Stationary Bandits:
Understanding Rebel Governance

A dissertation submitted in partial satisfaction of the
requirements for the degree Doctor of Philosophy
in Political Science

by

Zachariah Cherian Mampilly

2007
The dissertation of Zachariah Cherian Mampilly is approved.

______________________________
Mahmood Mamdani

______________________________
Daniel Posner

______________________________
Richard Sklar

______________________________
Michael Ross, Committee Chair

University of California, Los Angeles
2007
For my late Father, Cherian, who taught me to be critical,

and,

For my Mother, Saroj, who showed me how to be strong.
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List of Acronyms:

AFDL  Alliance des Forces Démocratiques pour la Libération
CAAP   Conflict Affected Areas Program
CANS  Civil Administration of New Sudan
CJP     Commision Justice et Paix
CPB    Communist Party of Burma
CPN-M  Communist Party of Nepal-Maoist
CRS    Catholic Relief Services
ELN    Ejército de Liberación Nacional
EPLF   Eritrean People’s Liberation Front
FARC   Fuerzas Armadas Revolucionarias de Colombia
FMLN  El Frente Farabundo Martí para la Liberación Nacional
FP     Federal Party
FTO    Foreign Terrorist Organization
GAM    Gerakan Aceh Merdeka
GoI    Government of India
GoS    Government of Sudan
GoSL   Government of Sri Lanka
HEC    High Executive Council
IAS    International Aid Sweden
IDP    Internally Displaced Person
IPKF   Indian Peacekeeping Force
JRS    Jesuit Refugee Services
JVP    Janatha Vimukthi Peramuna
KDP    Kurdish Democratic Party
LRA    Lord’s Resistance Army
LTTE   Liberation Tigers of Tamil Eelam
MLC    Mouvement de Libération du Congo
MNC    Multi-National Corporation
MNLF   Moro National Liberation Front
MoU    Memorandum of Understanding
NGO    Non-Governmental Organization
NRM/A  National Resistance Movement/ Army
NPFL   National Patriotic Forces of Liberia
OCHA   Office for the Coordination of Humanitarian Affairs
OLS    Operation Lifeline Sudan
PAIGC  Partido Africano da Independência da Guiné e Cabo Verde
PDS    Planning and Development and Secretariat
PMHC   Political Military High Command
<table>
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<th>Full Name</th>
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<tr>
<td>PRP</td>
<td>Parti de la Revolution Populaire</td>
</tr>
<tr>
<td>PUK</td>
<td>Patriotic Union of Kurdistan</td>
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<tr>
<td>RCD</td>
<td>Rassemblement Congolais pour la Democratie</td>
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<tr>
<td>RENAMO</td>
<td>Resistência Nacional Moçambicana</td>
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<td>RPF</td>
<td>Rwandan Patriotic Front</td>
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<td>RUF</td>
<td>Revolutionary United Front</td>
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<td>SAF</td>
<td>Sudan Alliance Forces</td>
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<td>SNM</td>
<td>Somalia National Movement</td>
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<td>SSIM</td>
<td>South Sudan Independence Movement</td>
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<td>SL</td>
<td>Sendero Luminoso</td>
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<td>SLFP</td>
<td>Sri Lanka Freedom Party</td>
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<tr>
<td>SPLM/A</td>
<td>Sudan People’s Liberation Movement/Army</td>
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<td>SRRA/SRRC</td>
<td>Sudan Relief and Rehabilitation Association/ Commission</td>
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<td>SSLM</td>
<td>Southern Sudan Liberation Movement</td>
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<td>TEEC</td>
<td>Tamil Eelam Educational Council</td>
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<tr>
<td>TEEDO</td>
<td>Tamil Eelam Economic Development Organization</td>
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<td>TPLF</td>
<td>Tigray People’s Liberation Front</td>
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<td>TRO</td>
<td>Tamils Rehabilitation Organization</td>
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<td>Tamil United Front</td>
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<td>TULF</td>
<td>Tamil United Liberation Front</td>
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<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
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<td>UNITA</td>
<td>União Nacional pela Independência Total de Angola</td>
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<td>UNP</td>
<td>United National Party</td>
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<td>ZANU</td>
<td>Zimbabwe African National Union</td>
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Acknowledgments

I have accumulated too many deep debts in the process of writing this manuscript that I would be remiss to claim that acknowledging them here is remotely sufficient. But if I can convey even a small portion of my gratitude, then it is worthy to recount them as best I can.

In Uganda, I am grateful to Ham Namakkajjo and Georgina Namakkajjo (nee Bukenya) for giving me a place to crash on my frequent stops in Kampala, and more importantly, for welcoming me into their lives. Faculty at Makerere University and the Centre for Basic Research, including Joe Oloka-Onyango and Simba Kayunga helped put me in touch with a wide variety of Central and East African experts on conflict in the region. The same applies to Zachary Lomo of the Refugee Law Project and Marcel Akpovo and the Amnesty International office in Kampala. Without their regional expertise, I know I would have been lost.

In Sudan, I am grateful to the staff of Jesuit Relief Services, especially Tracy O’Heir and Aden Raj, who first got me into South Sudan and provided me with a bed, food and excellent conversation in Nimule. Geoffrey Mangwe was patient as I plotted my first trip into South Sudan. And though I decided not to take his advice to go by motorcycle, he was the first to make visiting Sudan imaginable.

In D.R. Congo, I am grateful to Marcos Lorenzana who gave me a safe place to stay and a beer when soldiers decided to harass me out of my hotel room. And without Jason Stern’s advice, I am not sure how my time in Congo would have turned out.

In Sri Lanka, Arjunan Ethirveerasingam helped me with some difficult travels, putting me in touch with all the right people. And faculty of the Department of Political Science at the University of Colombo were supportive of my research and patient with my questions.

UCLA is an extraordinary university in a fascinating city, and after having gone through the struggle that a Ph.D. can be, I can only attest that there is not other program that I would rather have been a part of. Despite the difficulties, I have been lucky to have the support of Michael Ross, my dissertation chair, who gave me feedback on my work faster than I often preferred. It is hard to measure his influence on my writing—which in many ways began as the exact opposite of his elegant, parsimonious style. But I hope that his influence is reflected in this work, which is the highest compliment I can give. Richard Sklar and Daniel Posner, two of my other committee members, have both treated me as a colleague from day one. Their advice to me has always been useful but never overbearing, and for that I am truly grateful. Finally, Mahmood Mamdani, my external committee member, has been an influence on my writing from before I even contemplated graduate school.

At UCLA, my fellow students read parts of the manuscript, often challenging me to take the
analysis further and in different directions. I am especially grateful to Bryan Rhodes, Cesar Zucco, Raquel Zamora, Paul Osher, Fred Lee, Dan Young, Joe Wright, Xin Zhang, Anoop Sarbahi and Kim George. In addition, the Race and Ethnic Politics program provided me with a home in the department. I am grateful to Tamura Howard, Lahra Smith, Hector Perla, Murrell Brooks, Adrian Felix, Dontraneil Clayborne, Natasha Behl, Marie Elena Guadamuz, Laura Rodriguez, Chris Lee, Dena Montague and all the other members of the REP collective for their intellectual and personal support.

In addition at UCLA, I am grateful to Raymond Rocco for his advice, and for the best job in the university, working with the Freshman Summer Program for low-income and first generation college students. My four years of teaching in FSP allowed me to work with many amazing UCLA students who inspired me to stay in the academic world. Steve Commins provided me with excellent contacts and cutting edge research in addition to his wise advice. Sondra Hale offered just the right encouragement at just the right times. And Mark Sawyer has been a friend and guide into the machinations of academia.

I also owe a special thanks to Glenda Jones, the former Graduate Student Advisor at UCLA. Without her guidance, I would never have been able to navigate the complex terrain of the UCLA bureaucracy. She kept me laughing and focused on finishing when every part of me wanted to walk away.

Edmond Keller and the Globalization Research Center-Africa provided me with key funding at an important juncture in my work. UCLA’s International Institute provided support through the Alice Belkin Scholarship for which I am truly grateful. The Institute for Global Conflict and Cooperation (IGCC) provided me with a dissertation fellowship that allowed me to focus on my writing full time. And the Department of Political Science at UCLA provided me with financial support and the opportunity to teach my own seminar related to my dissertation, an experience that allowed me to tap the minds of some very bright undergraduate students.

Outside of UCLA, Nelson Kasfir and Pierre Englebert have been more than supportive, reading through everything I wrote and pushing me to refine the work in stimulating ways. Severine Autesserre and Amir Idris have read chapters, provided feedback and shared their own work. Simba Kayunga, Nagalingam Ethirveerasingam, Jeremy Weinstein, Denis Tull and Carolyn Nordstrom offered their work and advice openly.

And though it is not usual to thank pre-Ph.D. faculty, I would be remiss if I did not mention the support of my undergrad and M.A. advisers, who supported me as I waivered in my decision to pursue the Ph.D. At Tufts, I owe the largest debt to Pearl Robinson and Jeanne Penvenne, but also Sugata Bose, Modhumita Roy, and Sherman Teichman. At the University of Dar es Salaam, Elaine Wamba and her family were an inspiration. As a young writer for Africana.com, Philippe Wamba was a mentor to me before his untimely passing. At
Columbia, I thank Andrea Bartoli for introducing me to the policy world and Anthony Marx for patiently explaining the pros and cons of pursuing an academic life. And Ms. Sylvia Lane of North Central High School in Indianapolis, I thank you for getting me to college when many others were ready to give up.

My family has been supportive of my work from day one and I can’t begin to express my deep gratitude for this. My siblings, Shobita and Thomas, and mother, Saroj, have all managed to thrive, despite the loss of our father more than a decade ago. They are my inspiration. My extended family, Sheila and Sam, Amit, Zachary, and Priya Johnson, all of Atlanta, have always brought me back from challenging periods with love and laughter. I also owe thanks to my in-laws, Carrie Mampilly, Lori Johnson, Raja and Rani Gowrinathan, Ramanan Gowrinathan, and Shanthi and Swapneel Shah. Raja and Rani kept me well fed during my doctoral work—no easy task—in addition to providing me with a home in LA. And my two nephews, Cherian and Sohan, born a month apart in the Spring of 2007 while I frantically tried to finish this manuscript, I look forward to watching the two of you figure out this beautiful and crazy world we live in.

My friends have been not only supportive of my work, but have helped at every step of the way to make this possible. I owe a special thanks to Varun Soni and the Soni family for taking me in and helping me get settled in LA those dark days after 9/11. The men of 47 Mason, including Nitin Puri, Emery Wright, Jerome Lebleu, Seth Markle and Dustin Ross have kept me humble and laughing throughout. Chrissy Greer, Rishi Manchanda, Bita Amani, Biju Matthew, Kalahn Taylor-Clark, Sohail Daulatzai, Rena Tucker, and Saba Waheed helped me to remember that academic work has little use if its not grounded in the concerns of real people. And Kamal Samuel, Dileepan Sivapathasundaram, Sumana Rajarethnam and Madhu Vijayan—my LA Dravidian bredren—kept me from getting too far into my own head while working on the Ph.D. I owe a debt of gratitude to Adam Branch, who not only accompanied me on my first visits to Congo and Sudan, but who has always been a close friend and an influence on my own work.

And finally, to my wife, Nimmi Gowrinathan. At every step, you have supported me, and though I know it was hard for you at times, I also know that no other person could understand what draws me to such difficult subjects as you do.
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<td>Born, Detroit, Michigan</td>
</tr>
<tr>
<td>1997-1998</td>
<td>Study Abroad&lt;br&gt;University of Dar es Salaam&lt;br&gt;Dar es Salaam, Tanzania</td>
</tr>
<tr>
<td>1998</td>
<td>PPIA Fellow&lt;br&gt;Princeton University&lt;br&gt;Princeton, New Jersey</td>
</tr>
<tr>
<td>1999</td>
<td>B.A., International Relations/ African Studies&lt;br&gt;Tufts University&lt;br&gt;Medford, Massachusetts</td>
</tr>
<tr>
<td>2000</td>
<td>Foreign Language Area Studies Fellow, Swahili&lt;br&gt;Michigan State University&lt;br&gt;East Lansing, Michigan</td>
</tr>
<tr>
<td>2002</td>
<td>M.A., Political Science&lt;br&gt;Columbia University&lt;br&gt;New York, New York</td>
</tr>
<tr>
<td>2002</td>
<td>Foreign Language Area Studies Fellow, Swahili&lt;br&gt;University of California, Los Angeles</td>
</tr>
<tr>
<td>2004</td>
<td>Field Work, Congo and Sudan, under Globalization Research Center-Africa Travel Grant</td>
</tr>
<tr>
<td>2002-2005</td>
<td>Teaching Assistant/ Associate&lt;br&gt;Department of Political Science&lt;br&gt;University of California, Los Angeles</td>
</tr>
<tr>
<td>2005</td>
<td>Alice Belkin Scholarship&lt;br&gt;International Insitute, UCLA</td>
</tr>
<tr>
<td>2003-2006</td>
<td>Teaching Associate/ Fellow&lt;br&gt;Freshmen Summer Program&lt;br&gt;University of California, Los Angeles</td>
</tr>
<tr>
<td>2006</td>
<td>Dissertation Fellow&lt;br&gt;Institute for Global Conflict and Cooperation&lt;br&gt;University of California</td>
</tr>
</tbody>
</table>
2006  Instructor, PS 169 “Rebel Movements and Civil Wars”  
Department of Political Science  
University of California, Los Angeles

2003-2007  Co-Editor-in-Chief  
_Ufahamu- A Journal of African Studies_

2006-2007  Associate Global Fellow  
International Institute, UCLA

PUBLICATIONS AND PRESENTATIONS


Sudan Studies Association Annual Conference, April 2004: “SPLA Local Governance and Challenges for Post-Conflict Peace.”


