

## DARFURIAN REBEL LEADERS AND THE MORAL HAZARD OF HUMANITARIAN INTERVENTION

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### ABSTRACT:

In February 2003, Darfurian rebels attacked the Sudanese government in Darfur. The government of Sudan responded by unleashing overwhelming violence against the rebel movement's civilian support base, killing between 200,000 and 400,000 people and displacing two million over the last five years. The Darfurian rebel groups were, from the onset of the conflict, significantly militarily inferior to the government, and excessive violent retaliation should have been expected. Why did the Darfurian rebels engage in conflict in such a manner with seemingly little chance of success? Borrowing from Alan Kuperman's theory on the moral hazard of humanitarian intervention, the paper explores evidence that suggests the Darfurian rebels expected international intervention to enable their victory at a tolerable cost.

### INTRODUCTION

Over the past five-and-a-half years, Western readers have learnt of horrors taking place in Darfur, an inhospitable western province of the Republic of the Sudan. Western mainstream media has condensed the complexities of the conflict into a few broad strokes: Arab men on horseback, armed to the teeth, perpetrating genocide and mass atrocities on behalf of the government of Sudan, and black African women and children suffering horrendous sexual and gender-based violence at the hands of the aforementioned men. These images summarize how most Western observers understand the conflict.

Like every story, an armed conflict has at least two sides. Missing from the above description are the rebel groups that instigated violence in early 2003. Who are these rebel forces and what are they fighting for? How did they envision achieving their political objectives? Why did they believe attacking the Sudanese government – which is militarily superior – would advance their political objectives? Research on the causes of the conflict in Darfur posit long-term government neglect of the region and increasing competition over resources due to ecological degradation as the motivators of conflict. While these theories provide compelling reasons as to why Darfurian rebels would have *wanted* to rebel against the Sudanese government, they are not sufficient to explain why the rebel leaders chose to act despite the likelihood of disproportionate retaliation and marginal probabilities of victory. This article will attempt to shed light on this interesting and policy-relevant empirical puzzle.

After surveying the context in which the conflict started and assessing the current situation, based on available information on the actions and intentions of the Darfurian rebel movements, I will seek to assess whether the theoretical framework on the moral hazard of humanitarian intervention developed by Alan Kuperman (2005, 149-173; 2008, 29-80) compellingly explains why Darfurian rebel movements attacked Sudanese government positions in Darfur in February 2003 in conditions in which success appeared highly unlikely. Kuperman

argues that international humanitarian intervention (and the discourse that surrounds it) can create a moral hazard for rebel groups. Moral hazard is the prospect that an insured party may behave differently from the way it would behave if it were fully exposed to the risk. It refers to the tendency of people with insurance to change their behaviour in a way that increases claims against the insurance company (Rauchhaus 2005, 3). Kuperman argues that the prospect of international intervention can shift the incentives of opposition movements that are significantly militarily inferior to their opponent (most often their government), enticing rebels to take action in conditions under which they would not otherwise have done so.

I argue that there is preliminary evidence to support the hypothesis that the Darfurian rebel leadership launched a suicidal rebellion against the government of Sudan with the intention of provoking retaliation against their own people. The ensuing humanitarian catastrophe was meant to garner international attention and intervention as a means to advance their political objectives. They did so because they believed they were unable to achieve their political objectives – “a just and equitable place [for Darfur] within Sudan” (Sudan Liberation Army/Movement Political Declaration 2003) – without international support. Evidence therefore suggests Kuperman’s theory of moral hazard accurately describes the case study of the Darfur rebellion. I will explore the theoretical predictions, limits and implications of using this theory to understand this conflict, as well as areas for future research.

## **AN OVERVIEW OF SUDAN**

A brief overview of the political, religious and ethnic features in Sudan, with a focus on the unequal regional and ethnic distribution of power, will provide some context for the rebel leaders’ engagement of the Sudanese government in conflict. The Republic of the Sudan (Sudan) is located in the Horn of Africa and borders ten countries. Sudan is the largest country in Africa, with a total estimated population of 37 million, and placed 147 of 177 countries on the 2007/2008 United Nations Human Development Index (UNHDI 2008). The capital, Khartoum, is located along the Nile in northern Sudan. The city and its surrounding areas are stable and prosperous. Conversely, the east, south and western regions of Sudan – the peripheries – are, to varying degrees, marginalized from power, economically underdeveloped, and conflict-ridden.

