan. Given that the Northern Sector did not experience the destabilising effects of the war, this author argues that for the internally displaced persons to overcome the trauma of charity, relief-to-development approach is the best option in such a peaceful environment.

Indeed, the success of humanitarian principles should be seen from the extent to which they encouraged self-reliance among the internally displaced people in the Northern Sector. In this scenario, talks of human rights will fall in the sand unless those norms and principles address the underlying problems of poverty. The issue of transition from relief to development is not unique to Sudan. As mentioned in the previous chapters - within the donor humanitarian community - the concept of a relief-to-development continuum has gained popularity in recent years. The proponents of these ideas define complex humanitarian emergencies as situations in which people cannot sustain life by their own efforts.<sup>615</sup> Therefore, the use of humanitarian principles as devices for shaming also fitted well with the GOS

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614 Interview with Christopher Jaeger, UN Resident Representative, 1996

615 For an analysis of the link between humanitarianism and development, see Mary B. Anderson, “Development and the Prevention of Humanitarian Emergencies”, in Thomas G. Weiss & Larry

understandings: that they are developmental policy instruments. According to OLS Review document, in affirming the need to incorporate displaced southerners into the economy of the north, the UN had effectively supported GOS development policy: “The original framework of OLS, which defined the operation as a government programme, focused on achieving and reinforcing government objectives with regard, among other things, to its agenda for development. This development agenda – for example, the attempt to establish self-reliance among internally displaced populations through settlement schemes – established self-reliance among internally displaced populations through settlement schemes – fitted well with the UN’s own adoption of a relief-to-development continuum approach. It thus provided a means for the UN to continue working within the highly constrained and politicised context of North Sudan. In this regard, the Review Team feels that it is not entirely correct to say that the UN has been hostage to the demands of sovereignty in the Northern Sector. Rather, there has been a convergence of interests between UN and GOS – and indeed donor community – objectives with regard to developmental programmes”.<sup>616</sup> While the Review Team took a more sceptical position with regard to the UN handling of humanitarian principles in the north<sup>617</sup>, this author argues that the marriage of convenience between the UN and the host government was a pragmatic understanding of what the role of these international norms should be in an environment where the population is struggling to make ends meet.

The second interpretation of the role of norms was advanced by donor states and NGOs. For these humanitarian players, there is no doubt that humanitarian norms and principles were constructed in order to dialogue with the host government over the issues of human rights and democratic governance. Unlike the old order of the Cold War where instrumental authoritarianism can be tolerated as long as the government in power is an ally against the spread of Communism, the end of the bipolar international system has meant that powerful states have had to redefine their strategic relationship with their former satellites in the Third World. Donor governments used to commit funds for an emergency intervention in one country on

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Minear (eds.), *Humanitarianism Across Borders: Sustaining Civilians in Times of War*, Boulder-London, Lynne Rienner Publishers, 1993, pp. 23-38

<sup>616</sup> DHA, OLS Review, p. 109

<sup>617</sup> *Ibid.*, p. 135

the basis of where it stands in relation to communism and capitalism. As discussed in chapter 1, the United States and its Western European allies consciously influenced the delivery of humanitarian action to enhance the prospects of the Khartoum government. While the emphasis on political ideology is much reduced, international politics as well as donor countries' foreign policies continue to influence donor's decision-making. By 1990 the government of Sudan (GOS) was marked for human rights abuse and blacklisted for supporting terrorism. Consequently, it was banned from receiving development assistance from the United States and Western Europe.<sup>618</sup> This had negative impact on the Sudanese economy. While a detailed analysis of the economic situation in the country is beyond the scope of this thesis, the reader should bear in mind that economic sanctions have had negative effects on the Sudanese economy generally.<sup>619</sup> With the national economy in doldrums, the GOS was desperate for OLS resources. From the early 1990s Sudan was plagued by strongly fluctuating growth rates, high inflation, and severe balance of payments support problems. Consequently, the economy turned inward, with the share of exports to GDP at less than 8%, one of the lowest among developing countries in the world. By the end of 1993, Sudan's external debt stood at US\$ 18 billion, the equivalent of US\$ 800 per capita.<sup>620</sup> Attempts to reform the economy through enhanced agricultural production, liberal marketing arrangements, and greater privatisation, were unsuccessful due to development aid embargo imposed by the donors.

International community decision to punish the regime in Khartoum was justified on the basis of international norms in which the GOS was accused of violating. Nonetheless, the use of development aid embargo as a device for communicating international community's indignation with the way the sovereign authority in Khartoum treats its war-victims was just as divisive as the debate in

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618 As development and security concerns have tended to merge in the post-Cold War period (development has become increasingly seen as a precondition of stability and vice versa), many donors are now more proactive and better engaged with implementation matters. In fact, given the absence of comprehensive development tools in many war-affected countries in the Horn of Africa, this increase in donor authority has been one of the main achievements of linking policy.

619 An Analysis of the impact of economic sanctions against on the Sudanese economy per se is beyond the scope of this thesis. Relevant to the scope of this thesis is the effect of donor sanctioning behaviour on GOS attitude toward access and protection issues.

620 For a quantitative analyse of the economic situation in the Sudan since 1992, see The Economist Intelligence Unit, Country Report: Sudan, London, The Economist Intelligence Unit, 3rd quarter 1997

chapter 2. The section below explores these differences of opinions over sanctions regime.

### 5.3.1. DEBATING THE LOGIC OF SANCTIONS

This section illuminates the problem of using economic penalties to encourage policy changes in the areas controlled by a sovereign authority that is determined to hold part of its population hostage to its political agenda. While the realists can claim that the effectiveness of humanitarian principles were undermined by the different motives and views among humanitarian players in the Northern Sector, I argue that the usefulness of these rhetorical devices can be seen from the extent to which they have provided a framework for communication and dialogue between the international community and the Sudanese authorities. This form of interaction is based on Habermas' theory of communicative<sup>621</sup> action in which actors communicate with the aim of reaching a mutual understanding not through acts of egoistic calculations but based on a reasoned consensus.<sup>622</sup> Risse and Sikkink point to two situations in international politics within which argumentative behaviour and therefore social learning occurs; diplomatic negotiations and public debates. Public debates differ from diplomatic negotiations because they are usually not confined to state actors.

As seen in chapter 2, NGOs or human rights advocacy networks participate regularly in international public debates about human rights and increasingly participate in decision-making about the reputation and legitimacy of states. These advocacy networks provide a 'common lifeworld', which is seen as a precondition for reaching a reasoned consensus. They involved a widely shared common language, an inclusive moral vocabulary concerning human rights and a well-developed normative structure evolved in practice. In the case of this study, evidence

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<sup>621</sup> Thomas Risse-Kappen & Kathryn Sikkink, "The Power of Principles: The Socialization of Human Rights Norms and Domestic Change", in Thomas Risse, Stephen Ropp & Kathryn Sikkink (eds.), *The power of Principles: International Human Rights Norms and Domestic Change*, Cambridge, Cambridge University Press, 1999, p. 13

<sup>622</sup> Reasoned consensus is necessary for reaching a common definition of the situation and on the underlying normative framework. Therefore, communication in the form of arguing (as it is in chapter 2) is a process of social learning in which interests and identities can change. Within this process norms and arguing are mutually constitutive, and therefore the reasonableness of the norm itself is steadily discussed, so that their meaning can be changed as well.

show that both NGOs and the donor states used humanitarian principles to communicate and dialogue with the Islamist regime in Khartoum. For example, when donor states imposed development aid embargo on Sudan in the early 1990s, they did so to communicate their opposition to the GOS human rights record in the context of the civil war. Regardless of whether one accepts the optimistic or pessimistic measures of sanctions success, it is clear that application of development aid embargo on Sudan had generally resulted in desired humanitarian outcomes – that is, respect for human rights and allowing free relief aid access to those in need. The relative ineffectiveness of economic sanctions as instruments of communication or dialogue are not unique to Sudan; the international relations literature is littered with such failures. One of the most widely accepted ideas about international statecraft is that economic sanctions are an ineffective instrument of foreign policy. Economist Charles Kindleberger argues that “most sanctions are not effective”<sup>623</sup>, while Margaret Doxey concludes her analysis of sanctions by noting that “in none of the cases analyzed...have economic sanctions succeeded in producing the desired political result”.<sup>624</sup> The general scepticism in the international relations literature about the overall effectiveness of sanctions does not derive from the inability to impose hardship on the target state, but from the assumption that punishment encourages the desired political goals are achieved. In the case of the OLS Northern Sector, however, the use of sanctions to encouraged the desired political goals has become morally problematic. It has polarised the opinion of international community in Sudan: realists - those who support the “logic of positive sanctions” - includes the UN and GOS officials, and the proponents of negative sanctions – solidarists. The author will attempt to examine these two opposing views within the context of the OLS Northern Sector.

## A. THE LOGIC OF POSITIVE SANCTIONS

The first view is that of those who supported the “logic of positive sanctions” approach or realists. Strictly speaking, economic sanctions can involve positive incentives (“carrots”) designed to punish undesirable behaviour, and to compel

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623 Charles Kindleberger, *Power and Money: The Economics of International Politics and the Politics of International Economics*, New York, Basic Books, 1970, p. 97

desired political change. According to the “logic of positive sanctions” an effective way to influence the behaviour of the GOS is to provide economic rewards, such as increasing development aid. Thus, GOS acceptance of humanitarian principles to guide its conduct was based on its understanding that the international community would strike a balance between human rights and development. As stated above, the GOS argued that its policies were the best ways of removing the stigma of charity from its displaced population because they would promote self-sufficiency among the war-displaced, as well as encouraging a policy of “peace from within”. Thus, the GOS understanding of humanitarian principles as meaning self-reliance for the displaced population reflected a convergence of thinking between the UN and the host government regarding the need for a transition from relief to development.<sup>625</sup> Some NGO officials subscribed to the logic of positive sanctions that favour the idea of supporting government policies during the emergency phase: “Embargoes and other limitations even provoke negative solidarity among the population affected. Usually it even helps the most extremist and nationalistic leaders to strengthen their position. The shift of governmental and inter-governmental aid has taken place through civilian society or through political leaders who want to give their country a certain stability. This is not a naïve view, but the only way to provide support also to a new generation of politicians in poorer countries and to prevent resorting again to corruption or clan solidarity”.<sup>626</sup>

Although this is a minority view among NGO officials, the statement does illustrate the importance of giving aid to the dictatorial government in Khartoum as away of changing its undemocratic policies and methods. Even if sanctions can encourage capitulation, the case of the GOS has shown that it can also increase resolve and determination, especially if the target state (in this case Sudan) considers the issues of vital national interest. Not surprisingly, the proponents of the logic of positive sanctions argued that sanctions can be politically ineffective because economic harm often weighs disproportionately on the poor population while only

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624 Margaret Doxey, *Economic Sanctions and International Enforcement*, New York, Oxford University Press, 1971, p. 139

625 Taha, H., *Report on OLS Executed Project: SUD/88/032 Emergency Assistance to Displaced Persons*, in preparation for terminal evaluation, PPER and audit, New York, UNDP, 1995

626 Dr. Reginald Moreels, *Ideas on Humanitarian Aid, Interventions and Field Diplomacy: The Challenge to Peacemaking in Africa*, London, a conference paper, *International Alert*, August 23, 1994, p. 6

marginally affecting a regime's political and military leadership. For example, when the US and its Western allies imposed development embargo against the Islamist regime in Khartoum in the early 1990s, it was the ordinary Sudanese civilians who suffered from unemployment and lack of basic services, but had limited impact on government and military officials. As mentioned above, some UN officials in the north share the strategy that notwithstanding human rights violations, donor states should have maintained and increase economic contact, using international economic relations to foster GOS behavioural change. Even if maintaining economic contact might not have led to human rights improvement, the analysis of this chapter has cast doubt on the effectiveness of humanitarian principles as rhetorical devices for sanctioning GOS behaviour. Indeed, the Sudanese Minister for External Affairs, Dr. Mustafa Osman, was very frank of what the government saw as the role of humanitarian principles:

*These people (donors) tell us to respect humanitarian law, but they are the first to disrespect them. By allowing the UN to operate and even at times challenge government policies, we have fulfilled our obligations as required by the international humanitarian law. Unfortunately, however, donor community has decided to victimise our country for this. By imposing development embargo on our country, these donors have in fact imposed severe poverty on the Sudanese population. How can you expect our government to respect humanitarian principles which are used by anti-Islamic forces in the West to perpetuate not only the suffering of our people but also to divide the country? What kind of logic is this which talks of human rights, but, at the same time, denies the very people it is trying to protect their rights to development? I think there is a more sinister motive beyond this talk of humanitarian aid, and humanitarian principles. We have made it clear in 1994 to the UN General Assembly that we will not tolerate the use of humanitarian aid to undermine the sanctity of our sovereignty. If the donor governments really want to assist the displaced population they should cease their political activities.<sup>627</sup>*

Hence, GOS violation of humanitarian principles should be seen from the context to which these principles were unable to meet the domestic material interest of the host government. It is obvious from the Minister's statement above that the GOS saw sanctions not just a violation of its sovereignty, but also as a violation of humanitarian norms and principles. Broadly speaking, at least from the GOS understanding, the donor states' position is incompatible to the 1993 Vienna



Declaration, and the UN Charter discussed above, which recognised the right to development as a universal and inalienable right. After these two international instruments (the UN Charter and Vienna Declaration), it is clear that many Sudanese leaders such as the Foreign Minister quoted above argued that it was no longer acceptable to promote one set of rights as against another, or to put forward some rights, such as economic and social, to be fulfilled prior to or violation of other rights, such as the right to relief aid, civil and political rights, and vice versa. In this respect, all rights are to be fulfilled, and the violation of any one is as offensive as that of any other. For this reason, the analysis above clearly shows the extent to which the host government felt cheated by the donor community. It was not only the Islamist politicians who saw sanctions as violating humanitarian principles, but even the Christians within the establishment believed that the international community, in imposing economic sanctions against the Khartoum government, has undermined the neutrality and impartiality of OLS normative position. According to the Assistant Minister of Foreign Affairs, Anglican Bishop Gabriel Roric:

*“The decision by the international community to deny the Sudanese the right to self-reliance violated OLS humanitarian principles, and thus rendered humanitarianism meaningless in the eyes of the impoverished Sudanese population. From the Christian perspective, humanitarian principles, in their concrete meaning, means human dignity. Human dignity, in turn, means raising the standards of living of the impoverished population, particularly those displaced by the war in southern Sudan. Without development aid, there will never be any peace in Sudan. There are some people who think that by imposing economic sanctions against the country they are punishing the incumbent government. They are wrong because the sanctions are not harming those of us in government, but the very people that the international community is trying to help. When relief agencies talk of humanitarian principles while the same time supporting development aid embargo against the country, they do not seem to understand what these principles stand for”.*<sup>628</sup>

Indeed, development aid embargo imposed in 1990 by international community has raised questions regarding the morality of economic sanctions. Taking into the consideration the fact that the war in Sudan is a resource conflict, the Bishop is

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627 Interview with Dr. Mustafa Osman Ismail, Sudanese Minister of External Affairs, Nairobi, May 15 1997

628 Interview with Bishop Gabriel Roric, Assistant Minister of Foreign Affairs, Geneva, May 13, 1996

correct in stating that without development aid, peace will inevitably be difficult to achieve. The causes of the humanitarian emergencies in the Sudan were discussed in chapter 1, and can be summarised here into two essential categories: economic and political. In the view of many government officials, such as that of the Assistant Minister above, impoverishment and conflict are the basic economic and political forces that underlie the suffering in Sudan to which humanitarian assistance responds. Although economic embargo remains a popular tool of statecraft because it provides an alternative to military humanitarianism – that is the use of armed intervention to assist non-combatant civilian population trapped in war zones – economic embargo is also a morally problematic instrument because they cannot discriminate between civilians and government officials. After all, as the Assistant Minister puts it correctly above, it is not those of them who were harmed by sanctions, but the internally displaced persons, and the impoverished local population in the north. As one GOS official told this author, “humanitarianism for us is prerequisite for development; only when the UN meets that condition, will the government take humanitarian principles seriously”.<sup>629</sup>

Some scholars share this GOS view, and they argue that the failure by the donor community to address the realities of the OLS Northern Sector is that there is no collective policy in relation to political Islam.<sup>630</sup> The humanitarians who supported the logic of positive sanctions believe that the absence of a common position on political Islam reflected another reality that aid policy was unable to address, and led to a number of important differences between policy in the GOS areas and areas controlled by the rebel movement.<sup>631</sup> This has affected the national economy, and created important differences in terms of access and protection issues. But the argument of those supporting the logic of positive sanctions was not shared by many humanitarian players such as donor governments and NGOs. This brings us to the question as to whether donors, in imposing development aid against the Khartoum government, had violated OLS humanitarian norms and principles.

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<sup>629</sup> Interview with Ibrahim Tayib, Official in the Department for Displaced Persons, Geneva, March 5, 1996

<sup>630</sup> See, for example, Duffield, M., “Sudan: Unintended Consequences of Humanitarian Assistance”, November, 1999

<sup>631</sup> Interview with Jan Gruiters

## B. THE LOGIC OF NEGATIVE SANCTIONS

The second view is that of the supporters of the “logic of negative sanctions” or solidarists. The “logic of negative sanctions” advocated by some Western policymakers and NGOs assumes that the most effective way to deter Sudan not only from obstructing relief access, but also from supporting terrorist groups and Islamic extremists is through the imposition of sanctions. Numerous scholars have pointed to internal reconstruction as a method of socialising rogue states to a particular international order. Those working in the realist tradition have found the internal reconstruction of weaker states by more powerful states to be a common feature of international relations.<sup>632</sup> As discussed in chapter 3, the principal justification offered by Western policymakers for the imposition of embargo on development aid against Sudan was the belief that support for Islamic terrorist groups is not in the geopolitical interests of the donor states and needs to be abolished. Sanctions advocates, particularly NGOs and other interest groups, argued that economic penalties should be imposed on the Islamist regime in Khartoum in order to compel the government to alter its policies.

As stated in the beginning of this chapter, the bedrock of NGO activity is the collection of accurate information and its timely dissemination. On the basis of their analysis and dissemination, NGOs try to persuade public authorities to respect the rule of law.<sup>633</sup> One way of doing that was to pressure donor states to sanction the behaviour of the host government. For example, some Church leaders, such as Archbishop Paolino Lukudu of the Catholic Church, and Bishop Joseph Marona of the Anglican Church, pointed out that economic embargo against the Khartoum government was necessary to convey a moral message, that is, to express outrage at the human rights violations in the context of the civil war.<sup>634</sup> However, from this author’s experience, donor governments, and NGO community advocated sanctions for strategic reasons, basing their argument on consequentialist logic: economic

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<sup>632</sup> See John Ikenberry and Charles Kupchan, “Socialization and Hegemonic Power”, *International Organization*, Vol. 47, No. 4, 1993, pp. 292-314

<sup>633</sup> See the debate in *Foreign Policy*, Vol. 105, Winter, 1996-1997, pp. 91-106, between Arye Neiter who stresses the importance of moral consistency of NGOs (“The New Double Standard”), and Jeffrey Garten who stresses the many roads to progress and the necessity for flexible judgement in context – and by implication the tolerance of inconsistency (“Comment: The Need for Pragmatism”).