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ABSTRACT OF THE DISSERTATION

Stationary Bandits:
Understanding Rebel Governance

by

Zachariah Cherian Mampilly
Doctor of Philosophy in Political Science
University of California, Los Angeles, 2007
Professor Michael Ross, Chair

Contemporary conflicts often produce vast territories outside the control of the recognized political sovereign. Instead of sinking into anarchy, rebel organizations may establish forms of political and social order within these territories. While many rebel groups remain predatory, providing little if anything for the populations under their control, many others establish complex governance structures that provide for public welfare through the establishment of a police force and legal mechanism, health and education systems, and even institutions designed to gather feedback from civilians. The performance of governmental functions by rebel groups across the ideological spectrum is, in fact, a common occurrence throughout history. This contrasts with recent analyses of rebel groups, which often caricatures rebel leaders as little more than warlords.

Why do the leaders of certain rebel groups establish sophisticated governmental structures that provide extensive public services to civilians in their control, while others do little if anything for their civilian population? How do groups design the structures they develop to provide governance? Using a two-level comparative analysis of different contemporary rebel groups, I argue that rebel leaders design governance structures in
response to pressures from three different locations. From below, they must take into
consideration the needs of local civilians who retain a number of strategies for challenging
rebel rule. From within, they must deal with internal factions that threaten their control. And
from above, rebel leaders must respond to the transnational actors operating in most
contemporary conflict zones. The first level of my study is based on extensive field research
conducted in rebel controlled areas and provides detailed cases studies of three different
organizations; the LTTE in Sri Lanka, The RCD-Goma in Congo, and the SPLM/A in Sudan.
The arguments developed here are tested against a second level, a sample of 15 cases
randomly drawn to assess the strength of my arguments.
Chapter 1

Introduction

Administration is very difficult, very complicated, especially in wartime. Figuring out how to link administration to political values while you are still in the bush is a very serious matter.
-- Ernest Wamba dia Wamba, Congolese rebel leader.

When history is written as it ought to be written, it is the moderation and long patience of the masses at which men will wonder, not their ferocity.
-- C.L.R. James, The Black Jacobins.

In 1962, Isaya Mukirane, a leader of the Bakonzo people of north-western Uganda, led a successful secessionist campaign from the newly independent Ugandan state, and declared the formation of the Rwenzururu Kingdom. President Milton Obote immediately proclaimed a state of emergency over the mountainous region seeking to undermine the Kingdom’s existence (Rubongoya 1992). Despite this mortal threat, the Kingdom was able to survive, and by 1966 had a salaried staff of over 1000 bureaucrats who collected taxes from the local population of around 100,000, and provided public goods such as education. In addition to their military wing, the leaders of the movement organized eleven ministries headed by a cabinet, and also developed a legislature and a Public Service Commission. In some form, the Kingdom was able to exist for twenty years, developing a governmental structure of impressive sophistication (Kasfir 2004).

In 2006, a court established by an Islamist militia in Mogadishu sentenced a man to death at the hands of his victim’s teenage son. In front of the gathered crowd, the sixteen-year-old stabbed his father’s murderer in the head and throat, killing him instantly. If the sentence sounds harsh, consider that Somalia’s recognized government had fallen fifteen

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1 An earlier version of this chapter was presented at Nuffield College in Oxford, UK, March 8, 2006. I am grateful to all the participants for their useful feedback.
2 From a 1999 interview (Vasquez 2000).
3 Kasfir (2004) offers the most comprehensive analysis of the Bakonzos’ attempt to establish a separate state and its significance.
years earlier. For much of this period, killers roamed the streets of Mogadishu with impunity, free from any sort of legal sanction. Because of the courts, according to Radio HornAfrik, “Residents in the nearby area have reported a drop in robberies, murder and general lawlessness…” (cited in BBC 2006).

The performance of governmental functions by anti-state actors from across the ideological spectrum has occurred throughout history from Toussaint L’Ouverture’s rebel government in Haiti, to recent and contemporary struggles such as UNITA in Angola, the FARC in Colombia, the CPN-M in Nepal, and even Hezbollah in south Lebanon. This contrasts with the dominant perception of rebel groups, especially those in the developing world, which, since the end of the Cold War, have been caricatured as little more than warlords. While certainly valid when discussing such parasitic groups as the National Patriotic Front of Liberia (NPFL) or the Revolutionary United Front (RUF) of Sierra Leone, many other contemporary insurgencies take over large territories for extended periods of time and establish complex governmental structures.

Why do some rebel groups establish sophisticated civil administrations that provide extensive public services to civilians under their control, while others do little if anything for their publics? How do groups design the structures they develop to provide governmental functions? In this project, I seek to explain the variation in the provision of governance by rebel groups, which I argue is the product of several different causal relationships. In my usage, governance can be characterized as “decisions issued by one actor that a second is

4 In my study, I use the terms rebels, rebel groups, rebel organizations, insurgents and guerrillas interchangeably. These are armed factions that use violence to challenge the state. I distinguish these from “militias,” a broader term encompassing all armed factions that use violence including those that work alongside government forces. I also prefer these terms as they are not as politically loaded as terms such as “terrorist” or “freedom fighters.” I discuss the implications of naming such groups in the Conclusion. See also Nadarajah and Sriskandarajah (2005).
expected to obey,” and refers to the control of social interactions by non-government actors (Kahler and Lake 2004: 409). It entails a normative assessment of the ability of a non-state authority to regulate life within its territory and to provide certain public goods to the population under its control through the establishment of both institutions and practices of rule. In my application of the term governance to rebel controlled territories, I follow Kasfir in referring to “the range of possibilities for organization, authority, and responsiveness created between guerillas and civilians.” Kasfir rightly points out that rebel governance can range from “elaborately patterned relationships as well as the absence of any patterned activity” (Kasfir 2002: 4). My dissertation seeks to explain this variation in the provision of services by rebel groups, though my focus is only on groups that have moved beyond mere looting to actually take control of a specific territory.

To assess governance provision by insurgents, I focus on the effectiveness of a rebel group’s civil administration in providing services, and secondarily, the design of such institutions. I argue that two conditions, specifically the type of pre-conflict relations between state and society, and, second, the ethnic composition and ideological motivation of the group, will determine the effectiveness of the group’s civil administration as well as its design. I also argue that rebel governance evolves over the life of the group due to other factors such as the presence of a unified command, the degree of interaction with transnational actors and the level of active fighting.

My study is based on a two-level comparative analysis of different rebel groups. The first level, based on extensive field research in rebel controlled areas, provides detailed case studies of three different contemporary rebel groups; specifically, the Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka, The Congolese Rally for Democracy- Goma (RCD-
Goma) in the Democratic Republic of Congo, and the Sudan People’s Liberation Movement/Army (SPLM/A) in Sudan. The arguments developed here are tested against a second level, a sample of 15 cases randomly drawn from a total of 36 qualifying cases, to assess the strength of my conclusions. As Wickham-Crowley (1987: 486) correctly notes, governance is rarely an immediate concern for the rebel command. Therefore, I control for the length of time by removing from my study any rebel group that existed for less than five years, even if they did control a piece of territory during this period.

Though the structure of rebel governance has recently received attention from political scientists (Tull 2004; Kasfir 2004; Weinstein 2006), an impressive collection of works that detail the organization of specific rebel groups by journalists, historians, anthropologists, NGO workers, and group insiders have been available for some time. These accounts provide detailed accounts of the historical trajectory of specific rebel organizations, but have not provided a convincing theoretical framework for understanding rebel governance across cases (Kalyvas 2003: 480). To fill this gap, I traveled to rebel-controlled areas in the D.R. Congo, Sri Lanka, and Sudan, visiting multiple sites within each, during two separate visits to each location between January 2004 and July 2005. Combining field research with the available secondary sources, what follows is an attempt to explain the underlying causal factors that shape the differing ways that rebel leaders interact with local populations through some sort of governmental structure.

While those who live in rebel-controlled areas understand the intimate nuances of life behind rebel lines, there are few studies of rebel governance in both the academic and policy literature, and virtually none that take a comparative approach. For the myriads of transnational actors engaging in activities within conflict zones, whether charitable or
commercial, there is a need to understand the institutions that control the daily lives of the populations with whom they seek to interact. Understanding rebel governance is also important for what it tells us about the potential for post-conflict peace. As Manor has argued, during crises, institutions developed at the local level are more likely to be turned to more constructive purposes after the termination of fighting (Manor 2006: 14). The more we grasp of the relationship between rebel groups and civilians during a protracted conflict, the more we know about the potential for a group to make a transition from a primarily militaristic structure, to one concerned more about the relatively mundane governance issues that many profess to be fighting over in the first place (Wood 2000; Pool 2001).

**Context of the Study**

While analysts have gone to extensive lengths to document the nature of the state in the developing world, arguing correctly that the inability of a state to develop a coercive apparatus or achieve a hegemonic position in society can lead to challenges to state sovereignty from non-state actors, they have failed to account adequately for the performance of governmental functions by non-state actors. This state-centric tendency, especially within political science, is understandable though problematic, for it implies a basic Hobbesian conjecture, i.e., if the state is not capable of exerting control, than chaos must ensue. This assumption—that the absence of a strong state will necessarily be followed by anarchic conditions—has limited our understanding of politics in conflict zones. While much attention has been paid to how rebel groups recruit their fighters (Gates 2002; Weinstein 2003) and finance their war machine (Collier 2000; Berdal and Malone 2000; Ballentine and Sherman 2003; Collier and Hoeffler 2004), not enough is known about how rebels govern the territory.

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5 A recent corrective is the volume edited by Wood and Dupont (2006).
they are able to win away from the government. Considering the lengths of some global conflicts combined with the fact that rebel groups are often able to wrest vast territories and populations away from the state, this is a serious omission.

Whether labeled as bandits, militias, rebels, guerillas, warlords, insurgents, or even freedom fighters and terrorists, organized groups of men and women who engage in conflict with recognized state authorities face a similar dilemma, i.e., how should they interact with the local populations that they come into contact with? Rebels seek to control territory and establish governance functions in pursuit of their broader organizational agenda. They benefit from the increased security as well as the opportunity to signal their relative strength (Weinstein 2003). And controlling territory also increases their access to local populations. The question is, why do some rebels decide to engage civilians in their political project and how do they go about doing so? In short, what I am concerned with is the production and usage of power by a rebel group, and the recognition by rebel leaders that this cannot come through violence alone (Arendt 1970: 41-42). A Framed in a different way, rebel leaders face a problematic comparable to that described by Gramsci in regards to the modern state (Gramsci 1992; Anderson 1977). Specifically, in order to ensure their viability, rebels cannot only be concerned with the establishment of a coercive apparatus (domination), but must also gain a degree of consent from the population (hegemony). Extrapolating from this formulation, it is the provision of governance that will determine whether or not a group will be able to derive support for its political authority and achieve some form of hegemony.

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6 In this, I agree with Hannah Arendt who doubts that violence can ever be politically productive. Instead, she argues that power is distinct from violence as it relies on relationships with the larger community, while violence can be utilized unilaterally depending upon the possession by an individual of the appropriate weapons.

7 For a framing of this issue in regards to colonial rule, see Guha (1997) and Young (1994).
Theorists have posited that the earliest state structures emerged out of precisely this problem, most famously in Olson’s introduction of the “stationary bandit” as the precursor of the modern state lineage (Olson 1993; Mann 1986; Tilly 1990). At the most basic level, paraphrasing Olson, the local population can be viewed in one of two ways: first, as the support base and occasional beneficiary of the rebels’ actions, or second, as a source to be exploited (see also Clapham 1998). Olson’s rationalist interpretation argues that groups will prefer to be stationary if they can exercise a monopoly on the use of force within a territory due to the greater rewards taxation potentially offers in the long term versus the “roving bandit’s” petty thievery. While it is true that many contemporary rebel groups are little more than “roving bandits,” many others develop complex relationships with the local population that goes beyond mere extraction, particularly when their agendas include any sort of political component. Like traditional states, rebel leaders must deal with demands from the population, which are rarely singular and generally encapsulate a variety of different and often competing perspectives. But also, as global forces intersect and transform even the most local of processes, rebel groups are able to draw resources from, and face constraints on their behavior by, transnational actors and networks including international agencies, religious institutions, other states, multi-national corporations (MNCs), and Non-Governmental Organizations (NGOs).

So far, scholars within both Comparative Politics and International Relations have failed to adequately account for the phenomenon of rebel governance. Much of the literature on why conflicts occur in certain states emphasizes the inability of governments to properly carry out their sovereign duties, while paying little attention to the political formations that
develop in the absence of the state.\(^8\) Recent comparative analyses of rebel groups emphasize the conditions that lead to the emergence of war, usually focusing on understanding the sources of rebel finance in order to explain why certain disputes may take a violent turn\(^9\) (Berdal and Malone 2000; Ross 2002; Collier and Hoeffler 2004). Additionally, comparativists have analyzed how rebels recruit their followers and organize violence against civilians (Kasfir 2002; Wood 2003; Kalyvas 2006; Weinstein 2006). Meanwhile, the emergence of Al Qaeda as a major challenge to the world’s remaining superpower has forced International Relations theorists to consider the impacts of wars fought by non-state actors, and to seek to understand the behavior of the groups that fight them. Thus, understanding the factors that explain the variation in the provision of public goods by rebel groups is a fruitful domain for scholarly analysis at the intersection of International Relations and Comparative Politics theory.

**Data and Methods**

To make my arguments about the organization of rebel groups and the concomitant effects on civilian populations, I conducted two distinct levels of analysis. This was necessary to provide a fuller picture of the phenomenon under examination and provide more generalizable conclusions. A two level study lets me be both exploratory and confirmatory in my study (Gerring 2004). The three case studies helped me—through a process of induction—to generate a series of original hypotheses on the nature of rebel governance. While the random sample of 15 allowed me to test some of the hypotheses I developed on a distinct universe of cases, and provided a degree of confirmation on several of my most

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\(^8\) There is a wide literature that follows this model including most recently Rotberg (2004.) See also, Zartman (1995) and Forrest (1998).

\(^9\) This literature is a corrective to earlier analyses of civil war that tended to elide financial considerations in favor of a focus on grievances.
important arguments. I chose this approach for a variety of reasons. Large N statistical analyses can point out a correlation between an independent and dependent variable, but say little about why this is so (Ross 2004). Instead, I wanted to focus on the micro-level processes that link specific factors with actual outcomes. Thus, both levels of the study were designed to provide more than a cursory glance into the nature of rebel governance, as I explain below.