### **Economic relations between the centre and the peripheries**

Sudan is a classic case of Jeffrey Herbst’s African state. In his book *States and Power in Africa: Comparative Lessons in Authority and Control*, Herbst argues that low population density and difficult terrain in many African countries mean central governments gain little from investing in infrastructure, economic development and holding the monopoly of violence outside of the central region (the capital). He argues this distorted incentive structure often explains the dysfunctional nature of African states.

Past relations between the centre and the peripheries in Sudan revolved almost exclusively around the slave trade, where men and women from the west, south and east were captured and used by Khartoum as soldiers and concubines, or sold to slave traders in the Middle East (Daly 2007, 65). Since the slave trade was largely shut down in the late 19<sup>th</sup> century, the central government’s investments in infrastructure, institutions, economic development and the rule of law outside of the north have provided few returns, primarily due to the vastness of the country (high cost of investment) and the feebleness of the economy and tax base (low returns on investment). In fact, three tribes from the Khartoum area have had highly disproportionate access

to Sudan's power and resources since independence from Britain in 1956. They have directed these almost exclusively toward economic development in Khartoum and toward the military (Cobham 2005, 465). This said, since independence, elites from the north, east and west (although not the south) have integrated to some degree into academic, religious and political circles in Khartoum (Salih 2005, 7).

*Ethnic and religious identities:*

Ethnic and religious identities have also had an impact on interregional relations in Sudan, and they have motivated the use of violence to gain social, political and religious self-determination. The northerners (including Khartoum) live mainly near the Nile in northern Sudan; they consist of Arab and Nubian groups; they are Muslim; they speak Arabic; and they follow Arab cultural patterns. The second group consists of African tribes who emigrated from West Africa over the past six hundred years. They inhabit parts of western and eastern Sudan; they are also Muslim; and they work mostly as farmers and agricultural laborers. The third group is the southerners, consisting of Nilotic and Sudanic peoples. They are Christian and animist; they practice shifting cultivation or are pastoralists; and they speak Nilotic languages.

**The current political context**

Current President General Omar al-Bashir and the National Islamic Front came to power in 1989 in a bloodless coup that overthrew a democratically elected government. Bashir reinstated a military dictatorship, banned political opposition parties, increased the country's military capabilities and imposed Islamic law. Strongly backed by Islamic movements in Khartoum and abroad, the government's stated objective was to 'Islamise' the country (Salih 2005, 8). However, over the past fifteen years, the dominant discourse in Khartoum has shifted from religious supremacy to ethnic supremacy, focusing now on the superiority of Arab ethnicity (in opposition to 'African' ethnicity), rather than on the creation of an Islamic state and the subjugation of the southern Christians. 'African' Muslims from the east and west have increasingly been targeted by discriminatory policies. While racism is not new to Sudan, the explicit terms of the government's new discourse marks a significant shift (De Waal 2007, 26).

**The government security apparatus**

When he took power, Bashir initiated the People's Defence Force (PDF), part of a quest to have "one million men capable of bearing arms." (Saeed 1995) The force serves as a safeguard for the president and ruling Islamic Party against any potential coups. It is trained and armed by the Sudanese military, and is now three times its size (Human Rights Watch 1999). The government has also "subcontracted" counterinsurgencies by establishing loose contractual agreements with proxy militias through the auspices of the PDF (Salih 2005). These militias are recruited on the cheap: in return for a horse, a gun, unlimited loot, and land, they are tasked with attacking the civilian support bases of rebel movements, as is described in more detail in the following section (Burr and Collins 2007, 288). These forces respond to their own incentive structures and answer in varying degrees to state command. They are predominantly Arabic.

**The rebel movements**

Since independence, rebel movements in each peripheral region have fought the Sudanese government for more of Khartoum's power and resources. In Darfur, prior to 2003, a loose movement acted under the banner of the secessionist Darfur Liberation Front; the Eastern

Front, a secessionist rebel movement in the east, also took up arms against the central government; in the Nuba Mountain region of northern Sudan, rebel forces too engaged the government. While these conflicts remained low-intensity, the war between the north and south was of much more significant proportion. Lasting for most of the post-independence era, this war was fought over control of resources – in particular the significant oil fields discovered in the 1970s on the border separating north and south Sudan – as well as for political and cultural self-determination.

The war resulted in more than two million deaths, with more than four million people displaced. The government used a deliberate strategy of targeting civilians to undermine the support and resource base of the Sudan People's Liberation Army/Movement (SPLA/M). The PDF and associate proxy militias (Arab *Murahaleen*) were largely responsible for the atrocities committed against civilians. The Comprehensive Peace Agreement (CPA), signed in January 2005 by the Sudanese government and the SPLA/M, is a power- and resource-sharing agreement that ended the North-South war; it was a result of concerted pressure from Western governments on both warring parties. A precedent was thus set for the conflict in Darfur (Daly 2007, 4).