<sup>634</sup> I interviewed the two church leaders during an ecumenical conference held in Nairobi on 7 May, 1997

hardship and international isolation, they believed, would compel the Sudanese authorities to respect human rights and allow access to those in need of relief assistance. As one humanitarian practitioner puts it:

*The pursuit of peace should not diminish human rights considerations. Protecting human rights is key to the process of creating conditions for peace. Calls for an easing of U.S. isolation of Sudan as an incentive for peace before the regime changes the way it treats its own citizens are misplaced and would make it even more difficult to induce compromise from Khartoum...Perceived short-term strategic imperatives should not diminish U.S. advocacy for democratisation.*<sup>635</sup>

Because force is considered the most extreme and least desirable foreign policy instrument, development aid embargo offers a useful instrument short of military intervention. Perhaps one of the reasons that sanctions have generally been considered ineffective tools is that they have been judged successful only when the desired political goals are achieved. But, if success of sanctions is determined not only by the political and government changes achieved but also as part of a state's overall repertoire for exercising influence and communicating intentions in world affairs, sanctions can be considered far more effective. Solidarists believe that it is wrong to dismiss sanctions as ineffective because in the case of Sudan they have served as important, though not very effective, symbols of communication between the UN, donor states, and the Sudanese government.<sup>636</sup> This is true because, like all weak states, the Sudanese government knew that expelling the UN or shutting down OLS would have been more costly in terms of the degree of suffering and the subsequent instability such a decision would bring to the country. In fact, privately, many within the government acknowledged that without OLS humanitarian programmes that have assisted not only the displaced but also local communities in terms of health services and long-term community-based projects, it would have been difficult for the local authorities to maintain law and order among displaced persons.<sup>637</sup> In this case sanctions were useful in moderating the behaviour of the Sudanese government, and in forcing it to make even cosmetic changes.

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<sup>635</sup> Prendergast, *Building for Peace in the Horn of Africa*, p. 15

<sup>636</sup> *Ibid.*

<sup>637</sup> Interview with Bishop Roric, Assistant Minister of Foreign Affairs

### 5.3.2. GOS ISLAMIC VERSION OF DEMOCRACY

It is evident from the previous chapters that one of the reasons for sanctioning GOS behaviour was to encourage the Sudanese government to move towards returning the country to the liberal form of democratic governance. Thus, the use of humanitarian principles for sanctioning and cajoling have been an effective way of demonstrating international community's resolve to make the central government in Khartoum aware of its national and international obligations. Although it is true that humanitarian access to the people in need was restricted, and that some aid agencies were thrown out of the country by the local authorities, I argue that economic sanctions imposed by the donor community had softened GOS exercise of its sovereignty. Attempts by the central government in Khartoum to allow some semblance of democracy can be seen as evidence that international norms have had some effect on GOS behaviour. These political devices impacted on the behaviour of the national authorities in Khartoum in two ways – Elections, the emergence of division between President Beshir and Hassan el-Turabi, then leader of the National Islamic Front (NIF), and the implementation of Islamic federal model.

#### A. POPULAR PARTICIPATION

The first impact concerns the extent to which the GOS was able to establish some form of democratic elections. Even if the elections were not done according to the Westminster model and thus considered by this author as mere cosmetic exercise, this thesis nevertheless argues that the GOS attempts to implement its Islamic version of democratic governance was indeed an indication of the effects of humanitarian principles. As sanctioning devices for donor governments, humanitarian principles were said by some diplomats to have moved the Islamist regime towards some form of democracy.<sup>638</sup> In rejecting donor community call for a Western-based multi-party democracy, President Omer Beshir argued that Western democracy based on political parties was too divisive. He wanted unmediated “popular participation” to manage, build, and secure the country.<sup>639</sup> The logic behind this “popular participation” is that a mobilised public would fight corruption

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<sup>638</sup> Interview with an Eritrean Embassy official, Nairobi, June 14, 1998

<sup>639</sup> Al-Dustur, 4 September 1989 (JPRS-NEA-89-069)

and promote economic production. The Islamist within the establishment argued that the people could be wielded into a harmonious unity to promote virtue and prohibit vice, as required by Islam.<sup>640</sup> As stated in chapters 1 and 2, these concepts meshed with Hassan Turubi's criticism of European democracy for dividing people artificially through political parties and fostering amoral political behaviour. It is obvious in chapter 2 that for many NIF followers, economic dependence has brought subservience to Western economic interests and political pressures, including demands for evidence of good governance, which had increasingly involved the introduction of liberal democratic procedures. That means that the right of democracy is both a means and an end in the struggle for human rights with freedom of conscience, expression, religion, right to fair trial, and security. As one US State Department official puts it:

*Although the Article 21 of the Universal Declaration provides that the will of the people shall be the basis of the authority of government expressed in periodic and genuine elections, too many governments continue to speak of democracy, even as they rig elections and suppress dissent...For our purpose democracy is not just developing and holding elections but respecting human rights in a robust civil society characterised by the rule of law, healthy political institutions, constitutionalism, and independent judiciary with open and competitive economic structures, an independent media capable of engaging in informed debate with freedom of religion and belief mechanisms to safeguard minorities in full respect for women's and worker's rights...These are the principles, which together with elections form the basis of a culture of democracy.<sup>641</sup>*

As mentioned in chapter 2, these external pressures were seen by the Islamist government in Khartoum as Western conspiracy to undermine the emergence of an Islamic state in Sudan. A further problem for liberal democracy among Islamists is associated with its secular ethos, and in particular materialism that flies in the face of fundamentalist religious government. The resurgence of fundamentalist political Islam and the subsequent impact of Islamism, presented a further challenge to what

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<sup>640</sup> Al-Dustur, September, 1989

<sup>641</sup> Harold Hongju Koh, (Assistant Secretary for Democracy, Human Rights and Labour), Promoting Human Rights in the Pursuit of Peace: Assessing 20 years of US Human Rights Policy, speech delivered at the United States Institute for Peace, 17 March, 1999, p. 9

Mike Mannin called “liberal triumphalism”.<sup>642</sup> Thus, in GOS thought, democracy is associated with secularism and is, therefore, a transgression of *Allah’s* (God) law. But the discussions of democracy in Islam raises questions about the status of religious minorities. As stated in chapter 2, *dhimmi* status often meant political discrimination against non-Muslims. The unfortunate thing is that Qur’an provides little guidance regarding the form of government God ordains for self-styled Islamic leaders such as Turabi. Not surprisingly, the abuse of human rights in the context of the war is directly related to the lack of democratic Islamic institutions in the Sudan. Sudan case shows Islam has a totality of view, exclusive of other beliefs which militates against full participation in electoral democracy. As Turabi has stated above, multi-party politics is erroneous and inimical to Islamic values. In consequence, the incompatibilities of Islamic and liberal philosophy preached by Western scholars, exacerbated by the emergence of extremist parties such as NIF, can be identified as a major threat to democratic freedoms.<sup>643</sup> Bernard Lewis, for example, summarises Islamic fundamentalists’ attitude to the electoral process as “one man, one vote, once”.<sup>644</sup>

Gilles Kepel and Lewis contend further that liberal democracy is incompatible with neither Islamic fundamentalism nor Islam itself.<sup>645</sup> According to Amos Perlmutter, the true nature of Islam is not merely resistant to democracy but wholly contemptuous of and hostile to the entire democratic political culture; it is “an aggressive revolutionary movement as militant and violent as the Bolshevik, Fascist, and Nazi movements of the past; it cannot be reconciled with Christian, secular West, as such, the United States should make sure the movement is stifled at birth”.<sup>646</sup> Although such statements represent an aggregated image of Islam, they do, to some extent, confirm the kind of pronouncements made in this thesis by the Sudanese Islamic leaders. In fact, the Islamic democratic system, as seen above, seems to have left little scope for popular participation in politics. By virtue of their

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642 Mike Mannin, “Global Issues and the Challenge to Democratic Politics”, in Charlotte Bretherton & Geoffrey Ponton (eds.), *Global Politics: An Introduction*, Oxford, Blackwell Publishers, 1996, p. 6

643 Bernard Lewis, “Islam and Liberal Democracy”, *Atlantic Monthly*, February, 1993, p. 91

644 Ibid.

645 Kepel argues further that “rejection of even a chimerical notion of democracy is actually inherent in Islamic religious doctrine”. See his *The Revenge of God: The Resurgence of Islam, Christianity and Judaism in the Modern World*, Alan Braley, Pennsylvania State University Press, 1994, p. 194; Lewis, “Islam and Liberal Democracy”, p. 93

enforcement of the Sharia law, President Beshir and his ministers were owed obedience. They were not obliged in any way to consult the Sudanese people, and though they were supposed to rule justly, there was no mechanism to remove the regime. However, in spite of this troubling side of Islamic version of democracy, international pressure in the form of shaming and sanctioning the behaviour of the Sudanese government had forced the Islamists within the establishment to make some cosmetic reforms. For example, in October 1989, the GOS set up “popular salvation committees” to help distribute relief food and maintain security in their localities.<sup>647</sup> Based loosely on the Libyan model, they were trumpeted as a crucial step toward democracy. This approach was systematised during the conference for National Dialogue on the Political System held from July to October 1990, which decided that 9,000 local communities would select representatives for district-level committees and town assemblies who would then form a regional parliament. In an attempt to sweeten up his Islamic version of democracy, President Beshir stated that some delegates would be elected by direct elections while others would be elected indirectly by economic congresses and societies for women and youths.<sup>648</sup> Such cosmetic changes were not enough to persuade the donor community, which was concerned with the obstructionist humanitarian relief policies of the Khartoum government.

Then in January 1992, following threats from the donor governments that development aid would be withheld unless the Khartoum regime returned the country to multi-party democracy, the government established a 330-member Transitional National Assembly (TNA).<sup>649</sup> This was the first all-appointed parliament since the Islamist-inspired military regime came to power in June 1989. Despite limited information on the workings of the TNA, one can glean examples of dissent within its committees. Most government bills were passed without serious debate, but some members expressed concern that drafts were introduced by NIF task forces without the knowledge of either the attorney general of the relevant TNA

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<sup>646</sup> Amos Perlmutter, “Wishful Thinking About Islamic Fundamentalism”, *Washington Post*, 19 January, 1992

<sup>647</sup> Al Sharg-al-Aswat, 11 October 1989 (FBIS-NES-91-194, 7 October 1991)

<sup>648</sup> Al-Safir, 24 February 1993 (FBIS-NES-93-041, 4 March 1993)

<sup>649</sup> Omdurman radio, 4 January 1992 (FBIS-NES-92-004, 7 January, 1992)



committee.<sup>650</sup> Since the appointed TNA lacked credibility and legitimacy, the government continued to talk about elections. President Beshir claimed to favour elections that would be “open to all citizens in all areas”.<sup>651</sup> By 1993, the GOS moved another step forward by holding grassroots elections. During this period, GOS officials claimed that 1,600 basic congresses were held in villages and districts, in which more than five million citizens participated.<sup>652</sup> No political parties were allowed since the government argued that congresses provided the best way to express the pluralism of opinions. When the local elections were finally held in 1994, the government suffered its worst results since coming to power by force; opponents of the government defeated NIF candidates. For example, in Atbara - the main industrial and railway city, which had a history of politicised trade unionism - most NIF candidates lost to members of (illegal) Communist and Democratic Unionist Parties.<sup>653</sup> Regional-level elections in 1995 were also problematic, even though the government tried to avoid the previous fiasco by requiring candidates to support government policies. President Beshir declared that those elected would “uphold justice” and proclaim “There is No God but Allah”.<sup>654</sup>

*We want deputies who will struggle for Islam and are ready to sacrifice their lives and wealth for the sake of sharia.....The office of a deputy....is a trust to which one will be answerable on the day of judgement. It is an oath taken before God and allegiance to God the most high and not selfish gains but for service to the faith and the adherents of the faith.*<sup>655</sup>

Such rhetorical statements reflects the humiliation the GOS suffered during the grassroots elections. Ghazi Salah al-Din spelled out NIF’s approach to democracy: “We must unify the country through a divine Islamic policy open to all...Elections are being held...not on the basis of the party system but on the basis that the entire Muslim society belongs to one party, the party of God”.<sup>656</sup> However, problems of registering voters delayed elections until 8 March 1995. A long-delayed elections for

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650 Interview with Lawrence Lual Lual, Member of the Transitional National Assembly, Nairobi, April 8, 1997

651 Sudan Newsletter, Fall, 1993, pp. 1-4

652 TNA member to Omdurman radio, Khartoum, 2 March 1993 (FEBIS-FES-93-042)

653 SHR Voice, Khartoum, 13 December, 1994

654 President Omar Beshir’s speech to Lahamda tribe on Omdurman radio, 8 January 1995 (FEBIS-FES-95-013, 20 January 1995)

655 Ibid.

the 400-member national assembly and the presidency were held from 6 to 17 March 1996. But it was boycotted by all major political parties. President Beshir ran for presidency against 49 other candidates. President Beshir won 75.7 percent in the general elections in which election officials claimed that the turnout was 72 percent whereas opposition politicians argued that 95 percent of the public boycotted the polls.<sup>657</sup> Whatever the arguments, and counterarguments about the nature and the merits of the Sudanese Islamic democracy, the GOS was able to claim some political ground. The GOS claimed that it allowed elections to go on, but that the opposition, bent on removing the government by force, boycotted it. In fact, outside Khartoum, there were apparently greater efforts to ensure that representation on local and regional councils reflected the area's ethnic and tribal composition and therefore would acquire legitimacy. Through its powers to appoint 10 percent of the members, the government also guaranteed that even fractions of ethnic groups would be represented.<sup>658</sup>

In addition to establishing the facade of a mass base and electoral legitimacy, the GOS sought to create the appearance of geographically decentralised rule. Its federal system was based on NIF's Sudan Charter, which called for the central government to retain authority over national defence and security, foreign policy, nationality, and so forth. Most importantly, Khartoum controlled the judiciary and legal codes, the financial system, economic planning, and education. Decentralisation was tightly circumscribed. These views were reflected in the recommendations of conferences on the peace process (October 1989) and the political system (October 1990), which led to decree of a federal system on 4 February 1991.<sup>659</sup> The elections sought to put a veneer of legitimacy on the political system. The thesis understands that elections and top-down efforts to promote democratic change are themselves insufficient and must be complemented by grassroots level democracy and peacebuilding. As one SPLM/A official told this author in Nairobi: "The Sudanese people will continue to suffer as long as ordinary

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656 Al-Ahd (Beirut, Lebanon), 21 April 1995 (FBIS-NES-95-090, 10 May 1995)

657 *Le Monde*, Paris, March, 1996, pp. 24-5

658 Ahmed Einas, "The Dynamics of Local Politics and the Search for Local Legitimacy in Kasala State", Unpublished paper delivered at the International Sudan Studies Association Conference, Cairo, Egypt, June, 1997, p. 7

659 Benaiah Yongo-Bure, "Sudan's Deepening Crisis", *Middle East Report*, No. 172, September-October, 1991, p. 12

citizens are not given the opportunity to participate freely in the conduct of democratic elections".<sup>660</sup> This patrimony of political intolerance clearly reveals itself in the country's undemocratic institutions, which favour the authoritarian Islamic model of democratic governance and is viewed as normative instrument of political control. Such elections can become a means not to reconcile differences but to solidify them. Instead of consolidating the regime's legitimacy, however, the election emphasised its narrowly partisan and ideological nature. In other words, GOS Islamic version of democracy has failed to meet the conditions set by liberal democracy. From liberal perspective, a transition to democracy is the move from authoritarian (Islamic) rule toward more democratic rule which includes a gradual relaxation of civil, political restraints and the existence of free elections. It was not surprising that donor states, no longer driven by polarised ideological considerations, were unimpressed and unwilling to buttress authoritarian and illegitimate Islamic regime in Khartoum. The continuation of economic sanctions is a clear sign that donor states remained unimpressed about the mixed signals coming from Khartoum.

## **B. IMPROVING RELATIONS WITH NEIGHBOURS**

The second impact is that at least at the top leadership of the government these devices had encouraged serious debate on whether the GOS should go ahead with its radical version of Islamic system of governance or not. The power struggle between President Omer el-Beshir and Hassan al-Turabi and the expulsion of Turabi from government, can be seen as evidence that international pressure had some effects on the behaviour of GOS. As stated in chapter 2, President Beshir wanted a more moderate form of Islamic state that would be attractive both nationally and internationally, but Turabi wanted a comprehensive imposition of an Islamic state in the Sudan. After nearly a decade of isolation, the Sudanese President started to make overtures to governments in the region, but his efforts were undermined by Turabi and NIF supporters. Following the sacking of Turabi on 12 December 1999, President Beshir moved on to impose a three months state of emergency and

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<sup>660</sup> Interview with Elijah Malok, SPLM/A Political Adviser, Nairobi, July 26, 1998

dissolved parliament pending new elections.<sup>661</sup> Significantly, Beshir's showdown with Turabi had implications for regional stability and security. As discussed in chapter 3, relations between Sudan and its neighbours were at their ebb since the Islamist regime in Khartoum came to power in June 1989. However by the late 1990s, Beshir's power struggle with al-Turabi, was seen by many Sudan observers as a signal to neighbouring states and international community as a whole that Sudan had put aggressive Islamist policies behind and was trying to embrace international norms and live peacefully with its neighbours.<sup>662</sup> Indeed, following Turabi's departure from government in the year 2000, President Beshir visited or sent emissaries to several countries, including the Democratic Republic of Congo (DRC), Egypt, Eritrea and Qatar. He also tried to improve relations with Ethiopia, Kenya and Uganda. By 1998, Beshir's showdown with Turabi reversed a number of diplomatic relations in the region, with Asmara already moving toward to establish full diplomatic relations with Khartoum. These events would not have been possible if it had not been because of the shaming and sanctioning behaviour of OLS and its donor governments. Therefore, humanitarian norms and principles were useful in the Northern Sector operational environment. However, the prospects for democratic consolidation in the Sudan remain remote, as northern ruling elites seek to preserve dwindling economic privileges and contain the war in the south of the country.

### C. ISLAMIC FEDERAL MODEL

The third attempt to placate international public opinion was in 1991 when the Islamist regime came with a federal system which will divide Sudan into 26 autonomous regional states. During this year, President Beshir imposed an anomalous federal political system which is contained in the National Islamic Front (NIF) Sudan Charter. The core of the Sudan Charter was twofold: the implementation of Islamic Sharia Law and unequivocal opposition to secularism (no separation between religion and state). Turabi's Islamic Charter was based on the principle that sovereignty is invisible.<sup>663</sup> The Criminal Act of 1991, emphasised

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<sup>661</sup> BBC World Service, Focus on Africa, London, December 12, 1999

<sup>662</sup> Ibid.