Generating hypotheses inductively based on observations in the field has several advantages and disadvantages. Since few comparative studies have been undertaken on the subject of rebel governance, this approach was necessary to construct a framework for the study and devise original hypotheses. Perhaps the most important reason for pursuing micro-level case studies is the ability to witness processes at the most local of levels, an arena often overlooked in macro-level studies of conflict. As Kalyvas (2003: 480) has effectively argued, while local political dynamics are more fluid, and thus, harder to categorize than macro-level political factors, they are also more relevant for understanding contemporary conflicts. Hence, the bulk of this project is focused on providing an analysis of the microfoundations of rebel governance through three separate case studies. Case studies are useful for illuminating local dynamics, in addition to providing insight into the case specific factors that shape the observed outcomes. They are also useful as they shed light on the intermediate factors that mediate between an independent variable and the dependent variable under study (Gerring 2004). Assuming that each case represents like units, as they do in this study, they can also provide the basis for a comparative analysis.10

10 As I detail in later chapters, I focus on rebel groups fighting the government for a period of five years or more that were able to wrest control of a distinct piece of territory away from the control of the government or its
The cases were selected based on my ability to safely travel behind rebel lines in three countries: the Democratic Republic of Congo, Sri Lanka and Sudan. Although I selected these cases according to my personal expertise, I also chose them as they represent ‘crucial’ cases that cover the range of outcomes on my dependent variable (Ibid). Preliminary field visits to each of my cases allowed me to formulate the key questions I wanted to address and construct a framework for my study on rebel governance. From this first phase, I developed a series of propositions on the nature of the relationship between rebels and civilians, which I then went back into the field to assess. To formulate these individual assessments, I relied on a variety of sources and research in the field to develop a comprehensive analysis of each insurgent group. The research process encompassed at least three distinct approaches: (1) interviews with actors in rebel controlled areas; (2) participant observation of life in these areas; (3) documentary and archival evidence. I interviewed the rebel leadership, members of the local community, civil society leaders, government officials, international agency workers, and private sector figures, both local and international. In each of the field cases, between 20 and 40 subjects were interviewed, with several follow up discussions during return visits to the field sites.

Participant observation was both a necessary and particularly challenging component of my project. It was necessary for a variety of reasons, including establishing the context and identifying individuals for the structured interviews, developing a rapport with the communities, and understanding the intricacies of rebel governance that are rarely documented. This was primarily done by visiting and observing actual service provision sites agents. Once in control of the territory, these organizations attempted to create governmental institutions with highly variant outcomes.
such as hospitals, schools, prisons and courts in rebel-held territories in D.R. Congo, Sri Lanka and Sudan. I was able to cross-reference my field research with substantial documentary and archival literature in addition to the academic works relevant to my research interests. In order to get a more accurate picture of rebel/civilian relations, in each case, I examined two areas under rebel control. One where the rebel group’s rule was supported in some way by the civilian population, and the other, an area where the rebel’s control of the territory was challenged by the local population.

However, as useful as case studies are, what they do not provide is breadth. With the small sample size and method of selection, the generalizability of my findings to the universe of cases is questionable (Gerring 2004). Since, I intend for the main findings of this project to apply to the broader sample of rebel groups that take territory, it was necessary to test my conclusions using an unbiased sample. Thus, the second level of analysis is based on a random sample of 15 cases selected from a total of 36 applicable cases. The universe of cases is comprised of all rebel groups operating at any point between 1980 to 2004. I only considered groups that took control of a specific territory away from the government that it was fighting at the time. I purposely selected a period that includes both Cold War and post-Cold War conflicts in order to control for any effects that may have been caused by the superpower rivalry. The 15 groups selected randomly include significant geographical, temporal, ideological, and motivation (secessionist/non-secessionist) variations. In order to avoid purely subjective assessments, I employed a research team to help me gather

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11 Chapter 4 details the selection process and outcome of the analysis.
12 Several of my cases began before 1980, a fact that did not preclude them from this study. The earliest conflict in Burma began in 1968.
13 I also selected this period to avoid cases with little hard data, a situation that characterizes many of the conflicts that occurred in the 1970’s and before.
information on the service provision by different rebel groups from a variety of secondary sources. 15 of 36 cases represents over 40% of the universe of cases that I defined, providing a degree of generalizability to the study that would be missing if I only relied on three cases. Such a small-N approach has a number of advantages (Ross 2004). Most importantly, I can generalize my findings without sacrificing sensitivity to case specific factors. This approach can also “account for variables that are difficult to measure,” and “pays close attention to the validity of concepts and to causal linkages” (Ibid: 37). Together, the two levels provide fairly strong evidence in support of my main hypotheses presented in the next chapter.

**Layout of Dissertation**

In this chapter, I have tried to put forth the reasons why such a study is important and explain my approach for understanding rebel governance. Chapter 2 lays out the specific hypotheses I test in both levels of analysis and situates each within an appropriate theoretical context, including political theory and sociological works on the origin of the state; international relations and anthropological work on interventions into civil conflicts by transnational actors; and comparative politics and economics works on the nature of civil conflict and the organization of rebel groups.

Chapter 3 historicizes rebel governance and addresses some of the debates surrounding the subject by both academics and rebel theorists. Specifically, I argue that rather than viewing rebel governance as a form of embryonic statebuilding, as recent analyses have attempted to do, it is better to focus on examining the limits and possibilities of establishing political order outside the control of the state without any teleological assumptions. Thus, I argue that rebel governance is better understood as the appropriation of sovereign functions by an anti-state actor, a phenomenon that has co-existed alongside the expansion of the
nation-state system since the Treaty of Westphalia. In this chapter, I also examine the writings of seminal rebel theorists including Mao Zedong, Ernesto Guevara, and Amilcar Cabral as they pertain to questions of rebel governance and non-state political order.

Chapter 4 presents the detailed results of my small-N study. I have tried to operationalize several of the hypotheses that I derived from the preliminary field trip and survey of the extant literature. For each hypothesis, I looked for objective measures to correlate with my assessment of rebel effectiveness in service provision. I was able to do this for my main three hypotheses, finding considerable support for each. The conclusions, I believe, offer important insights into the nature of rebel organizations and the impact of civil conflicts on civilians.

The next three chapters rely heavily on the fieldwork I conducted in rebel controlled territories of DR Congo, Sri Lanka and Sudan. As all three conflicts were still active to varying degrees during my visits, several of my informants requested anonymity to be protected from any retribution. Interviews were generally conducted in English or Swahili (in eastern Congo and Southern Sudan). In Sri Lanka and D.R. Congo, some interviews were carried out in Tamil and French with the assistance of intermediaries. Since many of my arguments treat international NGOs as distinct actors in conflict zones rather than passive observers, during my fieldwork, I chose not to align myself with any organization so as not to prejudice my observations. This created its own set of challenges in terms of resources and access, but it is a decision I am still comfortable with. I did occasionally take advantage of rides from NGOs into South Sudan, for example, or with the United Nations Mission in Congo, which flew me into eastern Congo aboard a helicopter, for which I am very grateful. But generally, I traveled into these regions aboard local buses or my own arranged transport.
Chapter 5 is an analysis of the SPLM/A in Southern Sudan. Based on fieldwork in the region conducted in February 2004 and again in February 2005, I compare Yei, the largest town in Western Equatoria, the southernmost province in Southern Sudan, with Rumbek, the largest town in Rumbek county, and also the SPLM/A capital throughout much of the war. Both towns have sizeable numbers of Internally Displaced People (IDP). In Yei, this population is largely Dinka, a community that also happens to be the largest demographic group in Southern Sudan as well as the primary ethnic base of the SPLM/A. And in Rumbek, a traditionally Dinka area, it is the Nuer, the second largest southern population, who have migrated in after fleeing the fighting in their traditional areas further north. Amongst other things, I argue that the development of the civil administration within the SPLM/A was geared towards gaining cohesion amongst a fractious southern population riven by internal ethnic and regional disputes. I also look at the ways in which the SPLM/A attempted to incorporate transnational NGOs into their governance project.

In Chapter 6, I examine the surprising institutional interplay that can emerge between rebel groups and governments in order to provide services to the population, as exemplified by the LTTE in Sri Lanka. This chapter is based on fieldwork conducted in Kilinochchi, a town in northern Sri Lanka captured by the LTTE in 1998 that serves as the de facto capital of the LTTE region. I visited the area in June of 2004 and again in July of 2005. I also visited Batticaloa, the capital of the former Eastern Province that the LTTE controlled through much of the 1980’s, but lost control of in 1991. The LTTE remains a shadowy presence and controls much of the surrounding areas. When I visited in July of 2005, it was at the center of a conflict between a breakaway faction and the main movement. Like the SPLM/A, the LTTE has incorporated an external service provision structure into their civil administration.
However, in this case, it is through a complex arrangement with the Government of Sri Lanka that divides service provision between the two opponents, producing surprisingly innovative institutional forms—underlining the claim often made by sociologists that conflict can produce tremendous dynamism in political forms (Mann 1986; Centeno 2002).

I then turn to a discussion of the RCD-Goma in the Democratic Republic of Congo in Chapter 7. The chapter is based on two trips to D.R. Congo, one in March of 2004 and another in March of 2005 during which I visited several towns. Most importantly, I made two trips to Goma, the capital of North Kivu province and the base of the RCD-G rebel group. I also visited Bukavu, the capital of South Kivu, a city fiercely contested by the RCD-G and other actors. At the time I visited, the RCD-G had just been pushed out of the city by anti-RCD forces that decried the group’s supposed pro-Tutsi position. The town was widely referred to as “Mji Safi” in Kiswahili, or “Clean Town,” referring to the success of the Tutsi purge that had occurred. This chapter will focus on the inability of the RCD-G to ever gain legitimacy or transcend the perception that they were little more than Rwandan sponsored Tutsi lackeys, despite their attempts to establish a functional civil administration during their control of much of eastern Congo. I argue that the RCD failed to understand the complexities involved in navigating the parcellized political order that existed in the region prior to the war. The RCD-G case can tell us much about the limitations of governance for gaining popular support, and the role of ethnicity in constraining rebel leaders’ options. It also provides insights into the impact of external state sponsors on the behavior of rebel leaders.

The conclusion summarizes the main arguments of the dissertation, but also situates them within the broader debates on rebel behavior. In addition, it serves two other functions. First, I show how the tendency to center violence in discussions about rebel behavior
ocludes an understanding of the real issues that affect civilian life in contemporary war zones. And second, I attempt to prescribe some practical recommendations for both the academic and policy worlds in their dealings with rebel organizations on questions of governance.
Chapter 2

A Framework for Assessing Rebel Service Provision

This dissertation seeks to explain the variation in governance provision between different rebel organizations by developing and exploring various hypotheses concerning an important and neglected issue. Civil wars are complex and ambiguous phenomena that tend to undermine any attempts at simplistic categorization along a single dimension. Instead, the shifting nature of alliances on the battlefield muddles our understanding of even the most seemingly straightforward conflict (Kalyvas 2003). As a result, the question of rebel organization does not lend itself to monocausal explanations or simplistic binary formulations. In a messy world where global forces shape local conflicts that are likely to have their own transnational impacts, this should not be surprising. A single master variable is thus impossible to identify, though it is possible, as I assert in this chapter, to identify several key factors that affect the development of civil administrations by rebel leaders.

Any rebel group is a collection of men and women joining together at great risk to pursue a specific agenda, with little chance of success. Despite occasional proclamations to the contrary, these organizations tend to be top down entities, with tremendous power invested in the leadership. Throughout this project, the rebel leadership is treated as the primary agent shaping the nature of the civil administration, though a central assumption I make is that rebel leaders operate in a highly constrained environment. My intention is not to proclaim any laws of rebel behavior, but rather to explore the political environment that rebel leaders must navigate in order to remain relevant, while also highlighting the exceedingly dynamic nature of a rebel organization. Different rebel leaderships respond to similar pressures from various actors that, in my view, dictate the form of governance they

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undertake. My focus then is on comparing the distinct strategies pursued by rebel leaders to establish civil administrations; thus, producing generalizable conclusions that can help explain rebel behavior across cases.

My approach diverges from foundational analyses by rebel theorists that assume the unconstrained agency of rebel leaders on questions of governance (Mao 1978; Guevara 1969). In this view, rebel leaders develop civil administrations inline with their ideological beliefs, i.e. from the top down. While rebel leaders do exert considerable influence in the initial phases of the war, particularly in regards to questions of recruitment, as well as during the later phases of the war, in regards to the signing of ceasefires or peace agreements, their agency during the fighting is highly constrained by the behavior of other actors. For this reason, I also diverge from the political economy perspective that has dominated the study of rebel groups in political science and economics recently (Weinstein 2003, 2006; Collier and Hoeffler 2004). Since natural resource endowments often remain static, or at least do not fluctuate wildly, I do not believe that they hold the key for understanding processes that usually take place only after the initial phases of the conflict.

In my own field research in the D.R. Congo, Sri Lanka and Sudan, I found that the provision of services by rebel groups is rarely a concern at the outset of fighting, as groups only come into control of territory some time after the initial phases of the fighting. As Kalyvas notes, once the conflict is underway, “war tends to fragment geographical space, thus placing a premium on local dynamics” (Kalyvas 2003: 487). Thus, rebel leaders construct governance institutions in response to events occurring at the most local of levels. I argue that governance structures constantly evolve throughout the conflict due to demands articulated by the civilian population or situations created by the population, i.e. from the
bottom up. In addition, the imbrication of transnational forces on local dynamics also shapes rebel behavior, as transnational actors insert themselves into local political, economic and social processes that rebels must take into consideration (Branch and Mampilly 2005).

My dependent variable is the effectiveness of rebel civil administrations ¹⁴ which I assess by examining several sectors that illustrate the ability of various groups to govern the civilian population: first, strategic services including a police force and judicial mechanism; second, technical services including the provision of health and education; and third, the development of legislative bodies that seek to represent the population on the ground. These sectors correspond with what are generally agreed upon as the three core functions of the modern state, namely security, welfare and representation. ¹⁵ A secondary concern is the design of the civil administration structures.