### **DARFUR'S PLACE WITHIN SUDAN**

Darfur is approximately the size of France and ranks the lowest in the Human Development Index of Sudan's four regions. Approximately 80 per cent of its estimated six million inhabitants are farmers; the remaining 20 per cent are pastoralists. Government investment in Darfur is extremely small. A case in point is that, despite promises from successive governments (including military and democratically elected governments, as well as moderate and Islamic fundamentalist governments), a paved road has not been built linking Darfur and Khartoum. Alex Cobham has demonstrated that this investment imbalance has had devastating consequences on the human and economic development of regions outside the north (Cobham 2005, 465).

#### **Darfur's ethnic groups**

Darfur is populated by two broad groups: the 'Arabs,' who are generally pastoralists and have traditionally herded in the northern areas of Darfur, and the 'Africans,' who are subsistence farmers and have planted in the more agriculturally fertile southern regions (Daly 2007, 6). No single group holds the monopoly of violence in Darfur – especially not the Sudanese state. Violent conflict over land and resources has therefore always existed between these two broad groups, as well as between various subgroups of each. Nevertheless, a form of socio-geographical order, which existed up until fifteen years ago, allowed nomads the customary right to pasture their animals in areas held by farmers (De Waal 2004, 720).

It is important to note that the traditional land tenure system posited that only farmers could receive land titles, which implied that nomadic tribes did not officially own land in Darfur. Additionally, positions of power in the regional administration were exclusively distributed to land owners, implying, of course, that pastoralist Arab tribes could not occupy positions of power within the regional administration. This land tenure system and distribution of power only became problematic within the past two decades, when land and water became scarce in the region (An-Naim 2004).

### **Darfur's resource base**

Most researchers describe Darfur as having been blessed in the past with sufficient though sparse quantities of fertile land and water (Abdul-Jalil 2006, 14). Over the past three decades or so, this resource base has eroded as desertification (and successive droughts in the mid-eighties) eats away at more and more hectares of fertile land. As a result, nomadic groups from the northern Darfurian semi-deserts have been pushed southward in their search for grazing land and water. This forced ecological migration led to increased competition over scarce resources, which was compounded by the fact that decreasing rainfall and falling productivity meant that farmers needed larger quantities of land (ICG 2004, 9).

### **The conflict spiral**

Increased demand for land created unprecedented inter-group dynamics, and ultimately presented insurmountable challenges to the customary property rights regimes and traditional dispute resolution mechanisms of Darfur (ICG 2004, 10). Historical land use practices were ignored in favour of other mechanisms, notably armed conflict. Simultaneously, weapons at discount prices started pouring into the region from Libya (Burr and Collins 2005, 285). No state apparatus in Darfur was able to impose law and order; insecurity therefore became rampant as the cost of plunder decreased and the need for land and subsistence resources increased. Rising insecurity created more need for protection. A vicious spiral of militarization thus ensued throughout Darfur.

### **The rebellion**

In February 2003, two Darfurian rebel movements cooperatively launched a political rebellion by attacking government installations in Darfur and publicising their political demands (De Waal and Flint 2005, 79). The Sudan Liberation Army/Movement (SLA/M) was the more important of the two in terms of numbers, military capabilities and popular support. Both the leaders and fighters of the SLA/M are largely from three dominant "African" tribes in Darfur – the Fur, the Zaghawa and the Masalit. The movement's leaders come from the Darfurian educated elite (many were students at the University of Khartoum) who were disenfranchised with the exclusion of Darfurians from positions of power and influence in Khartoum. The movement's fighters, numbering a few hundred men at the conflict's onset, hailed from the self-defence militias that had sprung up along tribal lines as insecurity rose in the region in the lead-up to the rebellion (Flint and De Waal 2005, 74). The SLA/M's stated political objective is a prosperous Darfur within a democratic and equitable Sudan (SLA/M Political Declaration 2003) -- i.e. increased wealth and power for Darfur and an overhaul of the power and wealth-sharing structures in Sudan. The SLA/M stated from the onset that it was fighting on behalf of all marginalized Darfurian people, including the Arab tribes of Darfur.

The second rebel group, the Justice and Equality Movement (JEM), has decidedly different origins. JEM was created by Darfurian Islamist intellectuals who had close ties to the ruling National Islamic Front and were ousted from positions of power in Khartoum in 1999 during an internal power struggle (Salih 2005, 8). Disaffected by the Bashir government's unwillingness to deliver on promises of equity and prosperity in Sudan and hungry for revenge for their political ousting, they also took up arms against government outposts in Darfur in early 2003. While JEM's political structure was solid and its political demands eloquent and mature, its military capabilities at the onset of the conflict were marginal. The two rebel groups acted in

concert at the onset of the conflict, although remained wary of each other and never integrated politically or militarily.