<sup>663</sup> Rex S. O'Fahey, "Islam and Ethnicity in the Sudan", *Journal of Religion in Africa*, Vol. 26, No. 3, August 1996, p. 263

*huddud* punishments.<sup>664</sup> Despite the manifest aim to create a new Sudanese Islamic identity, which includes educational policies, monetary and fiscal policies, acculturation and war, yet the Khartoum government claims that the federal system it adopted was aimed at attenuating the Western and Southern discontent of its Islamic orientation. There is no doubt that federalism was naturally welcomed in the Sudan. It is difficult to fathom an 'Islamic Federal Model', especially how it may operate, given Islam's insistence of governing according to the Holy Quran and the Suna and in a unitarian fashion. Turabi federalism has four major weaknesses. First, it was designed for an Islamic state and perhaps could only operate within that sphere. Second, it lacks real distribution of real political power because power is concentrated in the centre and in the hands of the Arab ruling elite. Hence, the proposed federal system does not in practice meet the basic principles of self-rule and shared rule normally witnessed in formal federal arrangement. Third, the Khartoum government federal model lacks national consensus on the system of rule that should be instituted in the Sudan. Fourth, the 26 states proposed in the government federal system lack any economic, cultural, social and political autonomy normally expected in federal arrangements. States without state-rights diminishes the character of federal design. As such, the Sudanese government Islamic federal model does not qualify as federation at all, rather it is an anomalous system which does not fit into a federal category, but an oligarchical, patrimonial and authoritarian one-party state.

Thus, those who support this option for a united democratic Sudan maintain that a decentralised polity will limit centrifugal pressures rather than exacerbate them; Southern Sudanese will want to remain within one country if they find room for self-expression and self-rule instead of being pressured to assimilate and being denied their distinctive identities. That kind of rational argument would have been welcomed by all the Southerners in the sixties when the region was desperately seeking for a federal status within the borders of the Sudan. Now, Southern public opinion is no longer in the mood to accept the SPLM/SPLA proposal for a restructuring of the political system of a state which they believe was constructed out of sheer political trick and deception. It is important to emphasise here that southern Sudanese political culture has evolved since 1955 in a spirit of rejection

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<sup>664</sup> O'Fahey, "Islam and Ethnicity in the Sudan", p. 263

and oppression and with a strong sense of cultural, traditional and territorial injustice. This culture indicates that the so-called Southern problem is primarily constitutional, being concerned with statehood and territorial sovereignty. The problem evolves into unyielding competition for political control and power. Control of political system does more than safeguard citizenship and sovereignty; it gives to the power holders the right to distribute vital, but scarce, economic and social resources. The problem, therefore, has also become one of access to such resources and bias in the resulting pattern of social and material wellbeing of the Northern and Southern Sudanese. While there is no doubt that among proponents of national unity there is now a better understanding of basic issues and even laudable proposals for solution to the challenges to the Sudan state, there are still many problems and obstacles on the path of genuine dialogue which would create mutual understanding and respect and recognition of the multinational character of the country. This is because, each group in the conflict has a definite ends. Arab-Muslims, above all, want to maintain the link with the Middle East. In their view in defending the Arab-Islamic identity they safeguard their own and Sudan's economic interests; they protect religion, as well as their social identity. In this situation both groups can only fear one another; the Southern Sudanese are afraid because they are subjected to marginalisation and discrimination because of their colour and religion; and the Northern Sudanese want to cling to power at any price in order to maintain their dominant values.

Inevitably, the two groups see one another through threatening and deforming stereotypes, and they nurtured no confidence in one another's intentions. More profoundly, both groups confront one another in an embittering ambivalence that undermined every effort to reach understanding and agreement. Arab-Muslims cannot make up their minds whether they should go on regarding the African Sudanese in the south of the country as anti-Islam, subversives or whether they should treat them equally as Sudanese citizens who have every right to religious and political freedom. It is clear from the above discussion that options for maintaining a united Sudan, whether democratic, as the unionist groups aspire for, or theocratic, as the Arab-Islamic nationalists require, are dissipating first with time as the African people in the South now call for nothing less than the right to self-determination through referendum contained in the IGAD Declaration of Principles. The mounting pressure for secession in the South should be seen from the extent to which the

current Islamist regime in Khartoum is equally determined to establish an Islamic state in the country. The call for secession became increasingly insistent during the 1990s and remains the favoured option among the people of southern Sudan. Even some Islamists have concluded that the North-South polarisation is so intense that the only solution is to divide the territory into two states, thereby ending the “illusion” of a united, homogenous country.

### 5.3.3. THE PROMISE OF CIVIL SOCIETY

This section ends this chapter with a description of non-governmental organisations advocacy, which is directed both to the creation and application of humanitarian norms, principles and rules.<sup>665</sup> It explores how NGOs have contributed to the creation of democratic practices, the adoption of community values and the general improvement of human rights by addressing the Northern Sector’s operational problems. The impact of non-governmental organisations advocacy efforts should be seen from the overall context of political reforms discussed above. Before those reforms, the NGO community’s greatest challenge in the OLS Northern Sector was to work towards ending the cycle of violence, a scenario that has improved the human rights situation compared to the early years of 1980s and 1992 where relief aid and those who provide it became deliberately military targets by the parties to the conflict. Non-governmental organisations played a historically important role in expanding OLS mandate of 1989, which was narrowly defined in terms of tradition relief aid, to include politically sensitive programmes such as good governance and protection issues.

Some NGOs argued that their principled assistance, by providing an example, has encouraged the host government to moderate its Islamic policies, particularly on the issue of amputations and access to the displaced persons.<sup>666</sup> In fact, since the establishment of OLS in 1989, NGOs made use of these shaming devices not only to strengthen OLS protection mandate in the Northern Sector. Perhaps most

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<sup>665</sup> For theoretical arguments on NGOs, see Margaret E. Keck & Kathryn Sikkink, *Activists beyond borders: Advocacy Networks in International Politics*, Ithaca, Cornell University Press, 1998; Jackie Smith & Ron Pagnucco with George A. Lopez, “Globalizing Human Rights: The Work of Transnational Human Rights NGOs in the 1990s”, *Human Rights Quarterly*, Vol. 20, No. 2, May, 1998, pp. 379-412

<sup>666</sup> Christian Non-Governmental Organisations, Meeting, Khartoum, April 20, 1996

importantly, NGOs in the Northern Sector collected the information necessary to reveal the truth about human rights conditions in both Northern and Southern Sudan. Thus, the many NGOs that were active in humanitarian affairs undoubtedly constituted an important part of the global humanitarian network. In fact, one of the goals of NGOs that worked within the umbrella of the OLS Northern Sector was to challenge the manner in which the war was being conducted on all sides. Effectively this means raising the importance of humanitarian principles, in contrast to the obsession with humanitarian aid. The OLS July 1996 review document acknowledged the contribution of NGOs, which provided UN agencies and the donor governments with the early warning and monitoring services.<sup>667</sup> These services were especially useful not only in alerting OLS about possible violations of humanitarian principles, but also in peacemaking. As one NGO official told this author:

*For eleven years since OLS was established we have done what we can within our means to act as a voice for the suffering people of Southern Sudan to the international community. In Britain and other Western capitals church organisations such as Christian Aid and CAFOD have met many influential people, including the media, to sound out about the appalling situation in both northern and southern Sudan. Through our press releases and brochures we have been able to move the hearts of many politicians into action. Up today we are still committed to the people of southern Sudan.<sup>668</sup>*

There is no doubt that NGOs, particularly ecumenical organisations, were in the forefront of human rights campaign in the Sudan. Based on this author's own experience, the Sudanese churches were successful in reviving traditional mechanisms for conflict resolution for three reasons. First, sourcing from within the community was an important factor. In establishing a Desk for Advocacy and Peace, the Sudan Council of Churches (SCC) sought to identify and work through legitimate civil and religious leaders, those who command respect from social sectors, including local authorities.<sup>669</sup> Forging links with such leaders through their participation in the SCC Advocacy and Peace Desk helped to allay suspicions among the affected ethnic groups. The second significant reason is building co-

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<sup>667</sup> DHA, OLS Review, July, 1996, p. 93

<sup>668</sup> Interview with a Christian Aid official, Narus, southern Sudan, February 5, 1996

<sup>669</sup> Sudan Council of Churches Advocacy Report, Khartoum, March 12, 1995, p. 4



operative relations with local authorities. SCC also sought to avoid antagonising local authorities, instead trying to provide them with the opportunities to appreciate the important contributions that the churches can make in a society. Maintaining good relationships throughout the community permits SCC to work actively with numerous local institutions and affords disenfranchised ethnic groups the change to influence these institutions. The third reason for the SCC success in bottom-up grassroots peacemaking is serving as local civic structure for international ecumenical assistance. A major obstacle to encouraging broad community participation in a Church activities is overcoming the inertia that plagues communities habituated to a political system that demands loyalty to its war objectives. Moreover, international ecumenical agencies are given opportunities to channel their help in a way that can promote the development of local civic infrastructure and avoid the gridlock that often blocks implementation of their projects. Serving a local partner for an ecumenical assistance and reconstruction projects can actually empower the war-victims to participate in the rebuilding of their community. These reasons and others show that churches have traditionally been viewed as places of stability and strength in times of hardships. The Sudanese churches, through the material assistance of bodies such as the World Council of Churches (WCC), was able to mobilise grassroots people for peace action because Church membership provide individuals a frame for receiving the message and meaning of peace.<sup>670</sup> It is frequently noted that NGOs provided information to various UN agencies, and IGOs (inter-governmental organisations) that were charged with monitoring tasks.

It is thus arguable that the development of humanitarian principles made room for NGOs to make their voices heard at the political and diplomatic levels. Humanitarian players, including academics, and the media, used these international norms to further their causes and to pressure the donor governments to change their policies and approaches towards the humanitarian disaster relief in the Sudan. The fact that these norms and principles provided an additional weapon to NGOs' advocacy efforts, means that humanitarian values are not trivial in the international system. The experience of OLS/NGOs has shown that civil war problems, such as

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<sup>670</sup> Interview with a Presbyterian Ministers, Ler, New Sudan, March 16, 1997

peace-making, and gross violation of human rights cannot be adequately solved by governments alone, but require popular mobilisation.

#### **5.4. PROBLEMS OF STATE/CIVIL SOCIETY RELATIONS**

This section confirms the findings contained in the OLS Review document<sup>671</sup> regarding relational problems between the sovereign authorities in Khartoum and civil society. Although most 'failed states' in Africa welcome the flood of money and development introduced into their war economies by NGOs, they are less hesitant to embrace political or advocacy-oriented NGOs. They have embraced NGOs as partners in rehabilitation and development but also seek to control NGOs through some form of legislation, administrative co-option. In Sudan, relationship between GOS and NGOs was characterised by suspicion and mistrust. There was a trend of logic in the government circle which saw international NGOs as crusaders, claiming to do good and to have all the answers to the Sudanese woes. The reaction of the Sudanese authorities to NGO community's human rights campaign against President Omer al-Beshir regime was swift and resulted to not only to restriction of access but also to the expulsion of many Western NGOs and personnel from the Northern Sector.<sup>672</sup> Prior to 1989, for example, several INGOs, the ICRC, and a number of Sudanese Christian NGOs were supporting relief operations in the north. However, during the early 1990s, there was a marked change in the composition of the NGO community in the Sudan.<sup>673</sup> As shown in Figure 2 below, the number of international NGOs operating in the OLS Northern Sector declined, while the number of Sudanese and Islamic NGOs increased. There were two main reasons which led to the decline non-Muslim NGOs.

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<sup>671</sup> See DHA, OLS Review, July, 1996, pp. 46-50

<sup>672</sup> Government of Sudan, A Code of Conduct: Principles and guidelines governing NGO Work in the Sudan, Khartoum, January, 1993, p. 7

<sup>673</sup> DHA, OLS Review, p. 47

## A . NGO VIOLATION OF GOS SOVEREIGNTY

The first reason which made GOS resistant to humanitarian principles concerns NGO advocacy efforts in support of the logic of negative sanctions, which the national authorities said violated Sudan territorial integrity.<sup>674</sup> The Khartoum government's charge against NGOs is not far from the truth. From this author's experience, NGOs providing relief aid in the Sudan combat zones tended to be less concerned about sovereignty, although, as with political matters, their approaches were divergent. Some recognised Khartoum as much as the SPLM/A (Sudan People's Liberation Movement and Army). That is, NGOs in government controlled areas worked with the knowledge and consent of the authorities. Those who worked in the SPLM/A controlled areas have obtained the consent of the rebel movement. However, the majority of NGOs were less respectful of sovereignty than were UN agencies and other international bodies such as the International Committee of the Red Cross (ICRC) because they claimed to express humanitarian concerns of their supporters that have strong moral underpinnings. Throughout the beginning of conflict in 1983, these organisations were involved in advocating against Sudanese government war policies in Southern Sudan. Accordingly, the primacy of humanitarian principles over state imperatives as traditionally understood, was demonstrated by non-governmental organisations. NGO intervention by means of cross-border operations, carried out without the consent of the government which claims control of the territory, is based on the notion that common bonds of humanity override the obstacles of nation-state boundaries.

Thus, GOS was forced to monitor the international press in order to counter NGO accusations of human rights abuses and allegations of interference in relief and rehabilitation efforts. NGOs were effective in shaming their home governments not only to impose economic sanctions against the country, but also to internationally isolate the Islamist regime in Khartoum. They made use of international media to put their message across effectively".<sup>675</sup> Moreover, coalition building among local Christian NGOs in the Northern Sector was seen as an effective means of protection

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<sup>674</sup> The 1993 GOS/INGOs Agreement allowed NGOs to work in the Sudan on condition that their activities were endorsed by the Khartoum government. GOS, Country Agreement on the entry of International Organisations to Operate in the Sudan, Khartoum, January, 1993

against government interference. The fact that many of the humanitarian NGOs were of Western and Christian extraction was also significant. Humanitarian aid work does affect the situation on the ground. In a conflict situation people are kept alive and sustained, and to the Sudanese authorities this assistance was defined in terms of Christian evangelism in the mainly Muslim dominated Northern Sudan. This enhanced NGO role was also one practical manifestation of the challenge to GOS sovereignty. However, as anticipated by realists, NGO's confrontational advocacy strategies, while successful in persuading donor community to impose development aid embargo on Sudan, did not lead to improved humanitarian access in the Northern Sector. Humanitarian access was increasingly accompanied by severe restrictions, and expulsion of NGOs themselves. As two humanitarian practitioners and scholar puts it: "The growing involvement of NGOs in disaster relief since the mid-1980s has also had a profound effect on North-South relations. NGOs, by their nature and by their mandates, have the ability to form contracts with the people rather than states. The enhanced role of NGOs in Southern Sudan is a practical manifestation of the challenge to sovereignty which has emerged. NGO involvement in Africa's internal wars has had the effect of bypassing local states and bringing the plight of civilians directly into the international arena".<sup>676</sup>

Indeed, the case of Sudan has shown that NGOs tend not to recognise the claims of sovereign political authorities only to the extent that they reflect humane values. For example, Medecins Sans Frontiers groups, whose name signals their unwillingness to allow political boundaries to limit humanitarian action, based their activities in the Sudan on humanitarian principles and rules. NGOs viewed the principles as imposing important limits on the unrestrained sovereignty of states. Thus, such NGOs saw themselves as expanding the limits of humanitarian ethic rather than being constrained by the Westphalian nation-state norms.<sup>677</sup> This is highly problematic because it puts NGOs in direct confrontation with the national authorities, which is determined to defend its territorial sovereignty. The INGOs attempt to have the GOS isolated both economically and diplomatically was seen by

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675 Interview with Rev. Clement Janda, Secretary General, All Africa Conference of Churches, Nairobi, February 7, 1997

676 Duffield M. & Prendergast J., "Sovereignty and Intervention after the Cold War: Lessons from the Emergency Relief Desk", 1994, p. 11

677 INGOs, Letter to Christopher Jaeger: Forcible Movement of Displaced Squatter Communities within Greater Khartoum Area, Khartoum, January 24, 1995

Khartoum as a clear evidence of NGO community lack of respect for the territorial integrity of the country:

*The sovereignty, territorial integrity, laws and norms of the country should be respected and safeguarded. The NGOs should comply with the relevant laws, regulations and agreements. Humanitarian work should not be used as a cover for any political activity or to propagate ideas, ideologies or political positions on local or international issues. Humanitarian work should not be used to gather information irrelevant to the delivery of the assistance, or utilise the need for such assistance to reflect in the media as distorted and demeaning to the dignity of the country of its citizens.*<sup>678</sup>

Even after OLS was established with its consent, the Sudanese government was uneasy about the role of NGOs, and in fact the policy debate in chapter 2 is an example of how Khartoum wanted to increase its control to regulate or at least check the influence the NGOs had (via their contacts abroad) on the image or behaviour of the government. To maintain such control, GOS used sovereignty and the alleged non-universality of international norms to hamper, disturb or expel NGO personnel. In fact, GOS challenged the credibility or legitimacy of most foreign NGOs by using its sovereign prerogatives to expel pro-active human rights NGOs such as MSF, World Vision International and many others.<sup>679</sup> With the inclusion of protection issues into the OLS humanitarian relief programmes in 1993, the Sudanese government became hostile to international NGOs, and it relied on Sudanese NGOs, particularly the Islamic agencies. The dislike of NGOs by the GOS can be put briefly into perspective. According to some scholars, associational life prospers in large part in relation to existing structures of domination or hegemony.<sup>680</sup>

Within the emerging system of democratic governance described in this thesis, NGOs play a clearly subordinate (and not quite autonomous) role, operating mostly at the behest and discretion of the institutions of the international system. Perhaps more importantly, NGOs are often dependent on financial support from governments and other IGOs. As discussed above, the EU and other agencies often promote the role of NGOs, thereby driving a wedge between the NGOs and

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<sup>678</sup> Quoted in DHA, OLS Review, pp. 48-9

<sup>679</sup> See Jean F. (ed.), *Life, Death and Aid: Medecins sans Frontieres Report on World Crisis Intervention*, London, Routledge, 1993, p. 20

governmental departments in the poorer nations, and increasing the pressure on the state to open up both to external intrusions in the form of foreign capital and domestic collaboration with such capital. Hence, NGO anti-poverty efforts and human rights activism was seen by the Sudanese government as familiarly interlinked with the subordination of the country to Western interest. The logic here is that under the auspices of a Western operating humanitarian relief system, the use of humanitarian norms and principles are conterminous in the Sudan with either the progressive dismantling of state structures or subordination to external management.