I focus on institutions as well as practices of rule due to my support for the proposition that, “Institutions and the bargaining context that they create are critical intervening variables linking actors and governance outcomes” (Kahler and Lake 2004: 412). Governance entails more than just the actual institutions that comprise the rebel civil administration. Since rebels often interact with, or attempt to co-opt, other non-state actors engaging in service provision into their governance project, it is essential to take this fact into consideration. Thus, I look beyond just the structures that comprise a rebel civil administration, to the whole set of institutions and practices that shape the provision of

¹⁴ I choose not to assess groups based on their “legitimacy,” preferring instead a more tangible conception of “effectiveness,” primarily due to what I perceive as the conceptual difficulty of assessing a group’s legitimacy versus their effectiveness in providing services.

¹⁵ State theorists view these three functions as being interconnected. In this view, “security constitutes a precondition for welfare and political participation, while welfare reduces conflicts and political representation allows for non-violent resolution of conflicts. Likewise, welfare increases the capacity and propensity for political participation, while representation promotes economic development and social justice” (Stokke 2006.) While acknowledging these interconnections, the relationship between these three functions for a rebel authority is not quite as straightforward, as I discuss in the case studies.
governance within a rebel-controlled territory. I argue that rebel leaders have a variety of strategies for providing governance through their interactions with the civilian population and civil society, as well as with transnational actors.

Out of the three areas that I examined, I found that the establishment of a force to police the population followed by a broader judicial mechanism to regulate disputes was often the first step taken by any rebel group, and easily the most important. A police force and a legal system are not nearly as cumbersome to establish as other public goods like social welfare programs or legislative bodies. And as a famous rebel theorist noted, a system of law provides a degree of stability to a rebel controlled territory allowing civilians to “normalize” their life under rebel rule (Guevara 1969: 83). Without a functioning security system, it is difficult for rebels to gain the credibility imbued from being recognized as the dominant force by the local civilian population, as well as by other contestants to their authority. It also allows the rebel leadership to lay claim to a key component of Weberian sovereignty, that is, the monopoly over the use of violence within a specific territory. Unsurprisingly then, the establishment of a police force and the development of a legal system is the highest priority for any leadership, and often the key determinant as to whether they are able to make the transition from roving bandit to a stationary one (Wickham-Crowley 1987: 482-483).

The provision of other public goods such as health and education is often viewed as a secondary concern, though as I show in Chapter 4, occasionally rebels may provide these services even before they build an effective security system. And legislative bodies or some other form of feedback mechanism, rank last with rebel leaders, again unsurprisingly, as most tend to have an autocratic predisposition in their ideas for what is best for their subjects. As I explain in Chapter 4, in the assessments made about specific groups, I follow this loose
hierarchy, preferring to credit those groups that establish functional security systems or
effectively provide technical services, and only secondarily, develop democratic feedback
mechanisms.

**Hypotheses**

The causal factors that shape rebel governance can be classified into three levels that help provide analytical clarity, specifically from above, from below and from within the organization. From below, rebel groups face pressure from civilians within areas they control as well as local civil society actors. The civilian population is as important for its own agency in actions and beliefs as it is for its general composition on racial, ethnic, religious and ideological grounds. From within, rebel groups must take into consideration individuals or factions representing oppositional perspectives, whether based on cultural or ideological differences or even just greed. From above, rebel groups interact with transnational actors including international agencies like the United Nations and World Bank, MNCs, NGOs, churches and other religious organizations, diasporas, as well as other states. However, I do not mean to imply that these categories are exclusive, rather it is the interactive relationship between the three levels that is central to my analysis, as I show in the case studies.

**From below: Civilian demands affecting rebel governance**

The impact of conflict on local populations is the main concern of this project and it is important to recognize that civilians are rarely only victims in war zones, as media and some academic accounts tend to imply. Civilians are never passive or invisible actors, and can manipulate the structure of a rebel civil administration through the explicit demands they make on a rebel leadership, usually inline with their own local concerns (Kalyvas 2003: 481).

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16 To some degree, diasporas operate at all three levels, though by definition, I categorize them as from above.
Civilians have a variety of ways of responding to rebel groups, ranging from wholesale support, limited participation, coerced participation, disengagement (by fleeing) and even violent rejection through the formation of local militias. A rebel group’s most immediate tool for ensuring compliance is always its ability to deploy coercive tactics, often with stunning brutality, upon civilians under their control. Still, as I argue in this project, civilians do not lack agency in their interactions with rebel groups. Thus, the strategic decision by the population to either embrace or reject a rebel group, and the ways they go about doing this, can affect the behavior of rebel leaders, who partially structure their civil administrations in response to civilian demands.

A common tendency of comparative analyses of rebel organizations is to separate the behavior of the group from the social and historical conditions that precede the conflict. Rebel groups are often treated as ahistorical phenomena emerging whole from raw materials more accessible to statistical analyses such as geographic location, population dispersion, economic inequality or access to natural resources. Though the predilection for statistical solutions is understandable, it is clear that in this case, political scientists ignore historical factors with great risk, for there is evidence that the complex pre-conflict relationship between the people and the state affects the structure and behavior of rebel groups, particularly as it relates to questions of governance. Thus, it is dangerous to presume that all civilian populations behave in the same way.

This would include whether the pre-conflict society was habituated to paying taxes or not, and having a say in politics or not, or, whether it was a multi-cultural society; and how the state’s bureaucratic structures dealt with such differences. I argue that the pre-conflict relationship between the state and the population has a determinative impact on the
effectiveness of rebel civil administrations as rebel leaders respond to demands made by civilians conditioned by their relationship to the pre-conflict political authority. The task is to determine a way to distinguish between the types of claims made upon the political authority by differing populations, which I turn to now.

Rentier versus Merchant populations

The spirit of a people, its cultural level, its social structure, the deeds its policy may prepare—all this and more is written in its fiscal history, stripped of all phrases.

The state-society paradigm that forms a significant strand in the comparative politics literature of the past two decades has done much to show us how the past lingers in reconfigurations of political order, especially in the post-colony. A good summation of this perspective is provided by Atul Kohli:

Taking history seriously suggests instead a shared belief that the past influences the present and, as a result, that satisfactory causal explanations must have a strong over-time component. This analytical standpoint follows in part from taking institutions seriously. As patterned beliefs and practices, institutions take time to root. Once rooted, institutions mold behavior. Political outcomes are thus partially path-dependent, influenced by institutions of an earlier origin, forcing state-society scholars to be sensitive to the impact of the past on the present (Kohli 2002: 90).

If we are to take this suggestion seriously, than we must account for the influence that the prior relationship between state and society has on the development of new institutions and practices of rule triggered by the outbreak of violence (North 1990). The phenomenon of rebel governance, the primary focus of this project, should not be disconnected from the broader insights developed by analysts. In fact, it is my contention that it is only through an understanding of the pre-conflict state-society relationship that we can understand the modalities that produce diverse civil administrations across cases, as civilians habituated in distinct ways make differing demands upon the rebel political authority.
Understanding the fiscal history of the society sheds light on the idiosyncrasies of specific populations that rebel groups come into contact with in their operations. Historically, most non-Western political regimes began with international recognition of their juridical sovereignty over the territories left behind by the colonial powers, despite their physical incapacity to enforce them (Jackson 1990). Over time, international norms have protected even the empirically weakest states, often when they could not protect themselves (Herbst 2000: 106). While some non-Western states, such as India, have developed, in true Tillyan fashion, a governmental structure based on the progressive expansion of the taxation apparatus across the population, many others have followed a divergent fiscal path based on a much narrower capital accumulation model, namely rents.17

In Europe, the progressive penetration of state power was tempered by the development of an active and vibrant civil society. Thus, as the bureaucratic apparatus expanded deeper into society, citizens developed an active response to state power through the institutions of civil society (Young 1994). In much of the developing world, however, the development of a civil society was constrained. Colonial rulers were little concerned with the development of a viable state project, or with empowering societal actors to respond to the encroaching state apparatus, rather, profit was always the primary goal and coercion was the basis for extraction. Hence, the state apparatus that developed in much of the colonial world was centrally concerned with institutionalizing the “machinery of permanent domination” in order to maximize the accumulation imperative (Ibid: 95). Crawford Young argues that the colonial state’s emphasis on profit required it to develop a strategy of accumulation

17 The former are generally referred to as Merchant states, while the latter are referred to as Rentier states (Mkandawire 2002).
predicated on the manipulation of traditional elites, rather than a broader integration of the civilian population into the machinations of the state. This strategy facilitated the extraction of natural resources, once potential oppositional figures had been co-opted or coerced into compliance.

Faced with a dwindling to non-existent tax base, independence leaders across Africa and Asia could not emulate their former European masters’ revenue accumulation model based on the taxation of the citizenry (hereafter referred to as the merchant state). Instead they turned to the quick financial rewards offered through the collection of rents from foreign investments in natural resources and from lucrative strategic political alliances, both of which were plentiful during the heyday of the Cold War. The rentier state emerged in response to a globalized world order that rewarded local political elites with large economic surpluses based on their control of native resources and their mutually profitable relationship with agents in the more developed countries (Mkandawire 2002; Moore 2004). These financial resources accrued to political elites recognized as the legitimate sovereign over territories, even if this was more an international fantasy than an empirical reality (Jackson 1990; Herbst 2000; Reno 2001; Moore 2004). Scholars have made interesting insights into the nature of the rentier state, arguing that reliance on rents allows state authorities greater autonomy from the civilian population as the state has little need to develop a broad tax base, preferring instead to either buy off non-cooperative citizens or build a coercive apparatus capable of keeping the population in line (Mkandawire 2002; Moore 2004).

The variation present in rebel governmental forms is a function of the different pressures on the rebel leadership, primary amongst them, the nature of the civilian population rebels interact with. Thus, the history of the penetration of the state into society is useful for
distinguishing between the types of demands likely to be made by different populations that
the groups come into contact with. This is resonant with an observation made by Mamdani in
regards to the inscription of identity through colonial legal codes, though I have reworked it
to focus on post-colonial state society relations:

Political identities exist in their own right. They are a direct consequence of
the history of state formation, and not of market or culture formation. If
economic identities are a consequence of the history of development of
markets, and cultural identities of the development of communities that share
a common language and meaning, political identities need to be understood as
a specific consequence of the history of state formation (Mamdani 2001: 22).

Mamdani’s contention that “Every state form generates specific political identities” (Ibid:
23), I maintain, is useful for grasping the post-colonial distinction between states that rely on
the citizenry for fiscal support and those that rely on other sources of funding, and the
varying political arrangements produced by the development and penetration of the state’s
institutions. Specifically, what I am arguing is that instead of focusing on the market driven
or even ethnic identities of the different populations, it is more important to understand how
and to what degree these communities were integrated politically into the state through the
expansion of the state bureaucracy.

Two distinct visions of the civilian population related to the penetration of the state
apparatus into society emerge from the preceding discussion. In the rentier state, a
disengaged government produces an apolitical population, disconnected from the local
machinations of the presumably ineffective public bureaucracy, and, more importantly,
having no sense of ownership over political decision making, as they are not required to fund
the state through their taxes (Moore 2004). In the merchant state, however, an active
population, heavily invested in political decision-making through their direct financial
contributions, aggressively seeks to limit the behavior of the state authority in a way that is
mutually beneficial for both the overall well being of the polity and the public.

To sum, state formation theorists have shown how the nature of the state is
determined by its fiscal prerogatives. A corollary of this argument is that two types of
civilian populations will emerge in response to the fiscal strategy adopted by a specific state.
My argument is that the different types of populations produced by the above state forms
affect rebel governance in determinative ways. Thus, civilians habituated by rentier state
fiscal policies are unaware of their ability to influence the political authority, a condition that
carries over to political formations that develop in the face of a conflict-produced state
withdrawal. In merchant states where the state penetrated deeply into the population,
establishing extensive bureaucratic structures capable of both collecting taxes and providing
significant amounts of public goods, civilians are habituated to having a say in political
affairs. They understand that public welfare provision is reciprocal in nature, often in
proportion to their support for the established political authority (Timmons 2006). In both
cases, it is up to the rebel leadership to determine how to deal with the civilian population,
and their ability to establish political institutions that respond to the demands articulated by
the civilian population will determine the success or failure of their governance project.
Failure to do so opens the group to internal challenges, both political and militaristic, from
the civilian population. The above discussion provides us with the basis for hypothesis 1.

**H1: If a group emerges in a state with minimal penetration into society, it
is less likely to develop an effective civil administration than one that
emerges in a state that penetrated deeply into society.**

Relatedly, I argue that the pre-conflict degree of interaction between the state and
civilians influences the scope for institutional innovation by the rebel group, again due to the
learned behavior of the civilian population. The design of rebel governmental institutions is the least likely to depart from pre-existing patterns and institutions when the pre-conflict society is characterized by a high degree of state penetration. In this case, the group will likely incorporate, in part or full, the governmental institutions established in peace times. This is done primarily through the replacement of government bureaucrats with personnel selected by the movement. Much of the bureaucratic framework will remain the same, with only specific changes made to accommodate the needs and desires of the new rulers, as with the Eritrean People’s Liberation Front (EPLF) in Eritrea (Pool 2001). Rebel groups may also share the civil administration of their territory with the state they are fighting. This approach can entail the division of service provision into various sectors, alternately allocated to either the state authority or the rebel group—for example, health and education may be left to the government while the legal system is reconstituted by the rebels as it is currently with the LTTE in Sri Lanka (see Chapter 6 for a full discussion).

On the other hand, groups that take over areas with no clear pre-conflict political authority are more likely to develop innovative institutional forms to govern the population.\(^{18}\) In this situation, the rebel leaders have to start from scratch, establishing new institutions for each of the sectors based on their own prerogatives. This approach requires massive efforts by the group to develop and staff new institutions and often requires the incorporation of alternate structures that engage in service provision such as NGOs, as the SPLM/A did in South Sudan (see Chapter 5 for a full discussion).