### **The government's response to rebel attacks**

At the time of the attacks in Darfur, the Sudanese military was still engaged in conflict against the SPLA/M in southern Sudan. After a number of embarrassing military defeats at the hands of the Darfurian rebels, the military responded with the easiest and cheapest means available: it contracted out the counterinsurgency to militias in Darfur, known as the Janjaweed. These militias are very similar in nature to the Murahaleen in southern Sudan: they were initially loosely organized ethnic Arab militias that were recruited, organized, armed and trained by the government (ICG 2004, 1). The government promised that any land the Janjaweed 'cleared' would be theirs to own and occupy (Prendergast and Stroehlein 2004). Given the scarcity of land and the traditional inability of pastoralist tribes to own land, these individuals, hailing from pastoralist communities, were motivated by the Sudanese government's promises.

Under orders from the government and in cooperation with the Sudanese Air Force, the Janjaweed adopted a scorched land strategy, targeting civilian populations suspected of supporting the rebel movements, i.e. Fur, Zaghawa and Masalit villages (ICG 2004, 16). The violence has created an alarming humanitarian crisis: between 200,000 and 400,000 people have been killed since 2003, two million have been displaced, and four million are dependent on international humanitarian assistance for survival (CIA Factbook 2008). Sexual and gender-based violence against women and girls is widespread. A United Nations report in March 2007 charges the government of Sudan with direct involvement in planning and carrying out war crimes and crimes against humanity in Darfur (UN Human Rights Council 2007, 25).

## **UNDERSTANDING REBEL INTENTIONS**

The objective of this article is to understand why the Darfurian rebel leaders rebelled in conditions in which success was unlikely. I define success as achieving "a just and equitable place [for Darfur] within Sudan," which was the Sudan Liberation Army/Movement's stated objective at the instigation of the conflict (Sudan Liberation Army/Movement Political Declaration 2003). Ted Robert Gurr's research proposes that several factors propel ethno-cultural rebellion and political action (Gurr 1970). He argues that relative deprivation, which is defined as the difference between perceived entitlements and actual well-being, is the key reason. In addition, he argues rebellions will only occur as a result of relative deprivation if there is both political opportunity for success and the affected group is able to mobilize. Ability to mobilize depends on the salience of ethno-cultural identities and the physical capacity to engage in conflict. The following section will consider whether these conditions were present in Darfur in 2003.

### **The conditions for mobilization of Darfurian elites**

The documented domination of the centre over the peripheries in Sudan is evidence of both the relative deprivation and ensuing frustration that existed among Darfurian elites. It is important to note that the focus of this article is on examining what propelled the rebel leaders – the elites – to choose conflict. The fact that ordinary Darfurian people may have been unaware of the interregional disparities that characterized Sudan is not relevant. What is important is that the

Darfurian elites had access to Khartoum and were aware of and discontent with the unfair distribution of power.

In addition, the conditions for mobilization existed. Frances Stewart argues that groups mobilize around group lines to satisfy economic aspirations based on the frustrations of inequality between them (Stewart 2003). The crystallization of Arab ethnic superiority in Khartoum created a dichotomy between Arab and non-Arab group identities, demonstrated by the hardening of political coalitions along ethnic lines in the late 1990s (Salih 2005, 20). There was, therefore, fodder for mobilization around salient ethnic identities within Darfurian elite circles. This mobilization would have naturally aligned itself with resentment within Darfur, as low-intensity violent conflict over increasingly scarce land and resources occurred predominantly along ethnic lines.

The second condition for mobilization is the capacity to fight. Competition for resources and the disintegration of traditional property rights mechanisms coupled with the inexpensive access to arms from Libya led to the militarization of Darfur. Self-defence militias had sprung up along ethnic and tribal lines. Furthermore, because of Sudan's tense relations with Chad and Eritrea, the latter harboured and funded the Darfurian rebels. The cost of armed rebellion was therefore low for the Darfurian elites.

Gurr also proposes that the existence of alternatives is important – in other words, whether the disgruntled parties had access to other means of achieving their political goals. In the case of Darfur, few alternatives are apparent, given the historical disproportionate marginalization of Darfurians from power (Cobham 2005, 464).