**Figure 2**

Agency	Budget USD million	Employees
CARE	3.5	160
SCF (US)	1.5	70
Oxfam (UK/I)	3.0	200
Dawa al Islamia	6.0	600
Muwafag	1.0	200
IARA	2.0	500
Sudanaid	1.0	100
ECS/SUDRA	1.5	112
YMCA	0.7	115

**SOURCE:** DHA, Operation Lifeline Sudan Review, Nairobi, July, 1996

## **B . NGO USE OF HUMANITARIANISM FOR RELIGIOUS PURPOSES**

The second reason for GOS violation of humanitarian principles concerns the issue of religion. In the Sudan, where religious differences was one element in the civil war, the involvement of religious NGOs, Christian and Muslim alike, has political implications. It was clear from this author's experience in the field that religious groups in the two OLS operational environments approached their humanitarian

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<sup>680</sup> See, for example, Mustafa K. Pasha & David L. Blaney, "Elusive Paradise: The Promise and Peril of Global Society", *Alternatives*, Vol. 23, 1998, pp. 417-450

mission from a variety of perspectives.<sup>681</sup> Some viewed providing aid as an end in itself, a genuine but disinterested expression of religious commitment. These types of church NGOs included Christian Aid, Dutch Inter-Church Aid and so forth. These agencies made available relief aid to people irrespective of the religion of the recipient. Others such as World Vision International, ACROSS (Association of Christian Relief Organisations for South Sudan) and Norwegian Church Aid, saw it as a more explicit statement of faith and an overt invitation to others to embrace their viewpoint. These types of NGOs were committed to strengthening local religious institutions to carry out a range of community – and religious – activities. All the NGOs from the new Christian religious movements framed their purpose in the SPLM/A areas as that of identifying with the oppressed, regardless of their tribal, ethnic, political, or denominations. Their activities were carried out through Sudanese religious institutions and such activities included support for pastors, their families, and pastoral work. It was these kinds of activities done in the name of impartial humanitarianism which made the GOS to view relief aid as essentially religious and political. In Islam, the borders between religion and politics does not exist; all are of the same coin. It is not surprising that the Khartoum authorities saw OLS itself, and not just religious NGOs, as an expression of the religious and political agenda of Christian West.<sup>682</sup> The circumstantial evidence is compelling: chapter 3 has shown that Western nations with predominantly Christian populations, channelled funds through Christian NGOs to churches engaged in religious activities in areas in rebellion against a Muslim government yearning for an Islamic state. In fact, one Sudanese embassy official told this author in Nairobi in 1996 that the Sudanese government was a victim of Western Christian world conspiracy.

*We are told we are crazy Islamic fanatics, we are terrorists, and that we are trying to annihilate the Christian population in southern Sudan. Nobody is prepared to listen to our side of the story or to acknowledge the changes going on in our country. We have come a long way since 1989. You have been a BBC stringer for Sudan and as an editor of a Catholic Newspaper in South Sudan you used to report about amputations and hangings, can you tell me from your heart that these things are still going on in our country? Since 1994 our government has made serious steps towards reconciliation, we have participated in the*

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<sup>681</sup> American NGOs were probably the worst in using relief food for religious purposes. Churches such as the Church of the Bretheren, and NGOs such as World Vision, Bread of the World unshamingly used food even to poach on Christians from other denominations.

<sup>682</sup> UNHCU, Background Paper: GOS's Position towards OLS, Khartoum, April 1, 1996, p. 9

*IGAD peace talks with a sincere commitment to resolve the problem of southern Sudan, and yet everywhere our delegation tours Europe to try to explain the changes and the opportunities now available in the country for a peaceful settlement of the conflict, these NGOs go around campaigning against our country. Everywhere in the European capitals we are told we are persecuting and destroying the churches, and that we are violating our international obligations. We blame the Christian NGOs for creating this negative image of our country .* <sup>683</sup>

It is true that the government made cosmetic changes in response to international criticism of its human rights record that culminated in a UN General Assembly resolution on 18 December 1992. In April 1993, the GOS convened two conferences on religious tolerance and peaceful coexistence<sup>684</sup>, and in October 1994 on religious dialogue, designed to persuade international community that the government did not discriminate against non-Muslims. According to the Sudan Embassy bulletin, the Khartoum government has tried its best to prove to the non-Muslims that their fears of an Islamic state in the Sudan were unfounded.<sup>685</sup> Thus, the statement above reflects the depth of hostility the GOS had, and it indicated the extent to which INGO operations were reduced, and the extent to which Sudanese Islamic NGO operations grew. NGO activity in Sudan was highly restricted. Categorising the war as a jihad (holy war) made Christian churches special targets.

In October 1995, all churches were told to register with the Sudan Council of Voluntary Agencies (COVA). This requirement would have given the churches the status of INGOs subject to regulation by COVA. According to the Organisation of Voluntary Work Act 1994, churches must register with the state. Their application could be amended or rejected. The government could change their constitutions and bylaws, alter their boards of directors and personnel, investigate their sources of income and expenditures, and confiscate their property. The Roman Catholic Church spearheaded a hostile reaction to this development on behalf of the churches, arguing that the churches could not be classified as NGOs and emphasised the importance of freedom of worship, evangelism, and charity, and their connection to an international hierarchy.<sup>686</sup> Since the Church is of divine origin, they maintained, a government

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<sup>683</sup> Interview with a Sudanese embassy official, Nairobi, April 12, 1996

<sup>684</sup> Sudan Embassy, Bulletin, London, 13 April 1993, pp. 1-2

<sup>685</sup> Ibid., p. 2

<sup>686</sup> "Churches oppose Registration Policy", Middle East Times, 11 June, 1995, p. 4



bureaucrat could not determine its nature and organisation. Subsequently, the government was unable to implement its policy due to the international outcry. However, the churches opposition to the GOS policy provoked expulsion of a number of priests and an escalation of pressure. During 1991-3, the government closed more than thirty churches in Khartoum that served the internally displaced persons from the south and west, and suppressed Christian humanitarian organisations that assisted displaced children.<sup>687</sup> When the government forcibly relocated squatters from the capital to remote sites, it blocked churches from assisting the people and operating schools and provided social aid, through which they encouraged conversions to Islam. While detail analysis of ethno-religious conflict in the Sudan is beyond the scope of this study, it is important to point out here that despite GOS effort to present a tolerant image, policies became increasingly restrictive. However, by early 1994, following the UN Security Council threat to impose arms embargo against Sudan, the GOS softened its attitude towards Christian and NGOs.<sup>688</sup> Thus, the failure of the GOS to register churches can be interpreted as a clear sign that NGO community pressure was also necessary to keep the GOS on the defensive all the time.

Although constant harassment was the hallmark of churches and their activities, both religious and humanitarian, large Christian relief agencies continued to operate – for example, Sudan Aid, a consortium of Catholic relief agencies and SUDRA (Sudan Development Agency), relief arm of the Episcopal Church. Church-related NGOs were afforded a limited measure of protection by their respective churches. As sources of food, the churches exercised considerable influence throughout the north, which Khartoum had tried to curtail by commandeering the food to distribute through its own Islamic agencies.<sup>689</sup> Taking the cue from the local churches, the government sought to use Islamic values for its own interest. For example, Islamic NGOs, inspired by similar values as the regime, were encouraged and promoted with regard to relief activities. Hassan Turabi was uncompromising on this issue: “The country is....an Islamic republic for all effective purposes regarding the implementation of Islamic values in the political, economic, social and humanitarian

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687 Testimony to the UN Commission on Human Rights, Geneva, February 1993, pp. 4-12

688 Al-Hayat, 28 April, 1994, p. 6

689 The Fund for Peace, Report on a Programme of Human Rights Capacity Building with Non-Governmental Organisations in Horn of Africa, Nairobi, December 1995, p. 11

fields. At present, Islam is ruling Sudan; Islamic values prevail in society and Islamic injunctions are being implemented in all fields".<sup>690</sup> Relief and propagation of Islamic values in non-Islamic areas went hand in hand. The largest of the rehabilitation and relief agencies was the Islamic African Relief Agency (IARA), which had a presence in 17 countries. Dawa Islamic (Islamic Call) was the other dominant agency. As shown in the figure 2 above, these Islamic NGOs could not match the financial power of the local Christian NGOs, which received support from their mother churches in Europe and America. Consequently, the GOS gave more access to the Islamic organisations than to the Christian ones. This concentration on access had profound implications on how aid was organised in the Northern Sector. But international presence was useful in ensuring that the Sudanese government respects its international obligations.

#### **5.4.1. OLS DIPLOMACY AS FACTOR TO NORM SALIENCE**

OLS use of humanitarian norms and principles to shame a sovereign government constitute an important development in humanitarian intervention. The experiences of the UN in Somalia, and Rwanda, to mention a few, show that in a combat zone there are no quick fixes; only consensual and pragmatic diplomacy can have a chance of success. OLS has shown that it is possible to work within a sovereign state environment, and by accommodating the various interests that have been identified by constructivists. OLS ad hoc humanitarian diplomacy was based on non-military humanitarian action, which emphasises the pacific activities of the UN member states, international organisations and NGOs in delivering humanitarian relief aid and facilitating peacemaking at the grassroots and regional levels. Using norms as devices for communication, OLS had successfully worked with the GOS, as well as the opposition movement, often in the context of shifting territorial claims and where population displacements were among the central objectives of the war. OLS based itself on the practices of the International Committee of the Red Cross (ICRC) that normally only operates with the consent of sovereign governments. In terms of its successes, many local and international officials believed that OLS ad hoc diplomacy has realised its objectives, and that it was a unique achievement in

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690 Hassan Turabi in Keyhan (Tehran), 1 March 1993 (FBIS-NES-93-044, 9 March 1993)

political and historical terms. OLS humanitarian diplomacy was successful for four practical reasons.

The first practical success concerns the extent to which OLS used international norms, backed by material resources and diplomatic skills, to expand the space available for humanitarian operation while still working within the constraints of the Sudanese sovereignty. The strength of this creative success can be seen from the fact OLS operated in an environment constituted by incompatible perceptions of the conflict situation itself. OLS was seen by the Islamist regime in Khartoum as an instrument of Western foreign policy, and by the opposition movement to be serving hostile GOS interest. Despite GOS doubts of its normative position, OLS, through its pragmatic ad hoc diplomacy, won the agreement of both the Sudan government and the opposition movement to respect the established *corridors of tranquillity* through which relief aid convoys were allowed to pass with minimum interference. Another method that has proved successful was the humanitarian cease-fires. This involves an agreement between the UN, with political support from its member states in the region, and warring parties to call a halt to the fighting to allow aid agencies to reach imperilled civilians.

The second practical success of this consensual diplomacy is the way OLS took the lead in galvanising international public opinion, and providing international presence. Admirers and detractors alike praised OLS for having put the Sudan disaster relief on the world map. Throughout much of 1986-88, the extent of suffering was not widely known beyond relief agency personnel and Sudan observers. Frenetic NGO efforts to alert constituents and governments failed to elicit serious attention from the international community. After the Khartoum conference in March 1989 and the sending off of the initial convoys in early April, international interest picked up perceptibly. Throughout the six months of the year, international coverage of relief activities in Southern Sudan was extensive. And by the middle of 1990s, as OLS stabilised the situation of the internally displaced persons, and the warring parties changed their policies to a more humane ones, the media clamour for news also decreased substantially. Whatever the level of existing public awareness, OLS provided a vehicle for educating the international public about the Sudan humanitarian emergency. This represented a small achievement, but not one that may be replicable elsewhere

The third practical success of OLS diplomacy is the extent to which it provided international presence, which exercised a restraining influence on the Khartoum government, both in the treatment of civilian populations and in the conduct of the war. The presence of foreign relief organisations in the war zone has countered rural devastation and depopulation not only by providing material relief but also by deterring, or at least publicising, human rights abuses in Southern Sudan. Although the UN indeed lacked autonomy in one sense, in other important ways it used the Sudan sovereign state environment to increase its operational autonomy. The UN secretariat in Nairobi, Khartoum, New York and Geneva spend great amount of time and energy in the ritual co-ordination meetings with the GOS and the major Western donors, establishing agendas, developing technical assessment data for specific organisational purposes, and generating consensual ground rules and resolutions. These functions legitimise the demands or interests of IGOs as they search for external resources. One could not really understand this elaborate ritual of humanitarian diplomacy without seeing it as a mechanism by which the UN used state sovereignty to increase its own autonomy.

The fourth success of OLS diplomacy is the presence of the international civil servants in areas where the displaced people lived in Southern Sudan. Part of the aim of the war is to secure international recognition for the rebels and to draw attention to abuses against southern Sudanese. Aid operations in the Southern Sector were seen as having helped in these endeavours. In particular, the presence of foreigners in the south was seen as providing a forum for southern Sudanese to voice their grievances against the Sudan government, and allowing foreign aid workers to get first-hand information about the atrocities of the Sudan government. The very basis of OLS was considered a diplomatic achievement by the SPLM/A. This was the first time a government had acceded to a UN operation aimed at rebel areas, and this was seen as giving the rebel movement a degree of international recognition. The presence of the head offices of both OLS and the SPLM/A in Nairobi gave the opposition movement the opportunity to meet foreign diplomats to explain its side of the story. The SPLM/A was able to talk with representatives of the donor governments who fund OLS, often assisted by its contacts with humanitarian agencies. However, not all the insurgent movements will be as concerned for international standing as OLS found in southern Sudan.

## 5.6. CONCLUSION

The conclusion of this chapter is that international humanitarian norms had effected some changes in the way the Sudanese government treats its citizens, and challenge the pluralist view that sovereignty can impose a major constraint on humanitarian operation in foreign lands. The analysis of the performance of the UN in the Northern Sector was set within the context of the difficulties imposed by working under the conditions of a sovereign government that is a party to war. The extent to which the UN maintained a humanitarian space in this context, and to defend the principles which it both advocated and secured agreement on, was the central issue in this chapter. The difficulty of asserting humanitarian norms and principles in an operational environment in which a sovereign authority still in control underlines the fact that the international protection of human rights even in a situation of non-civil war is a difficult task not only because human rights are regarded as part of the domestic jurisdiction of governments but also because governments themselves abuse rights.

The GOS did not directly challenge humanitarian principles. Rather, its violations of these principles should be seen from the extent to which the Khartoum government saw itself as a victim of a Western conspiracy. Accordingly, there were three reasons for which humanitarian norms were not effectively asserted in the OLS Northern Sector. First, donor governments' decision to impose economic embargo on the Khartoum government made the authorities to feel that they were being targeted because of their Islamic values and ideology. The extent to which donor states have compromised the Westphalian state system in the Sudan was evident in chapter 3 and it was determined primarily by power and interests of the donor states.

Second, the world Christian community – local and international ecumenical organisations – used humanitarian relief aid to separate the Christian south from the mainly Islamic northern Sudan. Third, the GOS saw OLS, not as a humanitarian programme as contained in the 1989 UN Plan of Action, but as a Western policy instrument. There was not much OLS could do more than it has done in such kind of operational environment. As stated in this chapter, pragmatists within the UN system in the Sudan were right to accommodate to the political realities in the Northern sector. This pragmatic strategy of dealing with a sovereign government is, indeed, what defined the OLS Northern Sector. Accordingly, the original framework

of OLS, which defined the operation as a government programme, focused on achieving and reinforcing government objectives with regard, among other things, to its agenda for development. This developmental agenda - for example, the attempt to establish self-reliance among internally displaced populations through settlement schemes - fitted well with the OLS mandate of a relief-to-development continuum approach. It thus provided a means for the UN to continue working within a highly constrained and politicised context of North Sudan. In this regard, I believe that it is not entirely correct to say that the UN was a hostage to the demands of sovereignty in the Northern Sector. Rather, there was a convergence of interests between UN and GOS - and indeed donor community - objectives with regard to developmental programmes. On the other hand, it is also fair to argue that the UN's adoption of a developmental agenda eclipsed the need to strongly assert humanitarian principles in a continuing political emergency. This is especially true because OLS developmental programmes in the Northern Sector were deeply flawed, as a consequence of their intimate connection with the war and the broader political agenda for the country. Moreover, the operational distinction between relief and development programmes did not lie in the content of the programmes themselves, but rather in the different strategies that were employed in their delivery. In particular, ensuring the neutrality of relief operations was contingent on a more proactive and discriminating approach to the selection and monitoring of implementing partners. While the UN cannot proceed to intervene in a country without the government's tacit permission, it may respond creatively, as in Operation Lifeline Sudan. OLS Northern Sector dealt with sovereignty issues without seriously challenging the fundamental authority of states.

## SUMMARY AND FINAL CONCLUSION

### 6.1. SUMMARY

The aim of this concluding chapter is to reflect on the theoretical and empirical analysis in this thesis. The experience of humanitarian relief charity in Sudan from 1986, the creation of Operation Lifeline Sudan (OLS) in April 1989 and its experience to 1996 have demonstrated that the usefulness of norms in a civil war operational environment strengthens the case against the realist denial of norms significance under conditions of anarchy, and pluralist argument that principles of sovereignty and non-intervention make humanitarian intervention in state's domestic affairs difficult. Chapter 1 has shown how Pluralist International Society Theory and Realism continue to limit the possibilities of international community recognising humanitarian action as a legitimate normative practice. These two theories seek to interpret the cases we have discussed in this thesis as confirming their different theoretical positions. Realism purports to describe and explain the realities of how warring parties and donor governments behave but the problem with this claim to objectivity is that it is the realist mindset which has constructed the very practices that realist theory seeks to explain.<sup>691</sup> Realism identifies some important objections to international norms, but this thesis has argued that Pluralist international society theory is essential to any understanding of why the society of states was reluctant to intervene in the Sudanese domestic affairs during the period 1986-88. Pluralists reinforce the dominant practices of the society of states which continue to subordinate humanitarian concerns to state sovereignty.

But crucially, there is nothing natural or inevitable about the hierarchy between order and justice. Indeed, changing values and norms could lead to the growth of new solidarist sentiments which produce a just world order. This author shares constructivist perspective. In this thesis I have suggested that humanitarian norms are essential elements of international relations. Although some scholars may not explicitly attribute donor policies toward humanitarian relief crisis to international norms given the multiple agendas, OLS has obviously demonstrated that moral norms can provide the fundamental direction and inspiration for official

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<sup>691</sup> This thesis findings are in line with Nicholas Wheeler's own research findings contained in

actions taken by the donor governments, and the subsequent acceptance by the warring parties that humanitarian norms should underpin OLS relief operation. Even if one case is not sufficient to confirm this argument, the study provides substantiation for it and indicates it is worth further research.<sup>692</sup> The question here is: under what conditions can humanitarian norms and principles be effective? The cases of OLS Northern and Southern Sectors have offered some evidence of these conditions. Evidence in these two OLS sectors have shown that both humanitarian and material interests of the parties to the conflict are necessary for a successful humanitarian operation. The theoretical implications of this development for our understanding of international relations can be explained briefly in the section below. It must be stated here that of all the theoretical perspectives mentioned in the introduction, constrictivist approach has been useful in making sense out of the complex humanitarian war environment because it takes into consideration actors' political and material agendas. Both pluralist, realist and solidarist perspectives cannot account fully of how norms are internalised into the domestic sphere, and how they affect state sovereignty.

#### • CHANGING NATURE OF SOVEREIGNTY

In understanding why international community failed to intervene in the Sudanese crisis of 1986-88, Pluralist international society theory has been useful in locating the problem to the constitutive principles of state sovereignty. Pluralists' claims about sovereignty are strong because they represent shared understandings and expectations that are constantly reinforced both through the practices of states<sup>693</sup> and the practices of international bodies and NGOs. Accordingly, pluralist's claim challenges the legitimacy of the United Nations, donor states or other humanitarian players concerning themselves with relieving suffering in Sudan. According to this

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<sup>692</sup> A research on why humanitarian norms, rules and principles failed to have any effects on the behaviour of warring parties in Somalia, Rwanda and Siera Leon can benefit our understandings of these important international policy instruments, and provide a framework for future humanitarian intervention and operation.