\(^{18}\) As I discuss in Chapter 7, while the “pre-conflict political authority” generally refers to the recognized government, in certain cases, non-state actors may have emerged as the real political authority in the region. For example, in eastern Congo, the Church and traditional authorities took on many of the roles normally associated with the recognized government.
From within: Internal dynamics affecting rebel governance

Fanon writes at length about the two struggles a revolutionary group must engage: one, against the enemy, and two, against internal tensions within the movement (Fanon 1968). This is useful for understanding how rebel leaders define their struggle to the population from which they seek support. Rebels must take into consideration two distinct but related imperatives in their interactions with the civilian population, one external and one internal. First, leaders must decide if their agenda is the overthrow of a central government or the secession of a specific territory. This external imperative is determined by the behavior of the government and the ability of rebel leaders to convince members of the target population of the need for a violent response. At the same time, rebel leaders need to articulate a specific social program to win support for their vision of resistance against the pre-existing order. While focusing on the perceived misbehavior of the government is necessary in garnering support for a particular cause, such as carving out a homeland for a neglected minority, an internal vision of an alternate social order is necessary for a group to garner the support to represent the struggle amongst competing internal alternatives.

Both agendas affect the development of a rebel civil administration. The external agenda of a group is important to understand for what it tells us about the likelihood of a group establishing an effective civil administration. There are two basic positions that a group can take in this regard: one, overthrow the central government; or two, take over a specific territory within the state’s boundaries. The decision by rebel leaders to frame their

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19 See for example, the “Proclamation of the Algerian National Front” issued in November 1954 which clearly identifies both internal and external objectives for the group. Available at http://historicaltextarchive.com/sections.php?op=viewarticle&artid=10.

20 For example, the EPLF in Eritrea competed against other Eritrean rebel organizations for primacy. All agreed that Eritrean autonomy was essential, but differed on how best to achieve it. The same struggle between groups to represent the broader movement occurred in each of my case studies.
struggle as either national or regional triggers certain consequences that warrant attention here.

Commentators have pointed out the relative ease by which elites can mobilize the population by articulating ethnic claims, as compared to other prominent societal cleavages such as class or gender (Anderson 1983; Horowitz 1985; Wimmer 1997; Posner 2005). Inherent in this argument is the notion that ethnic or nationalist appeals are perceived as more legitimate than other types of claims, and hence, are more useful as the basis for garnering support for any collective enterprise. In the post-colonial world, historical factors have contributed to ethnic claims taking on even greater salience. As I discuss in the next chapter, this resulted from the forcible imposition of the nation-state framework upon disparate collections of ethnic communities that may or may not have had any interaction prior to the arrival of the European powers (Wimmer 1997). Ethnic identity was openly manipulated by colonial authorities as a tool of political control—the legacy of which is the fact that in many of these states, political competition is articulated primarily between distinct ethnic communities, leading to the ethnicization of the post-colonial state bureaucracy (Mamdani 1996). Elites sought to capture state power by manipulating ethnicity to their own ends, generally through showering rewards upon the ethnic communities that support their rule while marginalizing those that do not. Thus, membership in an ethnic community continues to have a determinative impact on the livelihood of all citizens in most post-colonial states (Posner 2005).

Through this process, ethnic membership has come to take on highly instrumental overtones. Specifically, access to political and civil rights, in addition to material benefits, is often directly connected to membership in the ‘right’ ethnic community. Since exclusion
from political and economic opportunities is often ethnicized, it is unsurprising that appeals to ethnic solidarity often serve as the basis for insurgent collective action (Weinstein 2003). But claims that rely on distinguishing a segment of the population from the rest of the society also trigger their own expectations. Groups that seek to carve out a portion of the territory must first convince the target population of the potential payoffs likely to accrue if they support the rebellion. Unlike groups that seek power in the center, secessionist and ethnonationalist groups have a greater need to prove their ability to improve the material welfare of their target populations. They also face competition from the state itself, which does not disappear, and which can engage in counterinsurgent strategies that seek to win over the population by offering material or political benefits that can undermine rebel strategies. Thus, I argue that groups with a secessionist or ethno-nationalist agenda have a vested interest in proving their ability to serve as de facto governments in areas they come to control, as their ability to represent a specific population will be affected by their governance performance. The relationship is addressed by hypothesis 2.

**H2: If the group is secessionist or ethno-nationalist, it is more likely to develop an effective civil administration than groups that seek to capture power at the center.**

Table 2.1 summarizes hypotheses 1 and 2.

**Table 2.1: Effectiveness of Civil Administration Structures**

<table>
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<tr>
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<th>Low State Penetration</th>
<th>High State Penetration</th>
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<tr>
<td><strong>Center-Seeking</strong></td>
<td>Low</td>
<td>Moderate</td>
</tr>
<tr>
<td><strong>Secessionist</strong></td>
<td>Moderate</td>
<td>High</td>
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</table>
The internal agenda of a group maybe a secondary concern during the initial phases of a conflict, but it becomes salient on questions of governance. When rebels do initiate a civil administration, their internal vision will influence the design of these governmental institutions. For example, a secessionist group may also profess a leftist vision for their future society (as with the SPLM/A or the LTTE), while a center-seeking group may profess an Islamist agenda (as with the Union of Islamic Courts in Somalia). Thus, I argue, the design of the civil administration is shaped by the internal vision articulated by the rebel leadership—whether revolutionary (Maoist or Marxist, for example) or more traditional (Islamist or Jewish, for example).

Another factor affecting the design of civil administrations is the composition of the population and the cleavages that exist prior to the outbreak of conflict. Fanon’s second admonition on the dangers of intra-group tension is important here. Pre-conflict cleavages at the local level are likely to persist and affect rebel behavior once fighting begins, regardless of the stated cause of the war (Kalyvas 2003: 478-480). If the movement is multi-ethnic, multi-religious, or multi-regional, tensions between component factions can bubble to the surface due to perceived dominance or mistreatment on either side (Jok and Hutchinson 1999). Any attempts at institutionalizing their rule will require rebels to carefully assess the nature of the population they seek to control, with particular attention paid to mitigating potential cleavages that could emerge. Micro-level economic, racial, ethnic, religious, and regional differences all impact the behavior of rebel leaders as they attempt to cajole or coerce a structure upon a less than complacent population.

There are two questions to address in regards to the above. First, how and why are some rebel leaderships able to suppress internal cleavages and forge a unified command,
while others get ripped apart by the same tensions? Internal dynamics often reflect relationships between locals and the leadership in constitutive ways and the ability of rebel leaders to incorporate representatives from constituent factions is a key determinant of the type of command—either unified or divided—a group will have. The impact of such internal pre-existing cleavages on rebel organizations is a point I explore in detail in the case studies. Second, what are the impacts on the internal organization of a rebel group of a divided or unified command? This provides us with hypothesis 3a.

H3a: If a group is able to form a unified political authority either through subjugating competing factions or incorporating them into a single command, then they are more likely to develop effective civil administrations than groups riven by multiple and competing poles of power.

For example, for most of the violent conflict in Sri Lanka, the LTTE has been the unquestioned representative of the broader Tamil movement, a position achieved through the systematic destruction or incorporation of competing factions. This contrasts with any number of groups such as the Moro National Liberation Front (MNLF) in the Philippines and El Frente Farabundo Martí para la Liberación Nacional (FMLN) in El Salvador, both of which were coalitions of pre-existing factions that never coagulated into a unified command. Rebel leaders able to establish a unified command that exerts its control over the entire organization despite internal competition, are more likely to be capable of developing effective governance structures than groups torn apart by competing factions. If the leadership can establish an undisputed political authority over their territory, it strengthens its ability to offer protection to its chief supporters, extract more resources and wage war (Tilly 1990: 181). This resonates with Guevara’s observation on the perils of a contentious command, “I stressed the need for a single command at the front; the dispersion of
independent forces was unacceptable, especially when one saw the tendency to anarchy and rivalry that led to extremes of violence among one or another of the groups” (Guevara 1999: 79).

Whether or not a group has a unified political command, if diverse factions characterize the population the group seeks to mobilize, leaders must constantly adjust their behavior, and establish mechanisms to prevent the partition of the group itself. Thus, rebels have a need to take into account population composition in the design of their civil administration, as hypothesis 3b argues.

**H3b: If a group fails to compensate minority factions through the design of the civil administration, a rupture is probable.**

Notice that this hypothesis does not claim to directly explain the effectiveness of rebel governance. Rather, it helps explain the role of the civil administration in mitigating cleavages between members of the target population. Rebel groups often bring together groups of differing origin and with different agendas in their struggle—despite outward claims of unity. Managing differences and satisfying the demands of various component factions at the local level is a constant tension for all rebel leaderships. In certain cases, the need to incorporate diverse factions into the broader cause, may even trigger forms of distributional politics, in which leaders from the dominant faction over-compensate minority factions by designing civil administrations that are particularly responsive to their needs in order to win their support. Still, perceived mistreatment of a specific group can be cause for a split within the rebel organization itself as opportunistic leaders rally minority sentiments against the established leadership. Such a split occurred in all three of my cases, and as I
show in the extended case studies, these crises often force groups to take more seriously the
task of building governance institutions.

Temporal variation in the nature of conflict is a constant feature of all civil wars, but
is often overlooked in cross-national studies. As a result of this variation, the construction of
a rebel civil administration is an evolutionary process, with the development of structures
ebbing and flowing according to rhythm of the conflict. Just as they will focus on
developing civil administrations when faced with a potential internal crisis, groups also tend
to focus on constructing civil administrations based on the degree of active conflict with the
government, providing us with the basis for hypothesis 4.

**H4: If a rebel group experiences periods of relative peace, either through a
stalemate or a ceasefire, it is more likely to devote resources to the civil
administration, resulting in more effective structures over time**

Rebel leaders prioritize military victories over civilian governance, thus, civil administration
structures are likely to become more elaborate during times when military conflict is
diminished. Furthermore, the signing of a cease-fire or just a lull in fighting can trigger a
jockeying for spoils amongst the organization’s constituent factions that may have lain
dormant during the conflict, forcing the rebel leadership to respond. Such periods will
witness a “ratcheting up” effect in the quality of rebel governance as structures developed
during these periods tend to persist even after fighting reinitiates, thus aggrandizing the civil
administration over time. Here also civilian agency can play a role as the population becomes
accustomed to a greater degree of service provision, and will actively seek to ensure its
continuing enlargement. In a similar fashion, transnational actors tend to engage more
directly with rebel political institutions during such periods, a fact that I turn to in the next section.\textsuperscript{21}

\textit{From above: Transnational factors affecting rebel governance}

It is a truism that deserves repeating that civil wars can rarely be contained within the territorial boundaries of a single state. Both international relations’ and area studies’ theorists have emphasized the increased relevance of transnational actors in recent times (Stein and Lobell 1997; Callaghy, Kassimir and Latham 2001). Domestic conflicts can produce massive population dislocation and arms flows across borders that trigger interventions by state actors on both sides of ostensibly domestic disputes (Keller 1997). Furthermore, non-state actors such as NGOs, international agencies, diasporas, religious institutions, and MNCs all intervene in warzones pursuing their own diverse agendas.

These processes linking rebel groups to broader global forces are functionally similar to those encapsulated by Bayart’s notion of \textit{extraversion}, in which state elites are able to consolidate their power through their interactions with the international community (Bayart 1993). It also resonates with similar arguments within anthropological discourses that highlight the role of the international community in sustaining societal actors outside the purview of the state (Guyer 1994; Callaghy 2001; Ferguson and Gupta 2002). Analysts have highlighted the importance of “transboundary formations” which “link global, regional, national, and local forces through structures, networks, and discourses that have wideranging impact, both benign and malign, on Africa, as well as on the international community itself.”

\textsuperscript{21} During periods of active conflict, the logistical difficulty of traveling behind rebel lines increases exponentially. Furthermore, both the state and rebel authority are likely to place greater restrictions on travel by transnational actors during such periods. Hence, journalists, academics, NGO workers and others tend to rush in to conflict zones in the immediate aftermath of a ceasefire or other extended lulls in the fighting, increasing sharply the interaction of global forces on the situation.
These global interactions “play a major role in creating, transforming, and destroying forms of order and authority” (Latham, Kassimir and Callaghy 2001: 5). Mariella Pandolfi has discussed these new forms of non-state produced political order, what she terms, “mobile sovereignty,” and characterizes as the ceding of empirical sovereignty to a “transnational mobile apparatus” that moves from crisis to crisis (Pandolfi 2003). Furthermore, Ronald Kassimir has pointed out that these actors may not only play a role in the provision of services usually deemed the responsibility of the state, but they can also claim a distinct population to represent away from the state (Kassimir 2001: 109). The ability of transnational non-state actors to affect and even replace governmental institutions in both government and rebel-controlled territories then has clearly been well established (Callaghy et al 2001; Nordstrom 2004).

The rebel leadership remains acutely aware of the potential benefits of hitching their ride to the transnational gravy train and will often seek to incorporate such actors into their political project (Bob 2006). This is a point echoed by Zahar:

Such groups tend to see themselves as either governments-in-waiting or as independent political entities. Either way, they seek legitimacy. Therefore… they commonly turn to the international community… provid[ing] the international community with an opportunity to engage such groups on issues of treatment of civilians (Zahar 2001: 60).

However, transnational actors play a wide variety of roles in contemporary conflict zones, and rebel leaders often struggle to navigate between them. The result is that different types of transnational actors have a varying impact on rebel behavior on questions of governance (Reno 1998, 2001; Nordstrom 2004).