Finally, Gurr posits that reasonable chances of success must also exist for parties to rationally engage in conflict. This last criterion is problematic when applied to Darfur. The government's numbers (military, the Popular Defense Forces and proxy militias) and weaponry – including air power – far surpassed the rebels' meagre capabilities (Daly 2007, 4). Khartoum is located one thousand kilometres of desert away from the rebel bases in Darfur. The prospects of the rebels successfully taking Khartoum were incredibly slim, as demonstrated by the unsuccessful JEM attack on Khartoum on 10 May 2008. Additionally, instability in Darfur has little impact on stability or prosperity in Khartoum (De Waal 2007, 7). The Sudanese government does not rely on revenues from Darfur, nor is the region of strategic interest – hence the lack of investment and attention to the region's historical grievances.

Despite some impressive manoeuvres at the onset of the conflict, rebel groups have not achieved military victory in Darfur and losses to their civilian support base number in the hundreds of thousands. Given these consequences, what led the rebel leadership to launch the rebellion in such a manner? How did they envision achieving their goal of capturing power and wealth from Khartoum?

### **Reasons to rebel**

In early 2003, after twenty years of war, the government of Sudan had for approximately six months been negotiating a peace agreement with the south Sudanese rebels. The negotiations revolved around Sudan's power and resources, notably the major oil reserves on the north-south border. The parties to the negotiation were largely at the table because of intense pressure from the international community. Therefore, not only was the pie being divided without Darfur being present, it was a moment of unusual attention from the international community on developments in Sudan.

Given that Gurr's theory does not fully explain the choice to rebel in 2003, I will now turn to another revolutionary theory that appears to offer promising insights into the beginnings of the conflict in Darfur. In his article "Suicide Rebellions and the Moral Hazard of Humanitarian Intervention," Alan Kuperman proposes five possible reasons why a subjugated party within a discriminatory state would rebel against the state when it knows the state is stronger militarily (2005, 157). The rebels either:

1. Do not perceive as credible the state's threat to retaliate.
2. Expect victimization anyway, thus have nothing to lose.
3. Expect victory at a tolerable cost without international humanitarian intervention.
4. Expect international humanitarian intervention to enable their victory at a tolerable cost.
5. Do not behave as unitary rational actors.

The first three hypotheses do not appear to inform the decision-making process of the Darfurian rebel leadership. The Sudanese government's threat to retaliate was credible. The war in south Sudan had resulted in the deaths of over two million south Sudanese, primarily at the hands of the government and their proxy militias. Darfurians make up the majority of the lower ranks in the Sudanese military; word of the government's tactics in the south would therefore have reached Darfur. The rebel forces were aware of the existence and capabilities of the PDF and the opportunity for the government to engage them as proxy militias with interests in plunder and land. It is, therefore, difficult to believe the Darfurian rebels would not have foreseen the onslaught of violence.

Nor would they have expected military victory. The rebels could not have expected to dominate the government and capture Khartoum: the SPLA was many times more experienced, organized and equipped, and were unable to do so.

Finally, Darfurians suffered from structural violence and general insecurity. There was more and more ethnic violence, and many in Darfur, including prominent actors, believed Arab militias were targeting them and their people (Flint and De Waal 2005, 77). Yet rebel leaders could not have rationally believed the violence against them and their people would not worsen if they launched attacks against the government, given what they knew of the government's interests and military means.

The fifth possibility – that the rebel leaders did not act as a unitary rational actor – is problematic as there are grounds on which to question the unitary rational nature of the Darfurian rebel leadership. The unitary rational actor assumption presupposes that actors - individuals or groups - do what they believe is in their best interest at the time of the decision. At the onset of the conflict, the SLA/M was the largest, best-equipped and most active group, whereas JEM had a solid political agenda but little military capacity. While the SLA/M and JEM acted cooperatively at the instigation of the conflict, they were unable to integrate structurally and mistrusted each other. Given that there is evidence that the SLA/M's actions were sufficient to propel the conflict, in order to increase the strength of the 'unitary rational actor' assumption, henceforth I will only consider the actions and intentions of the Sudan Liberation Army/Movement and will exclude the Justice and Equality Movement from this analysis. The unitary rational actor assumption, even as applied exclusively to the SLA/M leadership, may remain problematic given divisions within the SLA/M leadership structure. On the other hand, should there be decisive evidence supporting the fourth hypothesis – that the rebels expected international humanitarian intervention to enable their victory at a tolerable cost – then the



hypothesis that the rebels were acting as if they were a unitary rational actor would be confirmed anyway. I will, therefore, address the quandary of the fourth hypothesis.