<sup>693</sup> Wendt stresses that sovereignty is an institution that exists "only in virtue of certain intersubjective understandings and expectations; there is no sovereignty without an other". He argues that sovereignty norms are now so taken for granted that "it is easy to overlook the extent to which they are presupposed by and an ongoing artifact of practice". See Alexander Wendt, "Anarchy Is What States Make of It: The Social Construction of Power Politics", *International Organization*, Vol. 46, Spring 1992, pp. 391-425



perspective, outsiders should respect the moral autonomy of the Sudanese state. In short, international humanitarian norms should not be a question for foreign policy or international politics. Indeed, the Sudan humanitarian crisis of 1986-88 has demonstrated that there was no consensus within the international community on the issue of non-intervention, while “atrocities reported daily by world news media created popular expectations that something more than respect for sovereignty and territorial integrity, which have become virtually sacrosanct notions, should guide state policy”.<sup>694</sup> It is not surprising, therefore, that the provision of humanitarian assistance involves the most immediate and dramatic confrontation between a state right of sovereignty and the will and authority of the international community. Although the narrow concept of sovereignty remains a major obstacle to assisting and protecting victims of internal conflicts, this thesis has proved that it is no longer as insurmountable as it once was claimed by pluralists. This author, however, shares the solidarist (English School) view that Sudan humanitarian crisis had called into question the ability of the Sudanese governments to meet obligations to its populations or to international society and thus to enjoy the full privileges of sovereignty. As Kofi Annan, UN Secretary General puts it:

*This developing international norm in favour of intervention to protect civilians from wholesale slaughter will no doubt continue to pose profound challenges to the international community. Any such evolution in our understanding of state sovereignty and individual sovereignty will, in some quarters, be met with distrust, scepticism, even hostility. But it is an evolution that we should welcome. Why? Because, despite its limitations and imperfections, it is testimony to a humanity that will do more, not less, to end it. It is a hopeful sign at the end of the twentieth century.*<sup>695</sup>

Annan’s, statement above supports the proposition that the practice of humanitarian action has represented a new solidarism and constructivism in the society of states. Indeed, OLS case study has shown that international activities to protect human rights work presupposes that it is legitimate and necessary for states and of nonstate actors to be concerned about the treatment of citizens of other states. Therefore, it is

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<sup>694</sup> For a detailed explanation of this argument, see Robert Jackson, *Quasi-States: Sovereignty, International Relations and the Third World*, Cambridge, Cambridge University Press, 1990

arguable that OLS is a pioneering example because of its ability to strike a balance between sovereignty demands (as articulated by pluralists) and the right of international community to assist war-victims (as claimed by solidarists). From the constructivist perspective, OLS was aware of concerns for power and prestige and it found the margin of humanitarian endeavour in a milieu of *realpolitik* and partisan politics. Thus, this thesis suggests that the application of humanitarian principles depend for its legitimacy upon both political and moral authority. The reason why some UN interventions failed in conflict situations is because moral authority was being moved away from political authority in the name of impartial humanitarianism. In other words, the point of any project of legal reform is not solely about convincing states, but about supplying justifications through reasons which would potentially convince all affected players. In contrast to pluralist, realist and solidarist perspectives, the debate over the universality of norms suggests that humanitarian action depends for its legitimacy in this context upon an inclusive and participatory process which includes input of the affected state as well as the players and victims of the conflict. Without this emphasis on participation and a culture of justification, the trust needed to operate in sovereign state environment will not be easy.

#### • EFFECTS OF NORMS ON DONOR STATES BEHAVIOUR

The contention that the practices of the society of states are norm-governed raises the question as to whether state leaders are conscious that they are following norms. It was clear from chapters 1 and 3 that the post-Cold War era has presented numerous expectations and opportunities for donor states humanitarian involvement. For the Western industrial democracies, this has presented an opportunity of using the UN to enhanced and legitimise their geopolitical ambitions in Sudan. This is how realists would conceive of international society in that they would argue that governments pursue their interests while paying lip-service to the norms. This realist view that international norms do not matter in international affairs has been objected by this thesis. The constructivist ontology provides a perspective in international relations which confronts the political practice of states with an ideal alternative

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<sup>695</sup> Quoted in Nicholas Wheeler, *Saving Strangers: Humanitarian Intervention in International Society*, Oxford, Oxford University Press, 2000, p. 285

policy. Rejecting each extreme, the realist, in which power is the only and central force in international relations, and the utopian (solidarist/idealist) perspective, with its call to revolutionise the international system of states, constructivism recognises that both self-interests and altruism can combine to make humanitarian intervention a success. Constructivists maintain that the construction of a stable international order is dependent upon the successful linkage of state interests to international legitimising norms and principles. Evidence in this thesis has proved that it is very difficult to find an example of a state intervening on an apolitical manner, wholly guided by humanitarian concerns. Thus, the usefulness constructivist approach is that it does not rule out realist view that selfishness, power, and conflict are inescapable aspects of human nature and perhaps especially of international politics. Furthermore, realists are right to say that good and evil, right or wrong are not easily segregated nor easily discerned in this post-Cold War world. But the problem with realist school is that it has come, for the most part, to a position of moral scepticism, to the view that humanitarian norms and principles are either inapplicable or have a pernicious effect on international politics.

This realist position, while valid as an indictment of the abuse of humanitarian principles, does not constitute a case against their proper place. The thesis argues that, in spite of human weakness, humanitarian norms and principles can, should, and do play a positive role in international politics. Although states are merely a construction, decisions about states' affairs are made by human beings. According to the English School (solidarists), donor states' policy makers are first human beings above all else and thus share solidarity and universality with those in peril. Second, decision makers are better placed than ordinary citizens to assist and defend other human beings in the international society. There is therefore an obligation to do whatever is possible to protect human rights in the abusing states. In this case, donor states' political and security agendas weighed in favour of the Sudanese war-victims. Accordingly, the record of co-operation and altruism discussed in this thesis strengthens the case against the realist denial of humanitarian behaviour under conditions of anarchy. Moreover, moral and legal recognition of common values, such as the protection of human rights, and the delivery of humanitarian relief aid without the consent of the Sudanese government, has created incentives for donor states to broaden their conception of national interest to accommodate collective efforts to address Sudan domestic. OLS experience shows that there are two reasons

why realist position is not useful for understanding ethical reasoning in international affairs. First, many donor states have had few commercial interests in Sudan, and were unable to secure any kind of international influence other than what they have already had as advanced industrial democracies. Second, a substantial portion of donors' money was channelled through NGOs and multilateral organisations such as EU and the UN agencies themselves. Any benefit that donors might have got from supporting UN programmes in Sudan seems to be insufficient to justify the argument that humanitarian norms do not count very much in the international system. This thesis also shows that there were also other pressures that influenced donor states' decision to intervene in humanitarian crisis in violation of the Sudanese sovereignty.

The first pressure came from the emotional reactions of foreign citizens, who, when confronted with the images of suffering, if only to remove the horrific images of the Sudanese war-victims from their television screens and newspapers. These pressure, while arguably based on emotional and superficial sentiments, nonetheless exerted powerful pressure on governments, forcing them to take action to satisfy this emotional outburst. A second pressure arose from citizens and governments acting in response to moral and humanitarian norms. This pressure is more than simply an emotional tap turned on and off by media images. It is a phenomenon that appears to be growing throughout the world, and the emergence of a caring global community that, while relatively small in numbers, is nonetheless motivated by sentiments of empathy and moral obligation to respond to human suffering wherever and whenever it may occur. This type of pressure is most commonly found within non-governmental organisations and the many volunteers who support them. It is evident from this thesis that it is a sentiment that has also been cited by some politicians and government officials. Though small, this group has an effective influence on government policy because of the intensity of its views and its willingness to mobilise international norms to put sustained pressure on governments.

- **IMPORTANCE OF CIVIL SOCIETY**

Standard international relations thinking (Realist perspective) assumes a hierarchy among instruments of power: military force rank highest, then economic resources, then – far the down the list, if mentioned at all – such “soft” instruments as norms or

the power of persuasion. The Realists would see the role of civil society as insignificant. But in this thesis, the author has shown that civil society have attempted to shape the evolution of humanitarian norms – that is, standards about how the parties to the Sudan conflict and intervening states ought to behave. The experience of civil society in Sudan has also disproved pluralist argument that the norms of state sovereignty and non-intervention will make it difficult to for international community to intervene in Sudan on humanitarian grounds. Hence, this thesis has demonstrated that a growing consciousness of common humanity permeates the emerging civil society. In the case of OLS, civil society has attempted to shape these norms and rules in two ways: directly, by persuading Sudan warring parties, and donor states' policy makers to change their minds about what is the right thing to do in a civil war situation; or indirectly, by altering the public's perception of what donor governments and the parties to the conflict should be doing to relieve the suffering of Sudan war-victims. In this case, the currency of its power is not force, but credible information and moral authority.

Thus, the success of NGOs in mobilising humanitarian norms and rules to shame Sudan warring parties, the UN and member states has implications for International Relations theory. Scholars working in the liberal tradition or coming from a social construction perspective have found that socialisation can occur as a result of the actions of nonstate actors and may involve use of “soft” power resources, such as moral leverage and technical knowledge.<sup>696</sup> In a study of the diffusion of international science norms, Margaret Keck and Kathryn Sikkink have identified transnational advocacy networks as another avenue where states come to adopt international norms. These transnational groups succeed not only “by holding governments...accountable to previous commitments and the principles they have endorsed”, but also framing their ideas in ways that “resonate or fit with the larger belief system” of the target state.<sup>697</sup> This thesis finding agrees with Sikkink's argument that human rights policies and practices are contributing to a gradual, and significant transformation of sovereignty in the modern world and that this shift

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<sup>696</sup> Richard Price, “Reversing the Gun Sights: Transnational Civil Society Targets Land Mines”, *International Organization*, Vol. 53, No. 3, 1998, pp. 613-644; Amy Gurowitz, “Mobilising International Norms: Domestic Actors, Immigrants and the Japanese State”, *World Politics*, Vol. 51, No. 3, 1999, pp. 413-445

<sup>697</sup> Margaret Keck & Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics*, Ithaca, New York, Cornell University Press, 1998, pp. 201-204

cannot be explained without taking into account the role of transnational nonstate actors.<sup>698</sup> It is clear from this thesis that NGO network developed formal procedures to discuss and publicise human rights violations in Sudan. Their commitment made both the GOS and the SPLM/A repressive practices visible and salient to respond. Because of this, the Sudanese government and rebel movement tried to provide justifications for their violent tactics against their civilian population. In the give-and-take of exposing violations, demanding explanations, providing justifications, and changing practices, states and NGOs gradually questioned traditional understandings of sovereignty and began constructing the elements of a modified sovereignty.<sup>699</sup> The experience of OLS require that NGOs be credited for having contributed to this universal culture of humanitarianism. This contribution was substantial to the extent that some form of democratic governance took place in the OLS Southern Sector. Non-governmental organisations (NGOs) were instrumental in pushing the Sudanese government and the rebel movement to seek justifications for their violations of international norms and principles. Indeed, the experience of NGOs in the Sudan shows that human rights advocacy offers such a possibility.

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<sup>698</sup> Sikkink, "Human Rights, principled issue-networks, and sovereignty in Latin America", p. 411

<sup>699</sup> *Ibid.*, p. 414

## 6.2. FINAL CONCLUSION

The experience of OLS has wider implications for international relations theory, as well as for the humanitarian community. It is clear from the introduction that a major academic debate is now under over whether and how norms matter in international relations. Realist scholars used to focus primarily on military or economic levers of power, ignoring questions of how states and other actors would decide what they wanted to do with that power. A new school of thought called social constructivism focuses on questions of how international humanitarian actors “construct” their interests – that is, how they determine what they want to do and why those goals change. Constructivists point out that structures – those entities with the most military, economic, or other resources – have to interact with agents – people and institutions that shape international norms about what behaviour is acceptable and what aspirations are legitimate. In the case of OLS (Operation Lifeline Sudan), those agents are UN agencies and non-governmental actors that are quite consciously attempting to bring about a global political and humanitarian change. In an attempt to demonstrate the significance of humanitarian norms, I argue that OLS experience 1989-96 and the Sudan crisis of 1986 generally has provided an important case study in the mixture of motives and views current in contemporary international affairs. Social constructivism has provided this thesis with a clear understanding of how OLS managed to reconcile humanitarian norms with the constitutive principles of Westphalian state sovereignty; it used norms of behaviour to reach a reasoned consensus (communication and dialogue) with the host government and the rebel movement.

The evidence in this thesis illustrate how arguing (communicative action) provides a mechanism for both learning and norms socialisation and operationalisation in a civil war setting. International norms often have to take their course through a filter of various domestic structures to become accepted by states as guiding political devices. From the constructivist perspective, there were three reasons which made it possible for the Sudanese government and the opposition movement to accept and respect humanitarian norms. First, they were forced to through political pressure or economic sanctions as neorealists claim; second, because it was in their interest as neoliberalists maintain; third, because they perceived humanitarian norms as legitimate. These were different degrees to which

humanitarian principles and rules were internalised, While solidarists will go for the third degree, which is that the Sudanese warring parties really identified with these norms, this thesis agrees with the constructivists that all the three degrees are essential elements for a norm internalisation. This usefulness of constructivist approach can be seen from the extent to which OLS has made important contribution to the growing significance of humanitarian norms and principles, because the domestic debate discussed in this thesis provided the context upon which the international norms and principles were operationalised. As Larry Minear and Thomas Weiss concluded six years ago that “there may never be another Sudan, but there will need to be other Lifelines”.<sup>700</sup> Both OLS and the donor states used international norms to shame and sanction the behaviour of the warring parties, and these political devices constitute an important development in humanitarian action. Indeed, the experience of OLS has highlighted the regulative functions of humanitarian norms in international relief system, and has challenged the structural realist paradigm, which focuses mostly on the effects of variations in the distribution of capabilities among states under anarchy.<sup>701</sup>

Moreover, emergence of these norms of international behaviour, and their application in the Sudan war environment, has challenged pluralist the notion that sovereignty provides governments with insulation against accountability provided that their actions are confined to the territorial limits, and their leaders have immunity respected throughout the world. Concentrating on the impact of norms on international relations, recent social constructivists have maintained that transnational processes of diffusion and persuasion socialise less democratic governments to accept norms.<sup>702</sup> This thesis has also proved that the success of norms as devices for communication and dialogue depends on the image of the humanitarian actors, who promote them. Empirical findings in this thesis seem to

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700 Thomas G. Weiss & Larry Minear, “Do International Ethics Matter? Humanitarian Politics in the Sudan”, *Ethics & International Affairs*, Vol. 5, 1991, pp. 197-214; Larry Minear, *Humanitarianism Under Siege: A Critical Review of Operation Lifeline Sudan*, Trenton, N.J., The Red Sea Press, 1991

701 The structural realist paradigm is most persuasively detailed in Kenneth Waltz, *Theory of International Politics*, Reading, Mass., Addison Wesley, 1979. Important critiques that in various ways focus on the normativity of the international system include Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, New York, Columbia University Press, 1979; Robert W. Cox, “Social Forces, States and World Orders: Beyond International Relations Theory”, *Millennium: Journal of International Studies*, Vol. 10, 1981, pp. 126-155

702 See, for example, Margaret Keck & Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics*, Ithaca, Cornell University Press, 1998



verify that donor states have a deep impact on norms-internalisation as others. In general, donor states are states, states, which promote social norms independent of their own material interests. Nonetheless, for humanitarian norms to be accepted by the warring parties, their meaning has to be mediated in the international sphere through reasoned consensus or communicative action and social practices. Within the process of opinion and identity formation, in which meaning and validity of the norm itself can change, argumentation and persuasion is an indispensable condition. In the case of this thesis, even less powerful actors such as NGOs or advocate networks had effectively used the power of reasoned consensus to forced the warring parties in Sudan to accept the universality of humanitarian norms. For example, the hard-line Islamist regime in Khartoum was extremely concerned about international human rights condemnations and pressures. Perhaps, as noted above, the significance of humanitarian principles is a consequence of communicative action mounted by activists in civil society. This means that norms, whether domestic or international, can make room for new voices by altering contexts and making new types of action. For example, in the absence of any norms about the rights of war-victims to relief food, displaced persons claims about starvation cannot be heard. It might be argued that the use of international norms to back political solidarists and constructivists claims is unsurprising, since it may be the case that activists will use any argument that works. While perhaps not surprising from this perspective, the fact that humanitarian norms provide an additional weapon in the arsenal of claims that solidarists can make and the fact that they sometimes work are not trivial points for many reasons.

As discussed in chapter 2, the socialisation of humanitarian norms is not explained as an outcome of interaction, but as an interaction-process with an open end, in which communication and dialogue are important mechanisms in the internalisation of a norm, and therefore, change actor interests and identities. Communication and dialogue were seen by OLS agencies and donors as necessary for encouraging the host government to accept its domestic and international obligations. Hence, the rise of human rights expressed new modes of transnational political action, relying on networks, norms, information and media access as instruments of persuasion, to challenge GOS obstructionist policies. At times, these challenges converged with geopolitical pre

ssures as discussed in chapter 3. With humanitarian norms having been legitimated by the Sudanese government, the claims for implementation by NGOs were difficult to discount altogether, especially when joined with grassroots opposition to oppressive rule and to an awareness of abuse made manifest by a gradually more attentive global media. All in all, international humanitarian norms may remain the most comprehensive effort at global management of internal population displacement. Though very far from being a humanitarian regime like those of human rights , international norms of behaviour will increasingly acquire some degree of moral legitimacy and may shape how future humanitarian players think of internally displaced people. Hence, there are lessons which the wider international community needs to learn from the experience of OLS.