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22 This applies to both state and non-state actors. For example, international agencies such as UNHCR and NGOs such as the Red Cross may claim responsibility over entire refugee or IDP populations. Similarly, states may make irredentist claims as witnessed by the government of Rwanda’s repeated attempts to influence the Rwandophone population of eastern Congo, for example.
Of all such actors operating in rebel-controlled territories, NGOs have arguably received the most attention. The category of NGO itself encapsulates considerable diversity of structure and function. Generally, I am referring to any non-state organization serving a non-commercial function, including groups established by professional charitable organizations, religious institutions or diasporas. Important critical assessments of the political and social problems that result when NGOs have an unmediated relation with local populations have been made. NGOs distribute aid according to their own institutional imperatives, and even in non-conflict periods, local civil or political institutions have little or no control over the distribution of these transnational resources (DeMars 1994). At the broader level, the fear is that the population may become habituated to making appeals to unaccountable international bodies for assistance, instead of making appeals to existing political authorities, leading to the evisceration of both the legitimacy and capacity of local political authority (Tvedt 1994; Mamdani 1993; African Rights 1995). In rebel-controlled territories, this competitive dynamic can lead to tensions between the rebel leadership and the NGO, leaving the latter vulnerable to violent reproach by the rebel group. Such threats can cause NGOs to unexpectedly pull out, revealing the shallow roots that many such organizations have within diverse societies, and wreaking havoc on any societal organizations that may have congealed in their presence.

More narrowly related to this project are situations where armed groups insert themselves between NGOs and the local population—and mediate that relationship to their own advantage. Several critics have pointed out the repercussions of the strategic distribution of aid in conflict situations (Keen 1994; de Waal 1997a; African Rights 1997). Aid can affect the behavior of a rebel group in a number of ways. Most apparently, aid can be circumvented
by the rebel army and used to provide sustenance to its own troops, rather than the civilian populations it was intended for (Lischer 2003). Aid can also contribute to a politics of patronage by sustaining the relationship between the group and the local population, allowing the group to funnel aid to its supporters and withhold it from those not as enthusiastic in their support. Aid can also preclude the need for the group to build an inclusive democratic constituency as NGOs rush in to claim responsibility for the provision of specific public goods, allowing rebels to define their dominion solely in military terms (Anderson 1999). Finally, NGOs participate in transnational activist networks (TANs) that can force groups to temper their use of violence and improve their treatment of civilians in exchange for the legitimacy granted them through their association with these representatives of the international community (Bob 2006). This function is especially apparent when discussing NGOs associated with religious institutions, which are a subset of the broader NGO category, though distinct in important ways.

While most NGOs rely on their own material endowments to build constituencies, communities facing violent conflicts commonly turn to churches and other religious institutions for assistance, both material and spiritual (Nolan-Haley 2002). Tapped into transnational networks but intimately local in their structure and operations, religious institutions are often the only functional service provider in the initial phases of a conflict. In most societies, religious leaders serve as countervailing authority figures to the political class, a dynamic even more evident during times when the political leadership is in question. Even after a rebel group takes over a territory, churches often remain a key support for beleaguered communities providing services and sanctuary, at least to their particular constituents, and often to other groups in need as well. Religious leaders commonly
challenge rebel behavior, and many times are the only voices in society able to openly criticize insurgents with a relative degree of impunity (Interviews with Monsengwo; Catholic priests in Sri Lanka). Religious leaders can articulate demands that undermine support for the rebel group amongst the population, as well as in the international arena, in ways that few if any other actors can. The transnational networks that tie all but the most local of churches (or other religious institutions) into hierarchies located outside the country, can be immediately mobilized to bear witness and place pressure on rebel groups that abuse religious sensibilities.\textsuperscript{23} And just like other NGOs, religious groups can provide tremendous financial and other resources that funnel through their own NGOs into rebel territories, building and staffing schools, hospitals and other public goods required by rebel civil administrations.

In an overlapping fashion, diaspora members, involve themselves with rebel groups, providing support to rebel leaders and sustenance to their conflict affected kin (Byman 2001).\textsuperscript{24} Analysts have rightly focused on the fact that diasporas can have a significant financial impact on a rebel group providing resources and expertise that allow for the procurement of weapons and cash for battlefield expenses (Fearon and Laitin 2003; Collier and Hoeffler 2004). But diaspora members also have an existential bond with the conflict, including material, emotional and familial ties to the land and people left behind. This should not be construed as implying that all diasporic activities are in sync with the will of the

\textsuperscript{23} For example, the Community of St. Egidio, a Catholic lay organization credited with ending the Mozambican civil war, operates in 70 countries and has 50,000 members. When a conflict erupts in one place, the local members will share their experiences with the community abroad whose members have proven able and willing to intervene in conflicts in substantive ways. Members of St. Egidio include faculty of top western universities, government officials, UN workers and many others with the ability to affect local dynamics in conflict-afflicted countries.

\textsuperscript{24} While it may appear that diasporas are only of concern for secessionist movements based on ethnic or religious concerns, I share the constructivist view that identities are fluid. Thus, conflicts that may not be identified by a particular ethnic or religious grievance, may come to imbue ethnic valences through the efforts of enterprising leaders. For example, the SPLM/A succeeded in uniting ethnic groups that have had significant historical and contemporary conflicts, such as the Dinka and Nuer, behind a unified Southern Sudanese identity.
Diaspora members project their own perception of the broader conflict situation and its toll on civilians, and through the rebel civil administration or other organs, may push for their preferred vision of what is right for the homeland (Shain and Barth 2003). Individual members operate within charitable NGOs, international agencies and MNCs directing attention and material support to their original homelands. And diaspora members also operate in concert with rebels, providing direct support to, and pressure upon, rebel leaders through their own ethnic-specific organizations.

Rebel leaders often rely on the diaspora for a number of roles, including serving as ambassadors and lobbyists in their adopted countries and hosts for rebel delegations looking for material support, rendering diasporic organizations the functional equivalent of foreign missions (Interviews with Tamil diaspora members; Ibid). Members of the diaspora are often more qualified to understand the importance of human rights and other discourses on the international perception of a rebel group, and are thus better able to shape the image of the group outside the home country. And support from diaspora members goes beyond their considerable activities in their adopted countries (Shain 1989). Members of the diaspora often serve in important political positions within rebel groups. Expertise and connections gained in their adopted homes make members of the diaspora particularly adept at performing non-military functions within a rebel civil administration. Humanitarian organizations, staffed by members of the diaspora and funded through donations raised amongst community members abroad, can operate in close conjunction with a rebel command, while carefully avoiding any direct legal connections to it, avoiding the stigma attached to most violent groups. In fact, in several cases, the humanitarian organizations established by diasporas take over the provision of services like health and education.
entirely, in addition to engaging in a wide range of other developmental activities including building shelters, digging wells, and ensuring food security (See Chapters 5 and 6).

Although not encompassed within the NGO category, international agencies like the World Bank and the United Nations also shape relations between rebels and local populations (Barnett 2001). Mandated to provide humanitarian and developmental relief, such agencies willingly work with rebel authorities to ensure the passage of aid convoys and distribution of humanitarian resources that open opportunities for rebel co-optation of the agency’s activities in a similar fashion to NGOs. But this is not the extent of the relationship. Military personnel deployed through the auspices of UN peacekeeping forces also play a role in shaping the relationship between rebels and locals. Current UN thinking, based on lessons learned from the failed intervention in Somalia, attempts to design interventions based on an assessment of the on-the-ground power dynamics, emphasizing the need to forge alliances with the recognized power brokers (Mortimer 1998). Rebel groups deemed worthy of partnering with international agencies can receive substantial material resources and even military support, providing a tremendous incentive to rebel leaders to reconcile their own agenda with the needs of the international agency.

Receiving international recognition can legitimize rebel claims to represent a specific population. And the presence of international agencies in a rebel-controlled territory opens up opportunities for other transnational actors such as MNCs and NGOs to enter areas they may have previously shied away from. International agencies are also an important source of funds for NGOs operating in conflict zones, promoting a dynamic that undermines the need for rebels to develop effective governmental institutions. Basing their strategies on liberal
presumptions about the importance of civil society, such agencies tend to privilege non-state actors like NGOs in providing relief and promoting development (Callaghy 2001).

The final category of transnational actors that frequently operate within contemporary conflict zones are multi-national corporations. While both NGOs and international agencies profess to work in the interests of the population on the ground, MNCs are blatant about their sole pursuit of profit, directly affecting the on the ground conditions for local communities (Reno 1998). Natural resources are rarely evenly spread geographically, but rather exist in highly desirable resource enclaves—thus, rebel control of these territories is prone to constant challenges from a variety of actors (Leonard and Strauss 2003). MNCs can provide government forces with necessary resources to subvert rebel control of these enclaves, just as they provide support to rebel armies (Obi 2001; Weinstein 2003). To this end, MNCs often strike deals directly with rebel leaders that can prove highly lucrative, and groups are often willing to go to great extremes to collude with potential corporate patrons (Reno 2001; Ross 2002). Illegal logging, mining, and other industries that rely on resource extraction all require rebel leaders to privilege the needs of the MNCs over the surrounding communities, hence removing the need for rebel leaders to generate support internally, as I discuss with the case of the RCD-G in Chapter 6. And MNCs can even hire private security firms to provide protection for their activities, directly challenging with force the hegemony of the rebel group over the territories they purport to control.

Transnational actors and rebel leaders: Three roles

As the above discussion shows, rebel leaders react to resources and pressures provided by an increasingly transnational world where even the most local of conflicts have become globalized, going as far as “marketing” their rebellion to actors in the international
community (Bob 2006). The various categories of transnational actors play three important roles as competitors, supporters and witnesses that can affect the behavior of rebel groups. First, rebels may view international NGOs and religious service organizations as competitors in the battle for the ‘hearts and minds’ of civilians, as did the Naxalites in India during their heyday in the 1970s when they expelled all NGOs operating in territories under their control. By providing basic services to a receptive population, NGOs can undercut the revolutionary promises made by rebel organizations, offering immediate rewards instead of weak promises for a better future. In a similar fashion, as I discuss in Chapter 6, the RCD-G in eastern Congo had a contentious relationship with the Catholic Church, which the group’s leaders accurately assessed to be the premier challenge to their ability to establish a political authority within their territory.

**H5: If a rebel leadership fails to co-opt civil society actors into their governance project, then they are likely to face challenges to their authority by such actors.**

Second, transnational actors can function as supporters to rebel groups that allow them to develop more effective governance functions. As discussed above, Bayart defines “resources of extraversion” as being those diplomatic, political, military and cultural resources used by elites to maintain and strengthen their privilege, particularly through relationships with non-African states, MNCs and international organizations (Bayart 1993). Though Bayart applied the concept to state elites, these resources are likewise available to rebel leaders, and importantly, rebels will alter their behavior in order to take advantage of them. While the manner by which rebels can gain material benefits from these relationships has been discussed (De Mars 1994; de Waal 1997), it is not as clear how these actors affect

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25 I thank Biju Mathew for our conversation on the behavior of the Naxalites.
rebel behavior on questions of governance. As they do with traditional states, I argue that such transnational actors affect rebel governance in profound and distinctive ways.

Resource-poor rebels have a strong incentive to develop relations with transnational actors like NGOs, diasporas, and international agencies in order to both gain materially from their activities in a region, and to take advantage of the credibility imbued through such associations (Zahar 2001). The desire to incorporate the resources provided by transnational civil society actors will impact the development of the civil authority by providing resources or services that a group may be able to take credit for, if a proper coordinating mechanism is established. For example, rebel leaders have successfully incorporated NGOs into their governance project, providing the group with a cost effective way to provide services to the population, without actually diverting their own financial resources or personnel. By forcing NGOs to work within a contractual framework that delineates the specific activities the NGO will be allowed to engage in, the areas in which they can operate, and any other requirements such as the hiring of personnel or the payment of duty to the rebel authorities, rebels insert themselves between the NGO and the population they seek to serve, as the SPLM/A did in Southern Sudan (DeMars 1994; de Waal 1997; Branch and Mampilly 2005).

H6a: If a rebel group is able to co-opt civil society actors into their civil administration, then they are more likely to develop effective civil administrations.

While many transnational actors engage in conflict zones for ostensibly humanitarian purposes (despite highly variant outcomes), many others including states and MNCs are explicit about their strategic engagement with rebel leaders. Direct financial payments and other material support can be offered to insurgent leaders who help these transnational actors in their pursuit of material or strategic gain (Ross 2002). Over time, external support tends to
be fluid, making it hard to ascribe a single outcome to these engagements. However, in the early phases of a rebellion when such support is likely to be essential, the effect is often to undermine civilian agency on questions of governance by distancing the rebel leadership from claims made upon it by the civilian population (Weinstein 2006). The temporal dimension is important here as one constant for all three of my cases was a constantly shifting fiscal strategy, thus the hypothesis below is not meant to be determinative, but rather applies only during periods when the fiscal strategy pursued by the group relies on certain external benefactors.

**H6b: If a rebel group relies on funding from neighboring states or MNCs, they are less likely to develop an effective civil administration.**

Finally, transnational actors are able to play an important *witness* function pressuring rebels through their role as a link to the outside world documenting the treatment of civilians in rebel-controlled territories (Zahar 2001). Inevitably, all groups start off as violent entities, reliant on coercion and only minimally concerned about civilian welfare. Even groups that are initiated based on a professed concern for civilian populations have little capacity to protect or provide for them in the initial phases of the conflict. Thus, in the early stages of an insurgency, most groups look fairly similar, though, as Weinstein has argued, the use of violence at this point often reflects the recruitment strategy of the leaders (Weinstein 2003). In my view, it is only after the group is able to exert control over a specific territory that we can understand the ways in which the group instrumentalizes the use of force.

Generally, as Kalyvas (2006) has shown, the use of violence during a civil war is related to the degree of contestation over a territory by different combatants, often reflecting the agency of local actors who carry over disputes only partially related to the master
cleavage that the war is ostensibly being fought over. It is plausible that this explains the majority of the variation in levels of violence during the war. However, territories under a similar degree of control by a rebel group also witness variations in the usage of violence, suggesting that this explanation cannot explain the full variation in levels of violence. It is in these cases where the rebel group exerts equal control, but varies in their application of violence, that the role of transnational actors is salient.

Once a group has reached a point of controlling a territory and population, violence is often less random.\textsuperscript{26} Rather it is likely to be organized for particular effects geared towards ensuring compliance. It is no coincidence that much of the worst violence perpetrated against civilians in war zones takes place in rural villages comprised of homogenous ethnic communities outside the glare of the international community (Mkandawire 2002). Marginalized by locale and often other social or cultural markings, these groups tend to be the least able to affect the behavior of rebel groups. Conversely, in areas with increased interaction between transnational actors and civilians (such as larger towns and cities where NGOs and international agencies tend to congregate), rebel groups are more likely to regulate their use of violence. Thus, the presence of transnational actors such as the media, NGO’s and religious institutions has important consequences for the manner in which groups organize their coercive activities against the population, as they will prefer to concentrate violence against civilians in areas outside the view of such transnational networks. This leads us to hypothesis 7.