### **Suicidal rebellion and moral hazard of humanitarian intervention**

In the same article, Alan Kuperman states that “although counter-intuitive and little-publicized, the finding that genocidal violence is usually provoked by members of the victim group is robust in the literature, across varying definitions, methodologies and timeframes” (2005, 150). This highlights an important empirical puzzle: from an endogenous perspective, assuming rebel groups behave as rational actors, there appears to be no reason they would instigate a rebellion in conditions that predict their demise, or, in other words, commit suicide. Kuperman argues that this intriguing puzzle can be explained by taking into account the impact of factors exogenous to the rebellion on the rebels’ decision on when and how to rebel. His model proposes that the international action and discourses on human rights, ‘sovereignty equals responsibility’ and ‘war is not an option’ lead subjugated forces to believe that the international community will intervene on their behalf should they suffer egregious violence. These forces would expect intervention to take the form of military, political and humanitarian action to protect civilians from violence and address the long term ‘injustices’ which have motivated the rebellion. In addition, based on the international rhetoric, it would be reasonable for subjugated forces to expect the intervention to take place rapidly and effectively. The subjugated forces would thus calculate that the international community would absorb much of the cost of the rebellion and advance their political objectives. They would also have to accept, prior to launching the rebellion, that some genocidal retaliation against their own people was a tolerable cost for achieving their political goals. The prospect of international intervention would thereby undermine rational deterrence between dominant and dominated groups within a state. In other words, the model argues that the discourse on and past intervention by the international community in the name of human rights would create a moral hazard.

Does this theoretical framework mesh with what is known of why the SLA/M initiated the military insurrection against the government in February 2003? Is it possible to deduce that they attacked the government with the objective of provoking retaliation against their civilian support base, creating a humanitarian catastrophe, and garnering international attention and intervention which would boost the visibility and legitimacy of their cause and help them achieve equitable status within Sudan? Does the fact that the rebels have not successfully captured their fair share of the wealth in Khartoum five-and-a-half years after the insurrection suggest that this theoretical model does not adequately explain the case of Darfur, or is this fact a reflection of the rebels’ misunderstanding of international signalling?

I will use available data on the rebels’ actions and intentions in early 2003 to test the applicability of Kuperman’s theoretical framework to this case study. To demonstrate the decisive role of moral hazard in the choice of the Bosnian Muslims and the ethnic Albanians in Kosovo to launch rebellions, Kuperman evaluates all five explanations for rebellion by “process-tracing decisions of the groups that eventually launched rebellions, based on interviews with at least a dozen senior officials of each” (Kuperman 2005, 158). In the case of Darfur, such research has not yet been undertaken; I am therefore unable to confirm empirically Kuperman’s fourth hypothesis, that the Darfurian rebels expected international humanitarian intervention to enable their victory at a tolerable cost. Using available evidence, I will explore whether moral hazard theory explains what we know of the rebels’ actions.

### **The model's assumptions and predictions**

If Kuperman's theory is to explain the empirical puzzle of the on-going conflict in Darfur, the following assumptions and predictions of the theory must be true. The theory assumes that:

1. The SLA/M's military capabilities were significantly inferior to the government's;
2. The leadership anticipated the government would retaliate with violence against their civilian support base;
3. The leadership controlled the military actions of their forces – i.e. their decision to engage the government in conflict is what led their forces to attack the government installations in Darfur;
4. The leadership was aware of the international discourse on intervention in states where gross violations of human rights/crimes against humanity/genocide were ongoing, and had reason to believe that such discourse would lead to intervention in Darfur;
5. The leadership had the ability to transmit information from the ground to the international community;
6. The leadership was willing to sacrifice in part their civilian support base in order to capture more resources and power for Darfur from Khartoum;

In addition, Kuperman's model predicts that:

1. The rebels engaged the government militarily in a manner that maximized retaliation against the SLA/M's civilian support base, while attempting to maintain the "moral upper hand" (i.e. not commit atrocities);
2. The SLA/M vigorously used their communication capacity to create international awareness of their cause, the scale and details of the humanitarian catastrophe and their need for international support; their language would probably mimic the international discourse on state intervention.

### **The evidence**

There is little available data on the actions and intentions of the SLA/M leaders at the onset of the conflict. Nevertheless, what is available suggests the moral hazard hypothesis may explain the puzzle at hand, yet further research is necessary.

Despite evidence on the strength of the rebels at the instigation of the conflict being very sparse, as has been alluded to above, it is reasonable to assume the rebels did not have the ability to achieve their political objectives through military means. The Sudanese military, PDF and proxy militia were better equipped, greater in number and more experienced in fighting, given the extended conflict with south Sudan. The rebel leaders would have been aware of this, which supports the moral hazard hypothesis.