## BIBLIOGRAPHY

### AGENCY MATERIAL

Abu-auf, Ibrahim, Letter to Christopher Jaeger, United Nations Committee for Emergency Relief Office: The Establishment of Humanitarian Principles Committee, January 4, 1995

Abu-auf, Ibrahim, Letter to Mr. Akiwumi UNHCR Representative: Movement of Displaced, Khartoum, July 30, 1995

Adelrahama, Abu-Doun, Letter to Per Jandid, Khartoum, June 23, 1994

Akol Lam, Letter to Philip O'Brien: Membership of FRRA on the Steering Committee of the OLS, Nairobi, November 11, 1994

Allen, Tim, War and Peace in Southern Sudan, Kampala, Uganda: Makerere Institute of Social Research, 1987

Amin, Ali Elzein, Second Round of Nutritional Survey of Children Under Five Years of Age in Wau Town and Displaced Camps, Wau, United Nations Children Fund, 1995

Awad, Khalifa Musa, Letter to Director of Operations, World Food Programme, Khartoum, Relief and Rehabilitation Commission Representation in Lokichoggio, October 12, 1993

CARE, Situation Report – Khartoum Displaced, Khartoum, CARE, May 5, 1995

Christian Non-Governmental Organisations, Meeting, Khartoum, April 20, 1996

Catholic Relief Service, Catholic Relief Service Quarterly Report, April-June 1995: Emergency Operation Plan, Nairobi, Catholic Relief Service, April/June, 1995

Cohen, Robert, Strengthening United Nations Human Rights Protection for Internally Displaced persons, Washington, D.C., Refugee Policy Group, February, 1993

Department of Humanitarian Affairs, United Nations Consolidated Inter-Agency Appeal for Sudan, January-December 1996, Geneva, Department of Humanitarian Affairs, February, 1996

----- United Nations 1995 consolidated Inter-Agency Appeal: Sudan, Geneva, Department of Humanitarian Affairs, January, 1995

----- Records of the Donor Consultations on the Sudan, Geneva, Department of Humanitarian Affairs, May 4, 1995

----- Operation Lifeline Sudan Review, Department of Humanitarian Affairs, Nairobi – Geneva, July, 1996

Deng, Kut Daniel, Letter from SRRA Accountant to WFP, Nairobi, November 16, 1989

----- UN Emergency Unit Situation Report: Bahr el Ghazal-Wau, Nairobi, United Nations Emergency Unit, Nairobi, July 4, 1990

- Wau Situation Report, Nairobi, United Nations Emergency Unit, October, 1991
- Wau Situation Report, Nairobi, United Nations Emergency Unit, January, 1992
- Donor Group, Sudan Donor's Meeting, 23 March 1989, New York, March 28, 1989
- Aid Memoir, Khartoum – Nairobi, November 17, 1992
- Duany, Aker Julia, Making Peace: A Report on Grassroots Peace Efforts, Nairobi, New Sudan Council of Churches, October, 1995
- European Commission Humanitarian Office, Global Plan I: Global Humanitarian Plan In Favour of the Affected Populations of the Sudan, Nairobi – Brussels, European Commission Humanitarian Office, April, 1994
- , Global Plan II: Second Global Package of Humanitarian Aid to the Sudan and the Sudanese Refugees, Nairobi – Brussels, December, 1994
- , ECHO Global Plan III: Funding Proposition for a Global Humanitarian Aid Plan in Favour of the Affected Populations of Sudan Both within Sudan and in Uganda, Brussels, European Commission Humanitarian Affairs, May, 1995
- European Global Plan IV: Funding Propositions for a Global Humanitarian Aid in Favour of the Affected Populations of Sudan Both Within and in Uganda, Brussels, European Commission Humanitarian Affairs, December, 1995
- ECHO Global Plan V: ECHO Funding Proposal for Humanitarian Operations in Sudan and Northern Uganda, June 1996 – March 1997, Brussels, European Commission Humanitarian Office, April, 1996
- Food and Agriculture Organisation/World Food Programme, Report of the 1991 Sudan WFP/FAO Crop and Food Need Assessment Mission, Rome, Food and Agriculture Organisation/World Food Programme, December, 1991
- Government of Sudan, Country Agreement on the entry of International Non-Governmental Organisation to Operate in the Sudan, Khartoum: Government of the Sudan, January, 1993
- A Code of conduct: Principles and guidelines governing NGO Work in the Sudan, Khartoum: Government of the Sudan, January, 1993
- Statement to the 49<sup>th</sup> Session of the UN General Assembly Under Agenda Item 37: Co-ordination of Humanitarian Assistance, New York: Sudan Permanent Mission to the United Nations, November 23, 1994
- Aide Memoir: OLS Flights in southern Sudan, New York – Nairobi, Sudan Permanent Mission to the United Nations, December 2, 1995
- Phase I: The Document of the government of the Sudan on the OLS Review & Par II: replies of the Government of the Sudan to Questions Posed by the OLS-Operations Team, Khartoum, Government of the Sudan, April, 1996
- Government of Sudan/None-governmental organisations/United Nations, Agreements Adopted by the Joint GOS/NGOs/US Meeting, 25-28 January, Khartoum: January, 1993

Government of Sudan/Sudan People's Liberation Movement/United Nations, Relief Supplies and Humanitarian Assistance to the War Affected Area, Nairobi: OLS, March 23, 1994

Hansen, Peter, Letter to Christoph Jaeger, United Nations Development Programme Resident Representative Sudan, Khartoum, July 31, 1995

International Non-Governmental Organisations, Aide Memoir to Jan Eliason, Khartoum – Nairobi, September 5, 1992

----- Letter to Christoph Jaeger: Forcible Movement of Displaced Squatter Communities within Greater Khartoum Area, Khartoum, January 24, 1995

----- A Strategy Paper for Khartoum Displaced and Squatter Populations, Khartoum: July, 1995

----- Briefing, Khartoum: March 27, 1996

Jaeger, Christopher., Letter to Akiwumi UNHCR: Supreme Council for Peace Initiative for Movement of Displaced Persons to Agricultural Production Areas, Khartoum, July 20, 1995

----- Letter to Peter Hansen on "Capacity Building", Khartoum – Nairobi, December 21, 1995

Introductory Remarks to the United Nations Consolidated Inter-Agency Appeal for the Sudan, Geneva: United Nations Development Programme/United Nations Committee for Emergency Relief Organisation, January 30, 1996

Lamunier, Charles., Mission to Sudan and Kenya: 28 to 30 November and 4 to 6 December 1992, Geneva, Department of Humanitarian Affairs, December, 1992

Levine, Ian, Memo to Philip O'Brien: Definition of Counterparts, Some Preliminary thoughts, November, 24, 1994

----- Capacity Building: OLS Presentation Notes, Nairobi, April, 1996

Mohamed, el Badwai, UNICEF Emergency Unit: Khartoum Displaced Report, Khartoum, United Nations Children Fund, April, 1995

Muor Muor, Mario, SRRA Position Paper on Operation Lifeline Sudan (OLS) Southern Sector, Nairobi, Sudan Relief and Rehabilitation Association, November 27, 1995

New Sudan Council of Churches, Report on Interpositioning, Nairobi, Peace and Human Rights Desk, March 15, 1996

----- The Sudan At War: In Search of Peace, Report of a Consultation Convened by Churches and Christian Councils of the Great Lakes-Horn of Africa Region, April 7-8, 1998, Nairobi, April, 1998

O'Brien, Philip, Fax to Peter Hansen: IGADD Talks, Nairobi, August 1, 1994

----- Letter to Gerald Lewis on "Letter of Understanding", Nairobi, September 29, 1995

----- Letter to Peter Hansen on Capacity Building/Cash Payment to Counterparts, Nairobi, January 3, 1996

----- Letter to Christopher Jaeger, Nairobi, January 3, 1996

Office of US Foreign Disaster Assistance (OFDA), Humanitarian Relief

- Operation Lifeline Sudan, 1992 Emergency Needs Assessment and Appeal, Southern Sudan, Nairobi, United Nations Children Fund/Operation Lifeline Sudan, December, 1991
- Operation Lifeline Sudan Southern Sector, Situation Assessment, Nairobi. United Nations Children Fund/Operation Lifeline Sudan, February, 1993
- 1994 Assessment, Nairobi, United Nations International Children Fund/Operation Lifeline Sudan, October, 1994
- 1994 Assessment in Southern Sudan: The Transitional Zone and the Khartoum Camps, Nairobi, United Nations Emergency Unit, January, 1995
- Operation Lifeline Sudan, 1995 Needs Assessment: Final Draft, Nairobi, November, 1995
- Trip Report, Washington D.C., July, 1993
- Relief and Rehabilitation Commission/United Nations/Non-Governmental Organisations, Annual Needs Assessment: Wau and Displaced Camps, Khartoum, October 1/8, 1995
- Save the Children Fund (United Kingdom), Ed Da'eim Dinka Displaced and Host Population Nutrition and health survey, Darfur, SCF-UK, August, 1993
- Scott-Villiers, Report Submitted to V.O. Reilly, Nairobi, United Nations Children Fund/Operation Lifeline Sudan, April 21, 1988
- Simonse, Simon, Human Rights and Cultural Values on Relief Operations in South Sudan, Nairobi, United Nations Children International Fund/Operation Lifeline Sudan, 1995
- Solvic Drako, Notes on the Mission to Sudan of Ambassador Drako Silovic and Mr. James Baker, September 3, 1992
- Sudan People's Liberation Movement and Army, Press Statement on the Corridors of Tranquillity, Nairobi, Sudan People's Liberation Movement and Army, October 19, 1991
- SPLM/A First National Convention: A Major Watershed – Resolutions Appointments and Protocols, Chukudum, New Sudan, March 12, 1994
- Conference on Humanitarian Assistance to the New Sudan: A Partnership for the New Sudan , Chukudum, Facilitated by the Sudan Relief and Rehabilitation Association, Nairobi, September 21, 1995
- Sudan Relief and Rehabilitation Association, Communication to WFP, Nairobi, November 10, 1996
- Traxler, Vieri., Mission of Special Envoy for Humanitarian Affairs for the Sudan, Ambassador Vieri Traxler, Geneva, Department of Humanitarian Affairs, August 5, 1993
- Mission of Special Envoy for Humanitarian Affairs for the Sudan, Ambassador Vieri Traxler, Geneva, Department of Humanitarian Affairs, December 7, 1993
- Memo to Jan Eliason: Increased Use of Land Routes for Humanitarian Operation in the Sudan, Geneva, Department of Humanitarian Affairs, January 27, 1994

- Summary of DHA's Negotiations with the Government of the Sudan – from August 1993 to April 1996 – on the Issue of Humanitarian Access to People in the Area of the Nuba Mountains, Geneva, Department of Humanitarian Affairs, May 13, 1996
- United Nations/Operation Lifeline Sudan, An Investigation into Production Capability in the Rural Southern Sudan: A Report on Food Sources and Needs, Nairobi, June, 1990
- Minutes of the Meetings between United Nations Under Secretary Mr. James Jonah and Representatives of Government of Sudan and Sudan People's Liberation Movement, Nairobi, October 19, 1991
- United Nations General Assembly, Report on Refugees, Displaced Persons and Returnees, prepared by Jacques Cuenod, E/1990/109/Add, New York, June 22, 1991
- United Nations, Emergency Situation in Sudan: Urgent Humanitarian Requirements, Geneva, Department of Humanitarian Affairs, November 10, 1988
- Emergency Relief Needs: Immediate Food and Non-Food Relief Requirements for the period April to November 1989, Khartoum, March 8, 1989
- Plan of Action: Sudan Emergency Relief Operations, Khartoum, March 14, 1989
- Operation Lifeline Sudan: Phase Two, Khartoum, March 14, 1990
- Summary of Operation Lifeline Sudan, Nairobi United Nations International Children Fund/Operation Lifeline Sudan, September 3, 1992
- Joint Statement of the government of Sudan and the United Nations on Humanitarian Assistance to the Sudan, Khartoum, September 16, 1992
- United Nations 1992 Consolidated Inter-Agency appeal: Sudan, Geneva, United Nations/Department of Humanitarian Affairs, January, 1993
- Operation Lifeline Sudan Phase II: Background Appeal Document: Immediate Food and Non-Food Requirements, Khartoum, March 26, 1990
- Operation Lifeline Sudan: Draft Plan of Action: Operational Framework, key principles and Specific Agreements to Enable Effective Food and Non-Food Relief to All Target Populations, Khartoum, March 26, 1990
- Operation Lifeline Sudan II: Draft Plan of Action, Khartoum, Government of Sudan and the Donor Consultation Meeting, March 28, 1990
- Operation Lifeline Sudan: Framework for Accessing people in Need, Khartoum, Office of the Special Co-ordinator for the UN Secretary General for Emergency and Relief Operations in Sudan, July, 1992
- 1992-1993 Situation Assessment, Nairobi, February, 1993
- Strengthening the Co-ordination of Humanitarian and Disaster Relief Activities of the United Nations, including Special Economic Assistance to Individual Countries or Regions: Emergency Assistance to the Sudan, New York, United Nations Secretary General, September 12, 1994
- Operation Lifeline Sudan (Northern Sector): 1994 Assessments in Southern Sudan, the Transitional Zone and the Khartoum Displaced Camps, Khartoum, January, 1995

- United Nations/Operation Lifeline Sudan, OLS Southern Sector Needs Assessment for 1995: Final Draft, Nairobi, November, 1995
- United Nations Emergency Unit, Khartoum Displaced and Squatters: Current Status and Suggested Action, Khartoum: United Nations Emergency Unit, March 23, 1992
- United Nations Committee on Emergency Relief Office, File Note: NGO Liaison in Operation Lifeline Sudan, Khartoum, 1990
- Briefing Notes About the Khartoum Displaced Population, Khartoum, Office of the UN Co-ordinator for Emergency and Relief Operations in Sudan, Khartoum, January, 1996
- United Nations Development Programme, Planning and Project Emergency Assistance for the Displaced: Project Revision Document, Khartoum, August 9, 1989
- Minutes of Inter-Agency Meeting, Khartoum, May 21, 1990
- General Briefing Note, Khartoum, Office of the Special Co-ordinator for the UN Secretary General for Emergency and Relief Operations in Sudan, September 4, 1992
- Internal Displacement in Sudan, Khartoum, 1993
- Urban Displaced Squatter Settlement Project, Khartoum, 1994
- Pilot Phase for the Implementation of the Agricultural Rehabilitation Project in Wau (Western Bahr el Ghazal State): Project No. SUD/94/001/02/99, Khartoum, March 2, 1995
- Minutes of Inter-Agency Meeting, Khartoum, June 7, 1995
- United Nation Development Programme, Progress Report (1<sup>st</sup> July to 31<sup>st</sup> December 1995): Wau Agricultural Rehabilitation Project (SUD/95/002) Western Baher el Ghazal State, Khartoum, December, 1995
- Towards a Workable Strategy on the Internally Displaced persons in the Sudan: A Proposed Workplan of an Assignment to be submitted to the UNDP Khartoum, 1996
- Culture of Peace in the Sudan: Symposium on Fundamental Development Issues of the Sudan, Khartoum, March 28, 1996
- United Nation Emergency Unit, UN Position And Agency roles in Displacement Issues in Sudan, Khartoum, February 4, 1992
- Mission to Ed Da'eim 8-9 June 1992, June 8/9, 1992
- Khartoum Displaced Squatter Population: Priority Activities 1994, Khartoum, 1994
- Minutes: Meeting on the Issue of Internally Displaced Persons, Khartoum, June 27, 1995
- Summary of Planning for 1995 Assessment Ex-Khartoum, Khartoum, 1995
- Note for the File, Khartoum, March 20, 1996
- Chronology of the Khartoum Displaced, 1983-1996, Khartoum, February, 1996



- Background Paper: GOS's Position towards OLS, Khartoum, April 1, 1996
- United Nations International Children Fund/Operation Lifeline Sudan: Workshop on Lessons Learned, Copenhagen, 14-15 December 1989, Nairobi, United Nations International Children Fund, March 1, 1990
- Report on Workshop on Humanitarian Principles for Sudanese NGOs, Nairobi, April 5, 1995
- Review of the 1994 OLS Agreements on the Delivery of Humanitarian Assistance in Southern Sudan, Nairobi, April, 1996
- Note for Record: Two Meetings with SPLM-United, Nairobi, May 16, 1995
- OLS Agreements on Ground Rules, Nairobi, July/August, 1995
- Report on Visit to Ganyliel, Nairobi, August 6, 1995
- Report on SPLM Meeting on Humanitarian Assistance, Nairobi, September, 1995
- Note for Record: Meeting Between the UN and the Sudan Relief and Rehabilitation Association, Nairobi, December 7, 1990
- Note for the Record: Meeting Between UN and SPLM Representatives, Nairobi, United Nations International Children Fund/Operation Lifeline Sudan, September 8, 1991
- Minutes of a Meeting Between Dr. Garang de Mabior and Michael Priestly, Nairobi, May 19, 1990
- A Critical Review of the Management and Impact of Seeds and Tools Programmes in Southern Sudan, Nairobi, October, 1990
- OLS Principles, Nairobi, 1990
- SPLM/OLS Agreement on Grounds Rules, Nairobi, June, 1994
- Ground Rules, Nairobi, May 1, 1993
- United Nations International Children Fund, A Proposal: Restructuring Operation Lifeline Sudan as a Regional Emergency Unit, Nairobi, August, 1991
- Sudan Annual Report 1994, Khartoum - Nairobi, September, 1994
- OLS Annual Review, Khartoum - Nairobi, October, 29-31, 1994
- First Draft Report of the Secretary General on Operation Lifeline Sudan, Nairobi, 1989
- 1995 Programme Review, Khartoum, 1995
- Sudan Annual Report 1995, Khartoum, December, 1995
- Comprehensive National Strategy to Achieve Self-sufficiency in Food Production, Khartoum, 1996
- Situation Analysis of Children and Women in Sudan, Khartoum, March, 1996
- United States Embassy, Cable Released, Khartoum, May 12, 1994

- Fax to Secretary of State, Washington: Sudan-Khartoum Displaced Update Khartoum, United States Embassy, February 2, 1991
- United States Agency for International Development/Bureau for Humanitarian Response, Situation Report No. 4: Sudan, Nairobi – Washington D.C., United States Agency for International Development, April 12, 1989
- Situation Report No. 2: Sudan, Nairobi – Washington D.C., February 13, 1993
- Sudan Situation Report No. 3, Nairobi – Washington D.C., May 26, 1991
- United States Agency for International Development, Nutrition in terms of Disaster, Report of an International Conference, Geneva, September 27-30 1988 Under the Auspices of the United Nations with partial Support from United States Agency for International Development, Geneva, 1989
- Khartoum Urban/Displaced: Possible Actions for USAID/Sudan, Khartoum, February 15, 1990
- United States Office of Foreign Disaster Assistance, Humanitarian Relief Operations in Sudan: Field Trip, Nairobi – Washington D.C., July, 1993
- Villiers-Scott, The EPAG Livestock Redistribution Project 1993-1995: Augmenting Pastoralist Survival Systems in Situations in Natural Disaster and Conflict, Nairobi, UNICEF/OLS, April, 1996
- Wagner, Gordon, Situation Report, Wau, United Nations Emergency Unit, August 13, 1990
- World Food Programme, Preliminary Report: Food Needs Assessment Survey, Eastern Operation Area, Khartoum, November 13, 1989
- Report WFP/NGOs/Donors Food Aid Assessment Mission Sudan, 27 November-19 December 1990, Khartoum, December 19, 1990
- Food Aid in Emergencies Book A: Policies and Principles, Rome, September, 1990
- Visit to el-Rahmania Peace Village, Khartoum, November 15, 1992
- World Food Programme, Site Reports, Nairobi, 1993
- 1993 Assessment, Executive and Regional Summaries, Nairobi, 1993
- Annual Report, Khartoum, 1995
- Note for the File: Joint RRC/NGO/UN Mission to South Kordofan, Khartoum, April, 1995
- Letter of Understanding, Khartoum, June 6, 1995
- Barge Operations Voyages Summary July 5, 1991 through December 31, 1995, March 26, 1996
- Workshops for Food Monitors, Lokichoggio, Kenya, April 9, 1996

