

Chapter 7

Sudan: The Prospect of Intervention and its Implications

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For decades, Sudan has lurched from one crisis to another. It is the scene of millions of war-related deaths, most notably in the series of north-south civil wars and in the western region of Darfur. More recently, there has been significant fighting and destruction in the states of Southern Kordofan and Blue Nile—parts of the remaining Sudan following the secession of South Sudan populated by some groups that have traditionally aligned with the south. There have been many calls for Western intervention in Sudan in response to all these wars, and several robust diplomatic interventions have occurred, with some success. Despite occasional appeals for Western military interventions, they have never transpired,¹ nor do they appear likely any time in the near future.

There is a growing body of literature on the efficacy of Western interventions in Sudan, with a particular focus on the role of the vocal western advocacy community on those interventions.² This brief chapter does not seek to grapple with the overall impact of Western interventions in Sudan or how they may be improved, but to raise questions concerning how Western intervention in Sudan—diplomatic or military—or even the prospect of it can, at times, lead to unintended consequences. There are three ways in which the prospect

of intervention could be counterproductive. First, diplomatic interventions could have the unintended effect of distracting from a focus on the forces driving instability in Sudan. Second, the focus on external intervention could crowd out a search for more local solutions to Sudan's problems. Third, the prospect of Western military intervention could create perverse incentives for aggression for Sudan's rebel movements. A thorough examination of these dynamics would range far beyond the scope of this chapter, which is intended simply to raise questions that deserve further examination.

Fires on the Periphery

In a recent report from the U.S. Institute of Peace,³ my co-author and I argued that a more comprehensive, holistic approach to Sudan's myriad challenges⁴ is required:

“Approaches to Sudan's challenges—by both Sudanese and the international community—are fragmented and regionally focused

1 With the exception of the U.S. bombing of a pharmaceutical factory in Khartoum in 1998.

2 See, for example, Rebecca Hamilton, *Fighting for Darfur* (New York: Palgrave Macmillan, 2011); Mahmoud Mamdani, *Saviors and Survivors* (New York: Pantheon, 2009); and David Lanz, “Why Darfur? The Responsibility to Protect as a Rallying Cry for Transnational Advocacy Groups,” *Global Responsibility to Protect* 3 (2011) 223-247.

3 Jon Temin and Theo Murphy, “Towards a New Republic of Sudan,” United States Institute of Peace Special Report 278, June 2011, <http://www.usip.org/publications/toward-new-republic-sudan>.

4 These challenges include the decades long north-south civil war that led to the referendum on the secession of southern Sudan, with the new state of South Sudan formed in July 2011; the war in Darfur that erupted in 2003 (though tensions simmered for years before that); the continuing disagreement over and violence in the Abyei territory, which is claimed by both Sudan and South Sudan; low-level instability in eastern Sudan; and the recent fighting in Southern Kordofan and Blue Nile states in Sudan along its border with South Sudan.

rather than national in scope. They overlook fundamental governance challenges at the roots of Sudan's decades of instability and the center-periphery economic and political dominance that marginalizes a majority of the population. Such fragmentation diffuses efforts into fighting various eruptions throughout the periphery and confounds efforts to address fundamental governance and identity issues."⁵

Some of the impetus behind the fragmentation and regional focus that we critique is a product of Western intervention. Western powers have a history of responding, largely through diplomatic means, to Sudan's regional crisis of the day—the most recent examples being the northern military seizure of portions of the contested border region of Abyei in May 2011 and the conflicts in Southern Kordofan and Blue Nile states. By and large this is a good thing, as Western diplomatic interventions, imperfect as they are, often save lives. But the larger questions that need to be addressed concern whether this habit of intervening in response to each of Sudan's myriad crises—attempting to put out each fire on the periphery—distracts from a more long-term, comprehensive effort to end that steady stream of crises. Does this habit inadvertently encourage the Sudanese government to manufacture these crises, so that there is no holistic dialogue about fundamental governance issues and the nature of the Sudanese state, which could be threatening to the regime?

The reality of Sudan may be that it is so complex and diverse that achieving this comprehensive, governance-focused solution is currently beyond reach. The search for it may also impede the progress of regional interventions that put out fires on the periphery and save lives. For example, the negotiations that led to the Comprehensive Peace Agreement

(CPA), which ended the second north-south civil war, explicitly excluded Darfur, as it was generally believed at the time that including Darfur would unacceptably slow negotiations and may scuttle a deal entirely. In hindsight this was probably a compromise worth making, as the CPA ended a brutal and destructive war. It is worth noting that on paper the CPA made a strong effort to address fundamental governance issues and transform the state. But that governance agenda was almost entirely unimplemented in favor of a narrow focus—driven by Sudanese and the international community—on the key milestones in the CPA: separation of the two armies, sharing of oil revenue, creation of the Government of Southern Sudan, nationwide elections, and, above all else, the referendum on southern secession.