In addition, as argued above, the rebel leaders must have anticipated the onslaught of violence against civilians in Darfur. Flint and de Waal point out that: "in the oilfields, the orders were identical: 'If you see a village you burn that village. If you see a civilian, you kill that civilian. If you find a cow, that cow is your cow.' With the same men in power in Khartoum, the orders issued in Darfur could only be the same." (Flint and de Waal 2005, 106). This evidence also supports Kuperman's hypothesis.

The behaviour of the SLA/M suggests that the leadership controlled the military actions of their forces. Low-intensity intertribal conflict was rampant throughout Darfur; most SLA fighters hailed from tribal self-defense militias (Flint and De Waal 2005, 66-96). Had the leadership not controlled their forces, the fighters would have targeted Arab militias – their enemies - not government installations. The fact that the first attacks skilfully targeted the government is strong evidence supporting the leadership's control of their forces, and implies

that the SLA/M leaders decided when and how the rebellion was launched, evidence which supports the moral hazard hypothesis.

Many of the SLA/M leaders were university-educated (Burr and Collins 2007, 289), making it reasonable to assume that they were at least peripherally aware of the international discourse on intervention in states where gross violations of human rights took place. They would also have had reason to believe international intervention would advance their cause, as precedents had been set in Sudan. John Prendergast of the International Crisis Group argues that since the Bashir came to power in 1989, policy choices by the international community have forced the regime to reverse abusive or threatening policies on two occasions: the regime shifted away from supporting terrorism (al-Qaeda), terminated the slave trade and, just six months before the rebellion in Darfur, agreed to undertake power-sharing negotiations with the south Sudanese rebels (Prendergast 2007). This evidence buttresses the moral hazard hypothesis.

Unfortunately, little information is available on the rebels' 'communications infrastructure' at the onset of the conflict, or, more significantly, to what extent they devoted time and energy to communicating details of the anticipated humanitarian crisis to the international community. The same is true of the rebel leaders' willingness to sacrifice civilians for political gains.

In terms of the model's predictions, preliminary evidence of the rebels military tactics is consistent with Kuperman's hypothesis. At the onset, the rebels directed the majority of their attacks against government installations, primarily police headquarters (Flint and De Waal 2005, 67). They do not appear to have targeted the Arab militias or their civilian support base, which would have most efficiently provoked retaliation. Yet if the rebels were expecting humanitarian intervention to enable victory, it is reasonable for them to have behaved in a way that would garner the sympathy of the international community – i.e. maintain the moral upper hand in the conflict and portray themselves as victims of state sponsored violence. Targeting the government meant the rebels could not be accused of committing atrocities against civilians, would have guaranteed state sponsored retaliation, and was likely to provoke a humanitarian catastrophe as the easiest way for the government to retaliate was with proxy militias. While the effort needed to restrain their forces to exclusively attacking the government would have been significant, targeting government installations would have been perceived by the rebel leaders as a way to balance their two objectives: provoking a humanitarian crisis while garnering international sympathy. The rebels' military tactics therefore, perhaps unexpectedly, appear consistent with Kuperman's predictions.

The model also predicts that the SLA/M would vigorously communicate information on the humanitarian crisis to the international community and media. While few details are available on closed-door communication between the SLA/M and international officials, it was not until 2004 that the crisis in Darfur truly broke onto the world stage (Hamilton and Hazlett 2007). It may be that the rebels vigorously tried to publicise the crisis but were unsuccessful at doing so, or that they favoured closed-door meetings with officials at the onset of the conflict, in lieu of the media. If unexplained after further research, this delay may undermine the explanatory power of Kuperman's hypothesis.

The available evidence therefore tentatively supports the hypothesis put forward by Kuperman, but future research is necessary to ascertain its validity.

### **The international community's response to the conflict**

Whether or not this was their objective, the rebels succeeded in provoking a humanitarian catastrophe and, ultimately, in garnering international attention and intervention. In 2004, Jan Egeland, the former United Nations Undersecretary-General for Humanitarian Affairs and Emergency Relief Coordinator, labelled Darfur the worst humanitarian situation in the world (Capdevila 2004). The largest ongoing international humanitarian effort is underway to provide basic services to displaced persons. In addition, two international peacekeeping forces have been deployed to Darfur: the African Union Mission in Sudan deployed from 2004 to 2007, and the African Union/ United Nations Hybrid Operation in Darfur was mandated by the United Nations Security Council to take over on 31 December, 2007, but has yet to be fully deployed.