\textsuperscript{26} It is important to emphasize that my discussion is limited to groups that have existed for at least five years and have chosen to take territory in pursuit of their strategic objectives. Groups like the Lords Resistance Army are unlikely to be constrained by transnational actors as they have little interest in holding territory, generating a significantly different political dynamic.
H7: If the territory a rebel group operates within is highly penetrated by transnational actors, then its use of violence will be concentrated outside the scope of such actors.

In areas outside the scope of transnational actors, rebels faces fewer constraints on their behavior, and therefore, are more likely to use a greater degree of violence to ensure compliance amongst the civilian population. It is widely known, for example, that while the SPLM/A was well behaved in the towns under their control that were the site of extensive activity by transnational actors, they often used excessively violent tactics to ensure compliance amongst rural minority populations like the Uduk community (Scroggins 2004).

Conclusion

The above discussion provides a framework for understanding the complex dynamics that affect the behavior of rebel leaders in regards to the provision of governance. The purpose was to situate each of the eight hypotheses within the appropriate theoretical literature, and to detail the mechanisms that link cause with effect. Hypotheses 1, 2, 3a, 4, 6a and 6b all discuss the relationship between various factors and the resulting effectiveness of the rebel civil administration. Of these six, hypotheses 1 (state penetration), 2 (secessionism), and 3a (command) are relevant for the universe of rebel groups that take territory during a civil war. They are assessed both in the case studies and against the random sample of 15 cases detailed in Chapter 4. Hypotheses 4 (ceasefires), 6a (supporters) and 6b (funding) are only relevant in certain cases and my discussion of them is limited to the relevant case studies. Finally, the remaining hypotheses—3b (ethnic split), 5 (competitors) and 7 (witnesses)—which do not address the effectiveness of rebel institutions, are also discussed in the case studies.
Chapter 3

Theoretical Implications and Historical Context

Consider the following. The areas controlled by Sri Lanka’s Liberation Tigers of Tamil Eelam (LTTE) in the north and east of the country are knit together through a politico-judicial architecture that directly mimic the façade of the Sri Lankan state. As central as the LTTE’s military ability to control the territory, is the performative aspect of the Tiger State, which includes impressive physical edifices as well as elaborate costuming of all personnel who are organized into sophisticated bureaucratic arrangements across military and civil lines. It is no secret that the Tigers seek to replicate the trappings of statehood, and across their territory you can find offices adorned with Tiger insignia that claim to advance a variety of causes such as education, health, gender, and youth concerns. You will also find a police force, a legal system, and even an LTTE bank. To a casual observer, it is natural to assume that the LTTE has constructed and now control an embryonic state in the north and east of Sri Lanka.

This study, like others before it, draws parallels between the performance of governmental functions by rebel groups and the genesis of the bureaucratic state, arguably the dominant model for examining rebel governance (Pegg 1998; Kasfir 2002; Tull 2004; Kingston and Spears 2004). Theoretically this is a seductive and useful initial analogy for our discussion, but scratch the surface and it begins to show its limitations. If we accept the argument that the modern state has its origins in the banditry of a bygone era, and that contemporary rebel groups face many of the same incentives today, then it seems logical to view rebel behavior through the state formation lens. But as I argue in this chapter, such a view, while useful in certain ways, is also problematic for one fundamental reason. Political
order has long been tied to the presence of a state, and the absence of the state is thought to be the precursor of chaos. Thus, analogizing political order outside of the state with state-produced order has severe limitations, often forcing analysts to see a state where none exists. Instead, it is perhaps more useful to think about this issue as an opportunity to examine the potential and the limitations of a non-state or, more accurately, an anti-state produced political and social order.27

Take the LTTE again, despite its successful efforts in carving out a territory from where to project statehood out, and its attempts to earn credit for many of the public goods provided to denizens of this territory—education and healthcare continue to be provided by the Sri Lankan government. The funds for the provision of what public goods the LTTE does provide are largely derived from donations from the war-induced diasporic community. Both the collection of funds and the provision of services by the Tigers do not resemble any approach taken by recognized state authorities. Rather, they are intimately structured by the behavior of the state itself. This does not mean that there is no value to comparing rebels organizations and states, for clearly there is. Instead, I am arguing that the forced imposition of a pre-conceived model (state formation) onto a dynamic contemporary process (rebel governance) is limited in important ways. I believe it is more useful to examine the limitations of the state formation analogy for understanding rebel governance—and attempt to sketch the boundaries and logic of a political order produced outside, and importantly, alongside, the recognized state authority.

27 Timothy Wickham-Crowley speaks of a “counter-state” that “establishes itself through exchange, in effect establishing a new ‘social contract’” (1987: 478). Although I do not borrow the term for my study, it probably most closely reflects my own conception of an explicitly anti-state political order (See also Radu 1990).
In this chapter, I begin by assessing the applicability of the state formation model for analyses of rebel behavior. I argue that though it is marginally useful for understanding the nature of an anti-state produced political order, it is wrong to extend the analogy too far as an explanation of rebel organization. Instead, throughout history, the existence of parallel sovereigns was in fact the norm, and rebel governance, rather than representing nascent state formation, is more akin to earlier challengers to the state system.

I then move on to consider the dynamics of an anti-state produced political authority. The emergence of a political authority, regardless of its genesis, relies on a distinct relationship with a subject population. Through an examination of the historical record of rebel governance, focusing on an assessment of foundational thinkers and their relevance for contemporary rebel groups, I examine the different strategies that rebel leaders have devised for dealing with the population. The goal is to examine what strategies rebel leaders may avail to construct social and political order outside and against the state.

**Rebel groups as state authorities**

Munro offers a good starting summary of the accepted view on state authority:

> In modern social formations the state is the principal institutional locus of political power. The state is seen as the legitimate provider of specified political goods, over which it has sole and universal jurisdiction on the basis of a national collectivity and for which it seeks revenue on that basis (Munro 1996: 116).

Compare this with a definition of rebel governance, which, following Weinstein, can be defined as the series of institutions established by a rebel group to manage relations with civilians living in the territory under its control, that set in place a series of rules (formal or informal) that govern civilian life and a system of taxation (Weinstein 2003: 282). The similarity between the two definitions is unsurprising, and a common tendency amongst
analysts of rebel behavior is to extend the analogy further, drawing comparisons between the emergence of rebel governments and the commonly accepted view on the origins of the modern state (Pegg 1998; Tull 2004).

The comparisons usually start at the beginning, that is, with the origins of state power. Current international relations theory in both its realist and constructivist camps considers the state as the basic stabilizing unit of the global system. Indeed, except for a few rare circumstances where the United Nations or other external actors (like other states) usurp sovereignty away through trusteeships or forms of colonial occupation, the state is the only form of political organization recognized as legitimate by the contemporary international community, having defeated the many other forms of social organization that predominated just one century ago (Krasner 1999). Understandably, commentators have long sought to explain how states became the sole holders of juridical and empirical power in the international system, with many tracing the formation of states in Europe to the insecurity that characterized that region during the 16th to 18th centuries.

The Peace of Westphalia of 1648 which preceded Hobbes’ *Leviathan* by three years formally acknowledged as an ongoing political project the division and placement of European territory under the control of independent and autonomous sovereign states (Shearing 2006: 18-21). Underlying this shift was the normative assumption that states were the best entity for aggregating the will of the people, as the immediately prior era had been characterized by the co-existence of multiple actors capable of claiming sovereign functions. For Hobbes, the state of nature is not the total lack of governance structures, but rather the *state of plural governance*, a situation he characterized as unstable and in need of transcendence (Hobbes 1997; Ibid). Thus, the notion that only the state is capable of
producing political and social order is a normative one, and one that the historical record as well as this current project brings into question.

But the emergence of states as the basic unit of the international system was not just the result of a post-Hobbesian normative project. Rather, the emergence of the state system was a several centuries long historical process whereby the state system consistently outperformed other systems that long co-existed alongside it (Krasner 1999). As this project shows, while the victory of the state system has been comprehensive, it is not yet total, and other actors continue to claim aspects of sovereignty even today. This resonates with Hedley Bull’s alternate formulation of global political order as neo-medievalism, “a system of overlapping authority and multiple loyalty” (1977: 254). In this perspective, political authorities share sovereignty over a territory with multiple actors, competing for supremacy both horizontally with their peers and vertically with vassals.\textsuperscript{28} Still, it would be naïve to downplay the success of the state system as it has come to dominate the global system. Instead, it is better to examine the emergence of the state system and demonstrate how it structures both the adoption of sovereign functions by contemporary non-state actors, as well the international community’s response to these actors.

Charles Tilly (1990) provides perhaps the most comprehensive treatment of the formation of states in Western Europe. According to this argument, continual conflict between political entities produced an emphasis on the “organization of coercion” within a territory in order to foster more efficient “preparation for war” (Ibid). This hostile environment produced regimes constantly concerned with readying for war, requiring the

\textsuperscript{28} In Bull’s formulation, during the Middle Ages the Church served as an overarching authority that provided a degree of stability to what innately would be an unstable system (See Friedrich 2001 for a full discussion).
marshalling of vast resources in order to pay for professional armies. Rulers faced several options for the extraction and accumulation of capital, and came to prefer consensual taxation over more coercive methods, as the latter were more likely to produce resistance, and potentially empower the tax collector as a threat to state power. Consensual taxation offered incentives to both the ruler and the ruled, allowing leaders to raise extensive resources, plan for the long term, and build a standing army, while taxpayers benefited from the increased stability and the ability to voice their concerns to a receptive leadership. Michael Mann (1986) argues that once a political authority is consolidated, wars provide a convenient pretext for enlarging the bureaucratic infrastructure through the increased revenue flows to state coffers demanded of the citizenry to finance the war machine. These new governmental structures remained even after the conflict ceased, aggrandizing the state apparatus and deepening its penetration into society. Within this formation, state actors had little patience for non-state actors that challenged their sovereignty, and quickly set about suppressing any internal challenges to their authority.

Mancur Olson, in his seminal work on state formation, articulated a similar argument at a theoretical level, contrasting the behavior of the stationary bandit with that of the roving bandit (Olson 1993). In Olson’s conception, a bandit has the choice of taking either a consensual or coercive approach to dealing with the civilian population. He argues that those bandits who decide to transition from roving to stationary, do so not out of any philanthropic impulse, but rather because the rewards offered through effective taxation of the population are much greater than the mere looting that typifies the behavior of the roving bandit. Olson’s argument is particularly interesting when contrasted against much of the literature on conflicts that tends to view contemporary rebel groups as warlords, unworthy of being
viewed as little more than criminal syndicates. By blurring the line between morality and politics, Olson forces us to reconsider the importance of processes deemed criminal in the genesis of new political formations.

Several scholars have attempted to draw direct comparisons between these processes of state formation and the emergence of rebel civil administrations. Denis Tull, writing about a rebel constructed “parastate,” argues that, “Widespread violence and concomitant institutional decay should therefore be seen as neither pathological nor inevitably terminal events, but as possible stages in the ongoing process of state formation” (Tull 2004: 19). Indeed, connecting rebel governance to state formation has become the norm, and several projects describing such entities all use the term “state” in their description of rebel civil administrations. For example, Ian Spears, in a recent edited volume on the subject, refers to such entities as “states-within-states” (Spears 2004). Generally, these analyses argue that except for their lack of recognition by the international community (juridical sovereignty), such entities manifest all the attributes of contemporary states, and deserve to be treated, at least conceptually, as such:

States-within-states have imposed effective control over a territory within a larger state and may have an impressive array of institutional structures that, among other things, allow taxes to be collected, services to be provided, and business with other international actors to be conducted. Yet, they lack the very thing that quasi-states do possess: juridical status (Spears 2004: 16).

Indeed, some go as far as arguing that rebel civil administrations are, in fact, embryonic states (Pegg 1998).

These authors are not alone in arguing that contemporary civil wars should be viewed through the state formation lens (see Joseph 2002, for example), though pointedly, it should be recognized that Tilly (1985) himself warns against viewing the European experience as
replicable. For example, Edward Luttwalk (1999) famously argued that internal conflicts should be allowed to run their course to allow a more realistic political realignment to take place. Proponents of this “fight-it-out” thesis believe that a lack of war-making experience in the post-colonial world produced an unstable equilibrium characterized by weak states incapable of responding to challenges to their sovereignty from internal actors. By allowing rebel governments to prove their ability to function as states, a new social contract could be written that would require legitimate governments to either strengthen their relationship to the population, or face challenges from new contenders better able to represent the wishes of the community (Joseph 2002; Tull 2004).

Thus, the dominant trend in analyses of rebel governance is to analogize this process to state formation, producing a teleological view of its trajectory. However, there are several reasons to be wary of this comparison. What really is at issue is not state formation, but rather the formation of political order outside (and against) the state. Both Olson and Tilly situate their discussion in a historical period rather dissimilar to our own globalized era. Olson’s roving bandit faced a Hobbesian landscape distinguished by its lawlessness in which multiple actors competed with none able to exert complete control over a territory. Faced with the choice of either creating order from nothingness or continuing to exploit the anarchic conditions that exist, the first actor to subdue others to its will would be rewarded with vast material resources. It deserves to be emphasized that both Tilly and Olson are really concerned with the emergence and consolidation of what are, by definition, embryonic states, and do not concern themselves as much with an analysis of established state behavior.

Today, though many civil wars are initiated far away from the center of the state, even the most peripheral conflicts never face an open playing field (Herbst 2000). The state
does not disappear, but rather remains as a competitor and threat to any non-state produced political and social order; thus, all rebel groups face a major challenge to their political project from the state authority or its allies. The state—in control of far greater resources than the rebel group—can penetrate rebel territories and disrupt any internal political processes or mechanisms that the group may have employed. Furthermore, the contemporary world order, based as it is on the primacy of the state system, does not allow for much variation from the dominant paradigm, i.e., for every piece of territory, a specific state is deemed sovereign. Thus, rebels must always compete with the state, which has a greater standing in the international community, and which retains the ability to exercise violence within its own territory without fear of condemnation.