Those milestones were considered the key flashpoints during the CPA interim period, so they were naturally the focus of the international community's diplomatic interventions and efforts to prevent a slide back to civil war. Simultaneously, the fires on the periphery in Darfur, Abyei and Southern Kordofan require international attention because of their terrible toll in human lives. But in part because of this consistently short-term, regional focus by the international community (though the region in question changes), critical questions concerning how Sudan is governed and its substantial diversity can be managed are no closer to being answered today than they were prior to the CPA. The missed opportunity to pursue real governance reform during the CPA interim period—an opportunity missed by both Sudanese and the international community—is at the root of some of the instability seen in Sudan today.

5 Temin and Murphy, *op. cit.*, p. 1.

Does the Outside World Have the Answer?

Questions about how Sudan is governed and its diversity can be managed can only be answered by Sudanese themselves. One wonders, though, whether the frequent focus on solutions driven by international intervention distracts from a focus on finding solutions from within Sudan, and whether Sudanese are disempowered in the search for outside solutions. The “profound extroversion” of Sudan’s leaders contributes to this external focus.⁶ This is not to discount the efforts of many Sudanese who have dedicated their lives to trying to improve their condition and find solutions to Sudan’s complex challenges. But the prospect of international intervention, diplomatic or military, tends to dominate the debate, marginalizing potential domestic remedies that may ultimately be more sustainable. It also allows recalcitrant regimes to focus attention on (and often demonize) that potential outside intervention rather than making genuine efforts at domestic reform. In Sudan the regime often calls attention to supposed foreign agendas, providing a convenient distraction from their own shortcomings.

A related question is whether the focus on solutions driven by the West crowds out a search for solutions driven by more local international community actors, such as the African Union (AU) in Sudan’s case. In fact in recent years the AU has been deeply engaged in Sudan’s challenges, including through the joint United Nations/African Union peacekeeping mission in Darfur and the African Union High-Level Implementation Panel chaired by former South African president Thabo Mbeki. In addition, the Intergovernmental Authority on Development (IGAD), the east African

regional grouping, was a major force in the negotiations that led to the CPA. But early in the Darfur crisis there were many calls for interventions requiring substantial Western involvement, such as imposition of a no-fly zone, and little focus on more African solutions. Today those calls are reemerging,⁷ now with Southern Kordofan and Blue Nile states added to the recommended no-fly zone.⁸ But simultaneously, several African leaders, notably President Mbeki and Ethiopian Prime Minister Meles Zenawi, are deeply involved in trying to reach a negotiated solution to the fate of those two states.

A counterpoint to this thinking is that Sudanese, and to a lesser extent the African Union, have proven incapable of resolving Sudan’s challenges, so solutions must, at a minimum, include heavy international (and likely Western) involvement. There is mounting evidence to support this argument, as violence has only spread since southern secession and the war in Darfur is now in its ninth year. The Khartoum government only responds to pressure, this argument goes, and the critical mass of pressure required can only come from outside. It is in this context that the Responsibility to Protect doctrine is often invoked.

Underlying many of these questions is a widespread but uncomfortable assumption that the international community, if it just shows enough will and muscle, *has* a solution to Sudan’s ills. It is a convenient assumption, but is it true? We don’t know the answer, because that will and muscle has never really been fully

6 Magdi El Gizouli, “The Sudanese straw-men,” October 3, 2011, <http://stillsudan.blogspot.com/>.

7 See, for example, Radio Dabanga, “SLM-AW leader Abdel Wahid announces the development of a transitional government,” <http://www.radiodabanga.org/node/16840>.

8 Sudan Tribune, “SPLM-N’s Arman urges US Congressmen to support no-fly zone in Sudan,” September 23, 2011, <http://www.sudantribune.com/SPLM-s-Arman-urges-US-Congressmen,40225>

exerted, especially in the case of Darfur.⁹ But if it were, there is no guarantee that it would be effective. The assumption that the international community has appropriate remedies to complex crises such as those found in Sudan should be challenged more often—such challenges may help to make interventions that do occur more effective.