Elsewhere, the crisis has garnered widespread international attention from media, civil society, international organizations and governments (Hamilton and Hazlett 2007, 339), most of which have condemned the violence and pushed for a negotiated settlement which would address the root causes of the conflict. Both the United Nations and the African Union have appointed Special Envoys to the crisis, as has the United States. U.S. President George W. Bush accused the Sudanese government of genocide against the African farming tribes of Darfur (VandeHei 2005). Such condemning statements have focused primarily on the atrocities committed by the government of Sudan and the Janjaweed, which is natural as evidence supports this portrayal. The lack of critical scrutiny of the intentions and actions of the rebel forces at the onset of the conflict has absolved them of responsibility in the mind of the international public, and it has also strengthened the legitimacy of the rebels and their cause in the eyes of the international community.

### **A successful strategy?**

Despite the international attention, what real political gains have the Darfurian rebels made and what are their future prospects of success? After five and a half years of conflict, the once-united force has splintered into dozens of infighting factions and is, as a result, neither a political nor a military threat to the government. The government's counterinsurgency strategy has successfully created widespread chaos throughout Darfur (ICG 2007, 8). The international community's attention and intervention in reaction to the 'genocidal violence' has to date been insufficient to save the people of Darfur from the violence or to significantly advance the rebels' political interests. The rebels' gains are, therefore, unclear.

Responsibility for crimes committed against civilians in Darfur lies clearly on the government of Sudan and its proxy militia. The onus for launching a 'suicidal rebellion' – a rebellion with little chances of success – may rest on the shoulders of Darfur's rebel leaders. International signalling also appears to be a cause of conflict in Darfur. There is in fact no available evidence that any credible international actors consciously signalled to the Darfurian rebel forces that they had the intention and the capacity to intervene in Darfur. The rebel leaders' belief that the international community would enable victory at a tolerable cost appears to stem from the norm of international humanitarian intervention – past actions and discourse on the protection of civilians from egregious abuse. Within the framework of moral hazard theory, one must therefore conclude that the rebels naively misgauged international interest in Darfur. Yet this assumption seems problematic. In fact, although Prendergast presents evidence that the international community has shaped politics in Sudan, there may have been stronger evidence at the onset of the conflict suggesting the international community had little to no willingness or ability to influence Sudanese government's policies in Darfur. The most glaring example of this

would have been the international community's awareness of and failure to prevent the death of two million south Sudanese during the north-south conflict. Would the international community's belated feat of getting the north and south to enter into peace negotiations in Naivasha, Kenya, have been enough to convince a group of young educated men that the international community would share the cost of the rebellion and intervene effectively on their behalf? It seems questionable they would not have known that the international community's ability and willingness to influence Khartoum's policies were uncertain at best. In the end, confounding interests – such as the American government's interest in counterterrorism intelligence from Khartoum (Prendergast and Thomas-Jensen 2007) and Chinese interests in Sudanese oil (Goodman 2004) – the desire for a north-south peace agreement, the difficulties of the terrain, the complexity of the conflict, and the sheer lack of economic or political returns on effective international action in Darfur have meant little meaningful action has been taken. If one is to assume the rebels acted as a unitary rational actor, as Kuperman does, then the theory's predictions appear somewhat counterintuitive in this regard. This single case study can only test the applicability of Kuperman's theory to the particular situation in Darfur; it does not provide fodder to challenge the theory itself. Nevertheless, this appears to be a theoretical weakness worth exploring further: future research should delve into the very prospect of international intervention successfully advancing the political objectives of subjugated parties within a discriminatory state.

## CONCLUSION

Research on the causes of the conflict in Darfur posit long-term government neglect of the region and increasing competition over resources due to ecological degradation as the motivators of conflict. While these theories provide compelling reasons as to why Darfurian rebels would have wanted to rebel against the government, they are insufficient as they do not address why the rebel groups chose to act despite expected disproportionate violent retaliation.

The available evidence suggests Kuperman's hypothesis – that rebels provoked the government because they “expected humanitarian intervention to enable victory at a reasonable cost.” (Kuperman 2005, 157) - may be accurate. Further research is needed though. In particular, the rebels' efforts to communicate the humanitarian catastrophe to the world must be better understood. There is also a need to explore in greater depth the assumption that the rebel groups were functioning as a unitary rational actor, as the validity of the primary hypothesis is dependent on the latter. Elsewhere, there is evidence that the rebel movement was not only created to provoke political change in Sudan, but was also needed to protect the African tribes from attacks from Arab militias favoured by the government. The Darfurians' need for protection is a rational reason to engage in conflict, and may pose a problem for the argument I have made in this paper. A study of the decision-making processes that led the rebel leaders to instigate the conflict in early 2003 should shed light on these questions.

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