## BOOKS

- Africa Rights, Food and Power in Sudan: A Critique of Humanitarianism, London, Africa Rights, 1997
- Ahmed Abel Ghaffar and Sorbo Gunnar (eds.), Management of the Crisis in the Sudan, Bergen, University of Bergen, 1989
- Amnesty International, Sudan Human Rights Violations in the Context of Civil War, New York: Amnesty International, 1989
- Amstutz, R. Mark, International Ethics: Concepts, Theories, and Cases in Global Politics, Boulder: Rowman & Littlefields Publishers, 1999
- Ayubi, N., Nazih, Political Islam: Religion and politics in the Arab World, London, Routledge, 1991
- Badal, Koba, "Oil and Regional Statements in Southern Sudan", Discussion Paper No. 80, Syracuse, Department of Geography, Syracuse University, 1983
- Barsella, Gino & Ayusu A. Miguel, Struggling to Be Heard: The Christian Voice in Independent Sudan, London, Paulines Publication, 1998
- Beshir, Mohammed Omer, The Southern Sudan Background to Conflict, London: C. Hurst & Co., 1968
- "Sudan, aid and external relations: selected essays", Monograph No. 9, University of Khartoum Graduate College, London: distributed by Ithaca Press, 1984
- Beyer, Peter, Religion and Globalization, London, Sage Publication, 1994
- Bin, Sayyed, Western Dominance and Political Islam: Challenge and Response, Albany, State University of New York Press, 1995
- Bretherton, Charlotte & Ponton Geoffrey (eds.), Global Politics: An Introduction, Oxford: Blackwell Publishers, 1996
- Burr, Milliard, Khartoum's Displaced Persons: A Decade of Despair, Washington DC., United States Committee for Refugees, August, 1990
- Sudan 1990-1992: Food aid, famine, and Failure, Washington DC: United States Committee for Refugees, May, 1993
- Cahill, Kevin, M., (ed.), A Framework for Survival: Health, Human Rights, and Humanitarian Assistance in Conflicts and Disasters, New York: A Joint Publication of Basic Books & the Council on Foreign Relations, 1993
- Caplan, Lionel (ed.), Studies in Religious Fundamentalism, London, Macmillan, 1987
- Carton, James, Operation Lifeline Sudan: Workshop on Lessons Learned, Copenhagen, 14-15 December, 1989, New York - Nairobi, United Nations International Children Fund, March 1, 1990
- Che, Guevara, Che Guevara Speaks, London, Pathfinder Books, 1967
- Copland, Miles, The Game of Nations: The Amorality of Power Politics, London, Weiddenfeld & Nicolson, 1969

- Daniel, Norman, *Islam and the West: The Making of an Image*, Edinburgh, Edinburgh University Press, 1990
- Deng, M. Francis, *War of Visions: Conflict of Identities in the Sudan*, Washington D.C., Brookings Institution
- Deng, Francis, M. & Minear Minear, *The Challenges of Famine Relief: Emergency Operations in the Sudan*, Washington, DC.: Brookings Institution, 1992
- De Waal, Alex, *Famine that Kills: Darfur, Sudan, 1984-1985*, Oxford: Clarendon Press, 1989
- Dicklitch, Susan, *The Elusive Promise of NGOs in Africa: Lessons from Uganda*, London, Macmillan Press LTD., 1998
- Djait, Hichem, *Europe and Islam: Cultures and Modernity*, Berkeley and Los Angeles, University of California Press, 1985
- Donnelly, Jack, *Universal Human Rights in Theory and Practice*, Ithaca, New York: Cornell University, 1989
- Dower, Nigel, *World Ethics: the new agenda*, Edinburgh, Edinburgh University Press, 1998
- Doxey, Margaret, P., *International Sanctions in Contemporary Perspective*, New York, St. Martin Press, 1987
- *Economic Sanctions and International Enforcement*, New York, Oxford University Press, 1971
- Duffield, Mark, "Containing Systemic Crisis: The Regionalization of Welfare and Security Policy", in Pieterse Nederveen Jan (ed.), *World Orders in the Making: Humanitarian Intervention and Beyond*, London, Macmillan, 1998, pp. 80-110
- Duffield, Mark & Prendergast John, *Without Troops & Tanks: Humanitarian Intervention in Ethiopia and Eritrea*, Lawrenceville, NJ., The Red Sea Press, 1994
- Dutch Government, *A World of Difference; A World of Dispute*, The Hague, Ministry of Foreign Affairs, 1993
- Efithia, Voutira & Brown A. Shaun, *An RSP Report for the Economic and Social Research Council of the Overseas Development Administration Conflict Resolution: A Review of some Non-Governmental Practices – A Cautionary Tale*, Oxford, Oxford University Press, 1995
- Eltigani Eltigani (ed.), *War and Drought in Sudan: Essays on Population Dispute*, Florida, University Press of Florida, 1995
- Enayat, Hamid, *Modern Islamic Political Thought*, Austin, University of Texas Press, 1982
- Ephraim, Isaac, "Humanitarianism Across Religions and Cultures", in Thomas G. Weiss & Larry Minear (eds.), *Humanitarianism Across Borders: Sustaining Civilians in Times of War*, Boulder - London, Lynne Rienner Publishers, 1993, pp. 13-22
- Esposito L. John, *Political Islam: The Challenges of Change*, Annandale, VA., United Association for the Studies of Research, 1995
- *The Islamic Threat: Myth or Reality*, New York, Oxford University Press, 1992

- Falk, Richard, *Human Rights and State Sovereignty*, New York: Holmes & Meier Publishers, 1981
- "Human Rights, Humanitarian Assistance, and the Sovereignty of States", in Cahil M. Kevin (ed.), *Framework for Survival: Health, Human Rights, and Humanitarian Assistance in Conflicts and Disasters*, New York, A Joint Publication of Basic Books and the Council of Foreign Relations, 1993, pp. 27-40
- Fawaza, A. Gerges, *America and Political Islam: Clash of Cultures or Clash of Interests?*, Cambridge, Cambridge University Press, 1999
- Forbes, Ian & Hoffman Mark (eds.), *Political Theory, International Relations and the Ethics of Intervention*, London: Macmillan, 1993
- Forsythe, David, *Humanitarian Politics: The International Committee of the Red Cross*, Baltimore, MD.: The John Hopkins University Press, 1977
- Fukuyama, Francis, *The End of History and the Last Man*, London, Hamish Hamilton, 1992
- Garang, John, *The Vision of the New Sudan: Questions of Unity and Identity*, Cairo & Nairobi: Consortium for Policy Analysis and Development Strategies, 1997
- Gadis, John Lewis, *The United States and the End of the Cold War: Implications, Reconsiderations, Provocations*, New York, Oxford University Press, 1992
- Geerez, Clifford, *The Interpretation of Cultures*, New York, Basic Books, 1973
- Government of Sudan, *A Draft Provided by the Ministry of Social Welfare, Zakat and the Displace regarding the Government's General Policy towards the Displaced*, Khartoum: Government of the Sudan, September 22, 1988
- Statement by Dr. Ibrahim Abu auf, Commissioner Relief and Rehabilitation Before the Second Committee of the UN General Assembly at its 47<sup>th</sup> Session, New York: Sudan Permanent Mission to the United Nations, November 16, 1992
- Guelf, Richard & Adam Roberts, *Documents on the Laws of War*, Oxford University Press, 1989
- Halliday, Fred, *Islam and the Myth of Confrontation: Religion and Politics in the Middle East*, London, I.B. Tauris, 1995
- Harriss, Johnson (ed.), *The Politics of Humanitarian Intervention*, London: Pinter, 1995
- Harrel-Bon, E. Barbara, *Imposing Aid: Emergency Assistance to Refugees*, Oxford, Oxford University, 1996
- Hastedt, P. Glenn (ed.), *American Foreign Policy: Past, Present, Future*, Englewood Cliffs, NJ., Prentice-Hall, 1997
- Hartx, Louis, *The liberal Tradition in America*, New York, Harcourt Bruce & World, 1955
- Hunt, H. Michael, *Ideology and US Foreign Policy*, New Haven, CT., Yale University Press, 1987
- Prendergast, John, *Crisis Response: Humanitarian Band-Aids in Sudan and Somalia*, London, Pluto Press, 1997

- Fronline Diplomacy: Humanitarian Aid and Conflict in Africa, London & Boulder, Lynne Rienner Publishers, 1996
- Kans, P. Margaret, "The Changing Architecture of World Politics: Multilateralism, Co-operation, and Global Governance", in Thomson W. Kenneth (ed.), *Community, Diversity, and a New World Order: Essays in Honor of Inis L. Claude Jr.*, Boston, University Press of America, 1994, p. 274
- Keck, Margaret & Sikkink Kathryn, *Activists beyond Borders: Advocacy Networks in International Politics*, Ithaca, N.Y., Cornell University Press, 1998
- Kindleberger, Charles, *Power and Money: The Economics of International politics and the Politics of International Economics*, New York, Basic Books, 1970
- Krasner, Stephen (ed.), *International Regimes*, Ithaca, N.Y., Cornell University Press, 1983
- Kratochwil, Friedrich, *Rules, Norms, and Decisions: On the Conditions of Practical and Legal Reasoning in International Relations and Domestic Affairs*, Cambridge, Cambridge University Press, 1989
- Lederach, Paul, *Building Peace: Sustainable Reconciliation in Divided Societies*, Washington D.C., United States Institute of Peace Press, 1997
- Little, David, "Islam and Society: The Sudanese Experience", Washington D.C., United States Institute of Peace, 1998
- "Islamic and Christian Cross-Currents in Sudan", lecture notes, Washington D.C., United States Foreign Service, April 3, 1997
- Lumsdaine, Halloran David, *Moral Vision in International Politics: The Foreign Aid Regime, 1949-1989*, Princeton: Princeton University Press, 1993
- Lyons, M. Gene & Mastanduno, Michael, *Beyond Westphalia? National Sovereignty and International Intervention*, Berkeley: University of California Press, 1993
- Macalister-Smith, Peter, *International Humanitarian Assistance: Disaster Relief Actions in International Law and Organization*, Boston: Martinus Nijhoff, 1985
- Mackinnon, S. Michael, *The Evolution of US Peacekeeping policy Under Clinton: A Fairweather Friend?*, London, Frank Cass, 2000
- Macrae, Joana & Swi Anthony (eds.), *War and Hunger: Rethinking International Responses to Complex Emergencies*, London: Zed Books, 1994
- Manning, Mike, "Global Issues and the Challenge to Democratic Politics", in Charlotte B. & Geoffrey P. (eds.), *Global Politics: An Introduction*, Oxford, Blackwell Publishers, 1996, pp. 220-246
- Mayal, James, *The New Internationalism, 1991-1994: United Nations Experience in Cambodia, former Yugoslavia and Somalia*, Cambridge, Cambridge University Press, 1996
- Minear, Larry, *Humanitarianism Under Siege: A Critical Review of Operation Lifeline Sudan*, Trenton, NJ, The Red Sea Press, 1991
- Helping People in an Age of Conflict: Towards a New Professionalism in US Voluntary Humanitarian Assistance, New York and Washington, DC.: InterAction, 1988

- Minear, Larry & Weiss G. Thomas, *Humanitarian Action in Times of War: A Handbook for Practitioners*, Boulder, Lynne & Rienner Publishers, 1993
- National Population Committee, *The Registration System, socio-economic and Demographic Characteristics of Al-Salam Omdurman and Jebel Awliya Displaced Camps*, Khartoum, CARE, December, 1992
- Nederveen, Pieterse Jan (ed.), *World Orders in the Making: Humanitarian Intervention and Beyond*, London: Macmillan Press, 1998
- New Sudan Council of Churches, *Here We Stand United in Action for Peace*, Nairobi, Peace and Human Rights Desk, 1996
- Nyok, Peter, "The Ties that Will Not Bind: Conflict and Racial Cleavages in the Sudan", in Anyang-Nyongo (ed.), *Arms and Diggers in the Heart of Africa*, Nairobi, African Academy of Sciences, October, 1993
- Onuf, Nicholas, *World of Our Making: Rules and Rule in Social Theory and International Relations*, Columbia, S.C., University of South Carolina Press, 1989
- Report of the Secretary General of the United Nations, New York, September-October, 1991
- Pugh, Michael, *From Mission Cringe to Mission Creep? Implications of New Peace Support Operations*, Oslo, Institutt for Forsvarsstudier, 1997
- Rahman, Fazher, *Islam*, Chicago, Chicago University Press, 1979
- Ramsbotham, Oliver & Woodhouse Tom, *Humanitarian Intervention in Contemporary Conflict*, Cambridge: Polity Press, 1996
- Reychler, Luc, "Beyond Traditional Diplomacy", Discussion Paper No. 17, Leicester, Diplomatic Studies Programme, Leicester University, 1996
- Rittberger, Volker (ed.), *Regime Theory and International Relations*, Oxford, Clarendon Press, 1993
- Sudan People's Liberation Movement and Army, *Constitution of the Sudan Relief and Rehabilitation Association*, Nairobi, SRRA, November 27, 1995
- Thomas, Caroline and Reader Melvyne, "Human Rights and Intervention: A Case for Caution", in Pieterse Nederveen Jan (ed.), *World Orders in the Making: Humanitarian Intervention and Beyond*, London, Macmillan Press, 1998, pp. 114-137
- Thompson, W. Kenneth (ed.), *Community, Diversity and a New World Order: Essays in Honor of Inis L. Claude Jr.*, Maryland: University Press of America, 1994
- United Nations, Press Release, Khartoum, December 5, 1992
- United Nations High Commissioner for Refugees, *UNHCR Operational Experience with Internally Displaced Persons*, Geneva, Office of the High Commissioner for Refugees, Division of International Protection, September, 1994
- United States Department of State, *Country Report on Human Rights Practices for 1992*, Washington D.C., 1993
- Country Human Rights Reports 1997: Sudan, Washington D.C., 1997
- Wondu, Stephen, *IGADD: No Quick Fix for Sudan*, Nairobi, Beta Technology Systems, April, 1995

Wai, M. Dunstan, *The African-Arab Conflict in the Sudan*, London: Holms & Meier Publishers, 1981

Wheeler, Nicholas, "Humanitarian Intervention and World Politics", in John Bay & Steve Smith (eds.), *The Globalization of World Politics: An Introduction*, Oxford, Oxford University Press, 1997, pp. 391-408

Weiss, G. Thomas & Minear, Larry *Humanitarianism Across Borders: Sustaining Civilians in Times of War*, London, Lynne Rienner Publishers, 1993

Zartman, William (ed.), *Collapsed States: the disintegration and restoration of legitimate authority*, Boulder, Lynne Rienner, 1995

## DOCUMENTS AND REPORTS

Abu, Salim, Speech in Opening Session, Khartoum: government of the Sudan. January, 1993

Adly, Khalid Letter to the GOS State Minister for Social Planning, Food Deliveries, Khartoum: World Food Programme, March 4<sup>th</sup>, 1995.

----- Leter to Y. Mengesha, Regional Manager, WFP Rome, on "DHA Appeal-Sudan 1996

Africa Rights, *Humanitarianism Unbound? Current Dilemmas Facing Multi-Mandate Relief Operations in Political Emergencies*, Discussion Paper No. 5, London, November, 1994

----- Sudan's Invisible Citizens: The policy of Abuse Against Displaced People in the North, London, African Rights, February, 1995

Africa Watch, *Sudan: Refugees in their Own Country: Forced Relocation of Squatters and Displaced People from Khartoum*, London, Africa Watch, July 10, 1992

----- Sudan: A Human Rights Disaster, London, The Africa Watch Committee, 1990

Almquist, Kate, "Religion and Politics in Sudan: A Humanitarian Agency Perspective", Washington D.C., paper presented to the United States Institute of Peace, September 16, 1997

Biro, Gaspar., *Situation of Human Rights in the Sudan*, New York/Geneva: United Nations Commission on Human Rights, February 1, 1994

Bodansky, Yossef, *Target America: Terrorism in the U.S. Today*, New York, S.P.I. Books, 1993

British Foreign Office and Commonwealth Office, "Beyond Brief", London, 1991

British Foreign Affairs Committee, London, 1988

British Foreign Secretary's Keynote Speech, "Human Rights Reports into the New Century, London, July 17, 1997

British Foreign Office Mission Statement, London, May 12, 1997



- Brooklet, Rene, "From a Co-operative Towards a Conditional Strategy: Background Paper on IMF Policy Regarding Sudan", Copenhagen, Dan-Church Aid, April 4, 1995
- Carstensen, Nils, Southern Sudan: Report on a Forgotten Crisis, Copenhagen, Dutch Churchaid, September 16, 1992
- Duffield, Mark, Sudan: Unintended Consequences of Humanitarian Assistance: Field Evaluation Study, A Report to the European Community Humanitarian Office, Dublin, The University of Dublin, Trinity College, November, 1999
- Einas, Ahmed, "The Dynamics of Local Politics and the Search for local Legitimacy in Kasala State", Paper delivered at the International Sudan Studies Association Conference, Cairo, 1997
- Africa, Brussels, December, 1995
- Commission Communications on the European Union and the Issue of Conflict in Africa: Conflict Prevention and Beyond, Brussels, March, 1996
- Communication from the Commission to the Council and the European Commission of the European Communities on Linking Relief, Rehabilitation and Development, Brussels, European Commission of the European Communities, April 30, 1996
- European Commission Humanitarian Office, ECHO Strategy 1997: Working Paper, Nairobi - Brussels, European Commission Humanitarian Office, February 24, 1997
- Fund for Peace, Report on a Programme of Human Rights Capacity Building with NGOs in the Horn of Africa, Nairobi, December, 1995
- General Assembly Resolution 2816 (XXVI) of December 14, 1971 (Assistance in the Case of Natural Disaster and Other Disaster Situations), New York, 1971
- Resolution 46/182 of December 17, 1991 (Strengthening of the Coordination of Humanitarian Emergency Assistance of the United Nations), New York, December 17, 1991
- Government of Kenya, Second Draft, Nairobi: Government of Kenya, January 21, 1994
- Relief Supplies and Humanitarian Assistance to the War Affected Areas, Nairobi: Government of Kenya, March 23, 1994
- Minear, Larry, Weiss G. Thomas, & Kurt M. Campbell, Humanitarianism and War: Learning the Lessons from Recent Armed Conflicts, Occasional Paper, No. 8, Thomas J. Watson Institute, 1991
- Ministry of Social Planning, Briefing, Khartoum, GOS, March 31, 1996
- Moreels, Reginald, Ideas on Humanitarian Aid, Interventions and Field Diplomacy, Paper presented at the International Alert Conference, London, 1997
- National Development Foundation, Briefing, Khartoum, March 28, 1996
- Prendergast, John, "Diplomacy, Aid and Governance, Washington D.C., Centre of Concern, 1995
- Refugee Policy Group, A Critical Review of Operation Lifeline Sudan: A Report to Aid Agencies, Washington D.C., October, 13, 1990