Moral Hazard

The argument that the prospect of Western intervention can unintentionally encourage armed rebellion has been advanced primarily by the academic Alan Kuperman, who writes:

“...the prospect of luring Western intervention to tip the balance of power in [the Darfur rebels’] favor is what drives the rebels to fight a war that they cannot win on their own. If not for the prospect of such intervention, we argue, the rebels long ago would have sued for peace, which the government would have accepted, thereby ending the violence. Thus, we conclude, Western calls for intervention have backfired, perpetuating fighting in Darfur and the resultant suffering of its civilians.”¹⁰

9 An argument can be made that Western engagement in the context of the north-south civil war has been more robust. For example, a recent Congressional Research Service report notes that in the 1990s “the United States provided an estimated \$20 million in surplus U.S. military equipment to Uganda, Eritrea, and Ethiopia. The U.S. support to these ‘frontline states’ helped reverse military gains made by the Bashir government.” (Ted Dagne, “The Republic of South Sudan: Opportunities and Challenges for Africa’s Newest Country,” Congressional Research Service, July 2011, <http://fpc.state.gov/documents/organization/170506.pdf>). The aforementioned bombing of the pharmaceutical factory also, of course, represents significant military engagement.

10 Alan J. Kuperman, “Darfur: Strategic Victimhood Strikes Again,” *Genocide Studies and Prevention* 4:3, December 2009, p. 281; for a similar argument see also

A similar argument is made by Roberto Belloni, who writes that “international rhetorical interest and condemnation of the ‘genocide’ [in Darfur] emboldened the rebels to increase their attacks and to harden their views.”¹¹

Kuperman characterizes this dynamic as “moral hazard,” the economic term that describes “the phenomenon in which the provision of insurance against risk unintentionally encourages the insured to act irresponsibly or fraudulently based on the expectation that any resulting short-term loss will be compensated by the subsequent insurance payout.”¹² His evidence to support this claim is thin (much of it revolves around a quote from the Darfur rebel leader Abdel Wahid el-Nur, who said he expected a Western-led humanitarian intervention “like in Bosnia”¹³), but the premise is intriguing. Has the prospect of Western military intervention prolonged the war in Darfur?

James Traub suggests it may have, writing that moral hazard

“...may account for the failure of the Darfur Peace Agreement and the persistent fractiousness of the Darfur rebel groups. Insurgents came to believe that the West would ride to their rescue; indeed they actively sought to provoke the West into doing so, in part by ensuring that negotiated solutions would not hold.”¹⁴

Kelly Whitty, “Darfurian Rebel Leaders and the Moral Hazard of Humanitarian Intervention,” *Patterson Review* 9 (2008): pp. 19-34.

11 Roberto Belloni, “The Tragedy of Darfur and the Limits of the ‘Responsibility to Protect,’” *Ethnopolitics*, Vol. 5, No. 4, 327-346, November 2006.

12 *Ibid.*, p. 282.

13 *Ibid.*, p. 296.

14 James Traub, “Unwilling and Unable: The Failed Response to the Atrocities in Darfur,” Global Center for the Responsibility to Protect, 2010, <http://www.cmi.no/sudan/doc/?id=1289>.

Western military intervention has long been a centerpiece of demands by Sudanese rebels in Darfur and elsewhere, most notably the call for a no-fly zone to prevent aerial bombardments by government forces, which would seem to be a remote possibility.¹⁵ From the rebels' perspective, the standards for such intervention must be confusing. Early in the Darfur conflict, around 2004 and 2005, there were forceful calls, particularly from the advocacy community, for Western military intervention, but those calls never gained traction and in recent years have largely subsided (though, as noted above, there are now renewed calls for such action in Southern Kordofan and Blue Nile states). However, soon after the revolt in Libya erupted—a conflict that has taken a small fraction of the lives lost in Darfur—the west imposed a NATO-led no-fly zone and made clear their intentions to remove Colonel Qaddafi from power. Many have questioned why one scenario, but not the other, merits a Western military response.

With the benefit of hindsight, it is apparent that a Western military intervention in Darfur was never a distinct possibility due to a combination of political and practical factors. Politically, core Western interests are not at stake in Darfur: the region is remote, has no proven oil reserves, and doesn't harbor extremist elements.

Practically, enforcing a no-fly zone over Darfur would be a substantial undertaking given its size (roughly equivalent to the size of Spain) and location (there is no obvious base from which such an operation could be staged). These practical challenges perhaps could have been overcome by a large helping of political will, but that has not been forthcoming.

Did the Darfur rebels recognize how unlikely Western military intervention would be? In hindsight, it appears they may have been overly optimistic in their calculations. Did the West make clear that a military intervention would not happen? This is difficult to ascertain, and the answer depends in part on which voices are listened to (for example, during the 2008 American presidential campaign several leading candidates called for a more forceful U.S. posture toward Khartoum). Did Darfur rebels intentionally escalate the fighting in hopes of provoking military intervention? These questions, and those raised above, are not academic—they have real policy implications and merit further study.

15 Sudan Tribune, "US is not supportive of a no-fly zone in Sudan: envoy," September 12, 2011, <http://www.sudantribune.com/US-is-not-supportive-of-a-no-fly,40127>