The Economist Intelligence Unit, Sudan: Country Report, London, Third Quarter, 1993

----- Sudan: Country Report, London, Third Quarter, 1997

United States Government, Breaking the Cycle of Despair: President Clinton's Initiatives on the Horn of Africa, Washington D.C., June, 1994

----- Strategy of Enlargement and Preparedness, Washington D.C., 1995

United States Congress, 106<sup>th</sup> Congress: Concurrent Resolution 75, Washington D.C., June 15, 1999

United States Department of Defense, United States Security Strategy for Sub-Saharan Africa, Washington D.C., 1995

United States House Committee on Foreign Affairs, Africa Sub-Committee, Hearings on Sudan, 102<sup>nd</sup> Congress, Washington D.C., May 1992

United States National Security Council, 'A National Security Strategy for a New Century, May, 1997

World Vision, Sudan: The Cost of Continuing Conflict, London, Policy Report, 1997

Working Group on International Refugee Policy, Report of the International Conference on the Protection Mandate of UNHCR, The Hague, September 18, 1998

## JOURNAL ARTICLES

Baker, Tom, "On the Geology of Moral Hazard", *Texas Laws Review*, Vol. 75, 1996, p. 237

Barkin, J Samuel, "The Evolution of the Constitution of Sovereignty and the Emergence of Human Rights Norms", *Millennium: Journal of International Studies*, Vol. 27, No. 2, 1998, pp. 229-252

Bratton, Michael, "Politics of Government/NGO Relations in Africa", *World Development*, Vol. 17, No. 4, April, 1989

Brown, Chris, "Cultural diversity and International Political Theory: from the Requirement to 'Mutual Respec'?", *Review of International Studies*, Vol. 26. No. 2, April, 2000, pp. 199-213

----- "History Ends, Worlds Collide", *Review of International Studies*, Vol. 25, Special Issue, December, 1999, pp. 41-57

Buzan, Barry, "New World Realpolitik: New Patterns of Global Security in the Twenty-First Century", *International Affairs Journal*, Vol. 67, No. 3, July, 1991, pp. 431-52

Campbell, Colin & Deborah Scorggins, "Officials: US May Welcome Coup in Sudan; Military Rulers Might Improve Famine Relief", *Atlanta Journal and Constitution*, 27 January, 1989

Campbell, David, "Why Fight: Humanitarianism, Principles, and Post-structuralism", *Millennium: Journal of International Studies*, Vol. 27, No. 3, 1998, pp. 497-521

- Clarke, Johnathan, "The Conceptual poverty of US Foreign Policy", *The Atlantic Monthly*, March, 1993, pp. 54-66
- Cliffe, Lionel & Luckham Robin, "Complex Political Emergencies and the State: failure and the fate of the state", *Third World Quarterly*, Vol. 20, No. 1, 1999, pp. 27-50
- Crawford, Gordon "Foreign Aid and Political Conditionality: Issues of Effectiveness and Consistency", *Democratization*, Vol. 4, No. 3, Autumn, 1997, pp. 69-108
- De Waal, Alex & Omaar Rakiya, "Can Military Intervention Be 'Humanitarian'?", *Middle East Report*, March-June, 1994, pp. 3-8
- Deng, M. Francis "The Sudan: Stop the Carnage", *The Brookings Review*, No. 12, Washington D.C., Winter 1994, pp. 6-11
- Donnelly, Jack, "Human Rights, Humanitarian Intervention and American Foreign Policy: law, morality and politics", *Journal of International Affairs*, Vol. 37, 1984, pp. 311-28
- "Human Rights, Humanitarian Crisis and Humanitarian Intervention", *International Journal*, Vol. 48, No. 4, 1993, pp. 607-40
- Duffield, Mark, "Complex Political Emergency: An Exploratory Report for UNICEF With Reference to Angola and Bosnia", Birmingham, School of Public Policy, Birmingham University, March, 1994, pp. 1-125
- "NGOs, Disaster Relief and Asset Transfer in the Horn: Political Survival in a Permanent Emergency", *Development and Change*, Vol. 24, No. 1, 1993, pp. 131-57
- "Sudan at the Cross-Roads: From Emergency Preparedness to Social Security", Institute of Development Studies, *Discussion Paper No. 275*, 1990
- "The Symphony of the Damned: Racial Discourse, Complex Political Emergencies and Humanitarian Aid", Birmingham, School of Public Policy, Birmingham University, *Occasional Paper No. 2*, 1996,
- Duffield, Mark, & Prendergast John, "Sovereignty and Intervention after the Cold War: Lessons from the Emergency Relief Desk", *Middle East Report*, March-June, 1994, pp. 9-15
- Checkel, T., Jeffrey, "Norms, Institutions and National Identity in Contemporary Europe", *International Studies Quarterly*, Vol. 43, 1999, pp. 83-114
- "International Norms and Domestic Politics: Bridging the Rationalist-Constructionist Divide", *European Journal of International Relations*, Vol. 3, 1997, pp. 473-495
- Cortel, P. Andrew & Davis, W. James, "How Do International Institutions Matter? The Domestic Impact of International Rules and Norms", *International Studies Quarterly*, Vol. 40, 1996, pp. 451-478
- Falk, Richard, "The Pursuit of International Justice: Present Dilemmas and An Imagined Future", *Journal of International Affairs*, Vol. 52, No. 2, Spring, 1999, pp. 399-441
- Gordenker, Leon & Weiss G. Thomas, "Devolving Responsibilities: a framework for analyzing NGOs and services", *Third World Quarterly*, Vol. 18, No. 3, 1997, pp. 443-455

- Gurowitz, Amy, "Mobilizing International Norms: Domestic Actors, Immigrants, and the Japanese State", *World Politics*, Vol. 51, April, 1999, pp. 413-45
- Global Humanitarian Emergencies, New York: US Mission to the UN, January, 1995
- Haiden, William, "The Kosovo Conflict: The Strategic Use of Displacement and the Obstacles to International Protection", *Civil Wars*, Vol. 2, Spring, 1999, pp. 35-68
- Hartigan, Kevin, "Refugee Policies in Mexico and Honduras", *International Organization*, Vol. 46, No. 3, 1992, pp. 709-730
- Hawkins, Darren, "Domestic Responses to International Pressure: Human Rights in Authoritarian Chile", *European Journal of International Relations*, Vol. 3, 1997, pp. 403-434
- Huntington, Samuel, "The Clash of Civilizations", *Foreign Affairs*, 1993, pp. 22-49
- Hurd, Douglas, Speech at Royal United Services Institute, 13 October, 1992, *Arms Control and Disarmament Quarterly Review*, Vol. 27, 1992, pp. 34-5
- Hurd, Ian, "Legitimacy and Authority in International Politics", *International Organization*, Vol. 53, No. 2, Spring, 1999, pp. 379-408
- Inter-Governmental Agency on Development, Forth Meeting of the Committee on Sudan of the IGAD Partners' Forum, Oslo, March 10, 1999
- Jean, Francis (ed.), *Life, Death and Aid: the Medecins Sans Frontiers Report on World Crisis Intervention*, New York, Routledge, 1994
- Kamal, Mustafa Pasha & Blaney L David, "Elusive Paradise: The Promise and Peril of Global Civil Society", *Alternative*, Vol. 23, 1998, pp. 417-450
- Keen, David, "Disaster for Whom?: Local Interests and International Donors During Famine among the Dinka of Sudan", *Disaster*, Vol. 15, No. 2, 1991
- The Benefits of Famine: A Political Economy of Refugee Flows from South-West Sudan, 1986-88, Geneva: *Discussion Paper* No. 39, November, 1992
- Klotz, Audie, "Norms Reconstituting Interests: Global Racial Equality and US Sanctions against South Africa", *International Organization*, Vol. 49, No. 3, 1995, pp. 451-478
- Legro, W. Jeffrey, "Which Norms Matter? Revisiting the 'Failure' of Internationalism", *International Organization*, Vol. 51, No. 1, 1997, pp. 31-63
- Lowrey, William, *The Role of Religion in Peacemaking and Reconciliation: A Case Study Among the Nuer in Sudan*, *Discussion Paper*, Nairobi, New Sudan Council of Churches
- Lyons, Gene, M., & Michael Mastanduno, "International Intervention, State Sovereignty and the Future of International Society", *Journal of International Social Sciences*, Vol. 45, 1993, pp. 517-531
- Lindsay, M. James, "Trade Sanctions as Policy Instruments: A Re-examination", *International Studies Quarterly*, No. 30, June, 1986, pp. 155-56
- Loescher, Gil, "Refugee Movements and International Security", *Adelphi*, Paper, No. 268, 1992

- Minear, Larry & Weiss, G. Thomas, "Groping and Coping in the Gulf Crisis: Discerning the Shape of a New Humanitarian Order", *World Policy Journal*, Vol. IX, No. 4, Fall/Winter, 1992-1993, pp. 755-788
- Minear, Larry, "Humanitarian Intervention in a New World Order", *Discussion Paper No. 1*, Washington, DC., Overseas Development Council, 1992
- Moravcsik, Andrew, "Explaining International Human Rights Regimes: Liberal Theory and Western Europe", *European Journal of International Relations*, Vol. 1, No. 2, 1995, pp. 157-189
- Munslow, Barry & Brown Christopher, "Complex Emergencies: the institutional impasse", *Third World Quarterly*, Vol. 20, No. 1, 1999, pp. 207-221
- Raustiala, Kal, "States, NGOs, and International Environmental Institutions", *International Studies Quarterly*, Vol. 41, 1997, pp. 719-740
- Nyers, Peter, "Emergency or Emerging Identities? Refugees and Transformations in World Order", *Millennium: Journal of International Studies*, Vol. 28, No. 1, 1999, pp. 1-26
- Rengger, Nicholas, "Justice in the World Economy: Global or International, or Both?", *International Affairs*, Vol. 75, No. 3, 1999, pp. 469-471
- Roberts, Adam, "Humanitarian Action in War: aid, protection and impartiality in a policy vacuum", *Adelphi*, Paper No. 305, 1996
- Sharp, Paul, "For Diplomacy: Representation and the Study of International Relations", *International Studies Review*, Vol., Spring 1999, pp. 33-57
- Scheffer, J. David, "Towards a Modern Doctrine of Humanitarian Intervention", *The University of Toledo Law Review*, Vol. 23, 1992, pp. 253-293
- Sikkink, Kathryn, "Human Rights, Principled Issue-Networks, and Sovereignty in Latin America", *International Organization*, Vol. 47, No. 3, 1993, pp. 411-441
- Sudan Democratic Gazette*, London, April, 1993
- Sudan Embassy, *Bulletin*, London, April 13, 1993
- Sudan Update*, Vol. 25, London, September 9, 1992
- Yango-Bure, Benaiah, "Sudan's Deepening Crisis", *Middle East Report*, No. 172, September-October, 1991
- Wallensten, Peter & Axel Karin, "Armed Conflict at the end of the Cold War", *Journal of Peace Research*, Vol. 30, No. 3, August, 1993, pp. 331-346
- Weiss, G. Thomas, "Principles, Politics, and Humanitarian Action", *Ethics &*
- Weiss, G. Thomas & Minear Larry, "Do International Ethics Matter? Humanitarian Politics in the Sudan", *Ethics & International Affairs*, Vol. 5, 1991, 197-214
- Weiss, Thomas, T. & Chopra Jarat, "Sovereignty Is No Longer Sacrosanct: Codifying Humanitarian Intervention", *Ethics & International Affairs*, Vol. 6, 1992, pp. 95-117
- White, Peter, T., "A Little Humanity Amid the Horrors of War", *National Geographic*, Vol. 170, No. 5, November, 1986
- White, Philip, "The Role of UN Specialised Agencies in Complex Emergencies: A Case Study of FAO", *Third World Quarterly*, Vol. 20, No. 1, 1999, pp. 223-238

## MEDIA INFORMATION

Abdel, Ati, "The Developmental Impact of NGO Activities in the Red Sea Province of Sudan: A Critique", *Development and Change*, Vol. 24, 1993, pp. 103-30

*Al-Duster*, September 4, 1989

*Al-Hayat*, April 28, 1994

*Al-Ald*, Lebanon, April 21, 1996

*Al-Safir*, February 24, 1994

*Al-Sharg-al-Aswat*, October 11, 1989

*Al Sudan Al Hadith*, "Colonel Mohammed Al Amin Khalifa Spoke About Nairobi Negotiations", Khartoum: *Al Sudan Al Hadith*, September 12, 1989

"Arms against sea troubles", *Africa Confidential*, Vol. 37, No. 23, 1996

"An American in Africa", *East Africa*, Nairobi, 14-20, 1996

British Broadcasting Co-operation, Summary of World News Broadcast, London, October 14, 1996

Bonner, Raymond, "Famine", *The New Yorker*, March 13, 1989

*HAB*, Vol. 5, 1993

IGAD, "IGAD Forges Regional Co-operation", Nairobi, *Inter-Governmental Agency on Development Newsletter*, June, 1996

*Keyhan*, Khartoum, March 1, 1993

*Omdurman Radio*, January 4, 1992

Operation Lifeline Sudan, "UNICEF and WFP Request Urgent Funding for War-Torn Southern Sudan", Nairobi, *Press Release*, February 14, 1994

----- Nairobi, *Weekly Update*, May 31, 1994

Perez de Cuellar, Javier, "The Limits of Sovereignty: UN Focus on Human Rights, New York, *United Nations Newsletter*, 1991

*SEPHA Bi-Monthly Report*, No. 14, April 5, 1992

Sheila, Rule, "Khartoum Suspected of the Role in Raids on African Tribes men", *International Herald Tribune*, May 7, 1986, p. 11

*SHR Voice*, Khartoum, December 13, 1994

## INTERVIEWS

Christopher Jaeger, Representative in Sudan, United Nations Development Programme Resident, Nairobi, March 12, 1996

Philip O'Brien, Chief Co-ordinator, United Nations Children International Fund/Operation Lifeline Sudan, Nairobi, February 6, 1997

- Ian Levine, Humanitarian Principles Officer, United Nations Children International Fund/Operation Lifeline Sudan, Nairobi, October 13, 1996
- Hamish Young, Humanitarian Principles Officer, United Nations Children International Fund/Operation Lifeline Sudan, Nairobi, November 20, 1996
- Nichol Pullet, Programme Co-ordinator, United Nations Children International Fund/Operation Lifeline Sudan, Nairobi, November 24, 1996
- Sally Burnheim, Communication and Media Co-ordinator United Nations International Children Fund/Operation Lifeline Sudan, Nairobi, April 14, 1996
- Bortel Con, Geneva, March 15, 1996
- Johnson Harris, United States Envoy to the Sudan, Nairobi, May 12, 1997
- Inga Bjork Klevby, Swedish Humanitarian Envoy to East Africa, Nairobi, November 11, 1998
- Lucion Vanderbroucke, US Embassy Political Adviser Great Lakes Region, Nairobi, July 14, 1997
- Norman Anderson, former United States Ambassador to Sudan, Washington, March 4, 1996
- Dr. Bonaya Godana, Kenya Foreign Minister, Nairobi, August 10, 1997
- Dr. Mustafa Osman Ismail, Sudan Minister for External Affairs, Nairobi, May 15, 1997
- Elijah Malok, Political Adviser, Sudan People's Liberation Movement and Army, Nairobi, March 24, 1996
- Bishop Gabriel Roric, Sudan Deputy Minister of Foreign Affairs, Geneva, May 13, 1996
- Ambassador Bathuel Kiplagat, Consultant, Sudan Working Group, Nairobi, March 12, 1997
- Allan Zachariades, Co-ordinator, Greater Horn of Africa, (Britain) Department of International Development, London, August 21, 1997
- Dr. Samson Kwaje, Secretary for Information and Culture, Sudan People's Liberation Movement and Army, Nairobi November 12, 1997
- Martin Okeruk, Secretary General of the National Liberation Council, Sudan People's Liberation Movement and Army, Nairobi, July 19, 1997
- Commander Pierre Ohure, Sudan People's Liberation Army, Nairobi, March 6, 1996
- Abu-Shama, former Sudan Ambassador to Britain, Nairobi, July 26, 1996
- Ibrahim Tayib, Department of Internally Displaced Persons, Geneva, March 5, 1996
- Lawrence Lual Lual, Member of National Assembly, Nairobi, March 7, 1996
- Commander Abu-John, Governor of Equatoria Region, Yambio, June 19, 1996
- Prof. David de Chand, Ambassador, Ministry of Foreign Affairs, Nairobi, April 8, 1997
- Nereo Lope, Member of National Assembly, Nairobi, January 26, 1996
- Paul Trivelli, United States State Department official on African Affairs, Washington, July 18, 1996

- Heather Elkins, Delegation of the European Community Commission, Nairobi, May 15, 1996
- Paul Filler, Delegation of the Commission of the European Community, Nairobi. May 24, 1997
- John Prendergast, Director of Horn of Africa Project, Concern, Lokichoggio, May 10, 1996
- General (RTD) John Okwahi, Deputy Governor of Equatoria Region, Yambio. August 26, 1997
- Commander Deng Ayai, Sudan People's Liberation Army, Nairobi, August 13, 1997
- Ambrose Ring Thik, Chief Justice, Sudan People's Liberation Movement and Army, Nairobi, September 10, 1997
- Bishop Joseph Gazi, Chairman, Sudan Catholic Bishops' Regional Conference, Nairobi, September 13, 1996
- Rev. Mutava Musymi, General Secretary of the National Council of Churches of Kenya, Nairobi, April 8, 1997
- Archbishop Paolino Lokudu, Vice President of the Sudan Catholic Bishops' Conference, Nairobi, August 15, 1996
- Rev. Clement Janda, General Secretary of All Africa Conference of Churches, Nairobi, February 7, 1997
- Rev. Dr. Haruun Ruun, Executive Secretary of the New Sudan Council of Churches, Nairobi, June 18, 1996
- Dr. Christie Mailhes, Lecturer, Department of Law, Toulouse University, Paris, December 8, 1997
- Robert Rees, Project Officer, Africa Desk, Catholic Fund for Overseas Development, Nairobi, December 15, 1996
- Dr. Jim O'Connell, Country Representative, Catholic Relief Service, Nairobi, August 14, 1997
- Jan Gruiters, Secretary General, Pax Christi-International, Amsterdam, December 11, 1996
- Prof. Macharia Munene, Dean of Division of Arts and Social Sciences, United States International University-Africa, Nairobi, May 8, 1997
- Prof. Isaac Riak, Chair, Division of Business Studies, United States International University, Nairobi, April 12, 1997
- Bona Malwal, Editor, *Sudan Democratic Gazette*, Oxford, August 20, 1996
- Barry Wheeler, Country Director, United States Refugee Committee, Nairobi, July 6, 1996

I would have taken more than twenty pages if I were to list all the people I had come into contact during my field work. Many UN and NGOs I met in Kampala (Uganda) and Nairobi (Kenya) preferred to remain anonymous for reasons best known to them. But I also omitted some names for security reason and these include displaced persons and local administrators I met in the opposition movement controlled areas.