Another reason to avoid analogizing rebel governance with state formation has to do with the nature of our globalized era. Advances in transport and communication technologies alongside the emergence of a transnational market economy have fundamentally altered the landscape that would be rebel leaders operate in (Friedrichs 2001). Miguel Centeno (1997) effectively argues that similar conditions in 19th century Latin America did not produce the same process of state formation that we see in Europe in the 17th and 18th centuries. He argues that the progressive globalization of financial resources diminished the need for state authorities to extract revenue from its citizenry in order to fight, as they had to in Europe. Instead, elites interested in making war could rely on funds from international sources drawn from the banking sector that had proliferated by the 19th century, and which was able to

29 Exceptions would be states that actually collapse fully, as in Somalia. But even here, the groups fighting for control of the country are limited to operating in areas demarcated by the international community as the legitimate boundaries of the Somali state.

30 This does not prohibit an anti-state political order from becoming an embryonic state. For example, Iraqi Kurdistan was initially an anti-state political order that became an embryonic state following the arrival of a U.S. force that cut off the challenge to the incipient political authority from the Iraqi state.
efficiently move large amounts of capital across borders and even continents. Centeno further proposes that conflict in Latin America may actually be the result of the lack of the European state formation dynamic—as the state, unable to exert hegemony over its own territory, is vulnerable to challenges from other actors. This is a point echoed by Mary Kaldor (2001) who argues that globalization has produced “new wars” that fragment political authority rather than consolidate it.

Finally, those who view rebel governments as embryonic states argue that the only difference between the two is that rebel institutions lack the juridical sovereignty that has become the cornerstone of many post-colonial states, despite possessing many empirical abilities (Pegg 1998; Spears 2004). But, sovereignty itself, long viewed as the empirical ability of a political authority to exert direct control over a population and a territory, has been redefined by contemporary norms as primarily which regime the international community recognizes as legitimate (Clapham 1996; Krasner 1999). States across the developing world fail to provide public goods and are unable to exert military control over their assigned territory. However, this does not prohibit them from enjoying the benefits of being the recognized authority by the international community, even if this is more illusion than reality (Jackson 1990; Reno 2001). Thus, the fact that rebel civil administrations may replicate some of the institutions and functions of an idealized state, should not translate into an automatic assumption of their emerging sovereignty, especially as they fail to reap any of its many benefits. This is a point some rebel leaders echo themselves, viewing their provision
of services as just a stepping stone to the bigger prize of recognition by the international community—an outcome that few if any ever achieve (Bob 2006).\textsuperscript{31}

This is not to imply that global forces have no influence on contemporary war zones. Rather, transnational actors play an important role in almost all contemporary conflicts. However, the nature of these interventions differs between state authorities and rebel civil administrations. Analysts have recognized that the relationship between the state and transnational actors is a key component of how many contemporary regimes, empirically incapable of exerting control, are able to survive (Bayart 1993). For rebel groups, the lack of juridical sovereignty renders any interaction with transnational actors skirting the line between licit and illicit in the eyes of the international community, marking such interactions functionally dissimilar to those between recognized state authorities and the same set of transnational actors. Still, such resources play an important role in the construction and development of a rebel civil administration, a point I developed in the previous chapter and in my case studies that follow.

**Historicizing Rebel Governance**

Recent comparative analyses of rebel behavior have tended to treat populations as static, responding more to the behavior of the rebel organization or to other actors, than constituting a dynamic agent capable of influencing events. Thus, analyses of rebel behavior have emphasized various factors including the resource environment the group operates within (Weinstein 2003), the organizational capacity of the leadership (Kasfir 2002), the geographic surroundings of the rebellion (Herbst 2000), and similarly, whether the group

\textsuperscript{31} This was told to me by leaders from both the LTTE and the SPLM/A. Both had a very pragmatic view that recognized their position within broader global discourses that can demonize or valorize rebel groups, and sought to highlight their civil administrations as a corrective.
operates in rural or urban areas (Mkandawire 2002). Each of these approaches tends to view the population as generic, malleable by external forces, and incapable of shaping the behavior of rebel groups. However, as Kalyvas notes, “The locus of agency is as likely to be at the bottom as the top, so civilians cannot be treated as passive, manipulated, or invisible actors; indeed they often manipulate central actors to settle their own conflicts.” (2003: 481).

The tendency to elide the role of civilians at the local level was not always the norm. Earlier analysts of rebel behavior emphasized the relationship between the rebel leadership and the civilian population, arguing that rebels needed to muster support from the population for a variety of instrumental concerns. Consider Eqbal Ahmad’s analysis of rebel behavior from 1970:

The guerrilla concern with mass support is understandable even on purely military grounds. Mobility, for example, depends on the availability of food, shelter, road gangs, labor for laying mines and booby traps, messengers and stretcher-bearers—services which require active and clandestine civilian cooperation right under the enemy’s nose… Intelligence depends on intimate contacts with the population to the extent that it develops into a widely based rebel infrastructure which includes women, old men and children… Lastly, popular support is essential because the disparity of military strength rules out a clear-cut victory by the insurgents, and the struggle tends to be a war of attrition in which the guerrillas’ morale is their trump card; morale cannot be sustained in isolation from one’s people…” (Ahmad 1982: 246).

Thus, the recent removal of civilians from analyses of rebel behavior is an unfortunate omission. In this section, I examine the historical record and analyze the different strategies that rebel theorists have put forth for dealing with diverse civilian populations.

As alluded to above, the idea of rebels forming governmental structures is hardly a novel phenomenon. Any group that challenges an established political authority has to be intimately concerned about relations with the civilians it hopes to mobilize in its efforts, or risk being treated as mere bandits. For states dealing with internal insurgencies, this
principal has long been recognized and serves as the basis for counter-insurgent strategies, which focus on cutting off the rebel group from their civilian support base. The basic strategy of all governments fighting insurgencies has been to use a mix of sticks and carrots to wean the population away from supporting the rebel group, without engaging in activities that push them into the rebel camp (Rich and Stubbs 1997). For the rebel leaders, the problematic is to balance their use of violence in dealing with civilians, with their need for consent from the population—the Gramscian balance between domination and hegemony (Gramsci 1992; see also Anderson 1977; Guha 1997). The Gramscian formulation is useful as it recognizes the decentralized nature of power within society, emphasizing the need for the political authority to manufacture consent through non-coercive means. It is this process by which rebel leaders develop a range of institutions and practices to provide collective goods that I encapsulate in my application of the term governance to rebel behavior (Wood and Dupont 2006: 2). This broader framework for understanding governance has its origin in the Gramscian and Foucauldian observation that at its most basic, governance entails not just the institution of the state, but the whole set of practices and norms that govern daily life in a specific territory as well. In this conception, to govern is “to structure the possible field of action of others” (Foucault 1982: 220, cited in Ibid), hence, it is important to look beyond just the formal institutions of the political authority and include all the institutions and practices that regulate civilian life.

Any challenger to the recognized political authority begins with their weapons aimed at the old order, but diverge on the question of how to prevent those same weapons from
turning on the population they purport to be fighting for.\textsuperscript{32} As Hannah Arendt notes, “Indeed one of the most obvious distinctions between power and violence is that power always stands in need of numbers, whereas violence up to a point can manage without them because it relies on implements” (Arendt 1970: 41-42). Even if we concede that many contemporary conflicts exhibit the warlordism attributed to them by analysts of civil wars (Reno 1998; Jackson 2003), most groups that rely on terror alone cannot mount an effective challenge to state power over time, but must rather be satisfied operating as roving bandits, as with the Lords’ Resistance Army (LRA) in Uganda over the past two decades. Even in rare cases where such groups have taken power such as Charles Taylor’s National Patriotic Front for Liberia (NPFL), their disdain of the civilian population can come back to haunt them in the form of a general rejection of their legitimacy, as it did with Taylor who was rejected by both the Liberian population as well as the international community.

Civilian discontent can lead to internal challenges to a rebel command that effectively undermine its ability to mount a serious challenge to the recognized authority. Rebel leaders are forced to choose between relying on violence to quell internal discontent or finding alternative means of winning civilian support. The ability of a rebel group to reach out to the population in a non-militaristic fashion will often determine whether or not a group will be able to achieve some form of hegemony (Ahmad 1982). For rebel leaders, consistent efforts to normalize the social and political order through governance institutions can, over time, legitimize the rebel political authority in the eyes of civilians: “Therefore, as the guerrilla government grows and strengthens itself, we can observe the shifting of the exchange equation toward a reciprocal set of obligations, and the emergence of a more clearly defined

\textsuperscript{32} I thank Raquel Zamora for helping clarify this for me.
set of interlocking rights and duties for both governors and governed” (Wickham-Crowley 1987: 483). The question is, what are the available non-coercive strategies for rebel leaders to forge relations with different local communities? In order to answer this question, I examine the ideas offered by several historical figures as they address the ideal relationship between a rebel group and the civilian population under its control. Two interconnected questions emerge as central. First, how best to balance the political and military imperatives of any rebel organization? And second, can violence ever be politically productive?

In this project, I focus on contemporary rebel groups, but earlier conflicts produced similar organized rebellions, particularly in the era prior to the contemporary nation-state dominated Westphalian political order, when the holders of political power tended to be empires of sundry sizes and origins. The Age of Empire ended violently amidst the two world wars, ripping apart Europe and Asia, and in the process, rendering the 20th century, the bloodiest in human history. Despite having roots in earlier conflicts, modern guerrilla warfare really came into prominence with World War II, posing new analytical challenges to historians of war. Until World War I, strategists did not pay attention to guerrilla warfare, as conflict was generally considered to be the engagement of two professional armies on a designated field of battle (Nabulsi 2001: 11). WWII’s introduction of “Total War” led to entire populations being viewed as complicit in battle, spawning new forms of large-scale resistance that directly brought together civilians with insurgents. Indeed, the waning years of the imperial era fermented the greatest number of organized guerrilla resistances to established political orders, including the anti-colonial struggles and their often bloody aftermath.
The struggles spanned much of the 20th century, beginning at the end of the 19th century with the founding of the Indian National Congress (INC) and ending with the granting of Namibian independence in 1994. They took on a tremendous diversity of forms, ranging from the bourgeoisie liberal democratic tendencies within the INC to more radical leftist doctrines that fetishized the use violence, fascinating many groups across Africa and Asia. They also included a significant strand of ethno-nationalist groups of varying political persuasions like the Sinhalese nationalists of Sri Lanka and the Mau Mau movement amongst the Kikuyus of Kenya. Even after a native political elite—through violent struggle or non-violent means—took power at the center, factions of the same independence struggles often took up arms if they were left out of the new political regime, multiplying the number of post-colonial insurgent groups seemingly ad infinitum.

It is common to separate out anti-colonial movements from contemporary ethno-nationalist or secessionist groups. However, they do not represent a significant exception to the general logic driving my arguments regarding ethno-nationalist and secessionist groups in Chapter 2. If we think of these now independent nations as the once integrated colonies of various metropolitan powers, then the fact that none of these groups ever sought to take power at the center, focusing instead on carving out a non-contiguous piece of territory, implies that the logic driving their behavior was not significantly different than secessionist movements more generally (Fearon and Laitin 2003). The argument presented earlier that groups that seek to capture a specific region are more interested in proving their governance abilities than groups that seek to capture power at the center also applies to national liberation movements. Thus, there is much that can be learned from leaders of these movements, and consistently, we find that the relationship with civilians was a central
concern obsessing the leading thinkers of the era. As Ahmad has pointed out, such movements sought “not simply to inflict military losses on the enemy but to destroy the legitimacy of its government and to establish a rival regime through the creation of ‘parallel hierarchies’” (Ahmad 1982: 244).

How to do this was a point of contention amongst several key political and intellectual leaders of the time. From Frantz Fanon in Algeria, to Mao Zedong in China, Ho Chi Minh and Vo Nguyen Giap in Vietnam, Ernesto Guevara and Regis Debray in Cuba and in Latin America, and Amilcar Cabral in Guinea Bissau, a variety of opinions on the ideal relationship between rebels and civilians was produced during this incredibly fertile period. It is helpful to consider some of the debates present within this literature as they shed light on the behavior of contemporary rebel groups. As these thinkers were also active insurgents, their thoughts on the subject are still studied outside the academy and remain influential among organizers of contemporary rebellions. For example, on my first visit to Southern Sudan in February of 2004, I walked into a local SPLM administrative office to be greeted with several posters that listed Mao’s “Golden Rules” for rebel behavior, several of which are directly concerned with treatment of the peasantry. I have debated the practicality of Guevara’s theories with LTTE administrators, and during a yearlong seminar I took with a Congolese professor who became a founder of what eventually became the RCD-Goma, he openly discussed the relevance of Cabral and Ho Chi Minh for contemporary rebel groups.

While earlier conflicts did produce forms of guerrilla warfare and governance, it was Mao Zedong who first attempted to codify and analyze approaches to challenging state authority through “irregular” strategies (Mao 1961). By combining irregular military forces with a political movement to challenge conventional military forces, Mao elevated the form
considerably beyond its rudimentary roots, distorting the conventional line between the
armed forces and civilians in the process (Smith 2001). For Mao, controlling territory and
establishing a base was an important goal, but only if this could be done without weakening a
guerrilla’s particular strengths, specifically, the ability to move quickly with minimal losses.
Mao wanted to shift from a roving model of warfare to a stationary one based on his belief
that it was essential for challenging the power of the modern state, “In the present age of
advanced communications it is more than ever an entirely groundless illusion to attempt to
win victory after the fashion of roving insurgents” (quoted in Beer 1990: 36).

Mao also made a key break with traditional Marxist-Leninist dogma that viewed the
urban proletariat as the only basis for an insurrection. A rebellion that breaks out only in
urban areas had little chance of controlling its own territory, thus Mao argued that a rural
based insurrection had a better chance of success. By moving in the rural population as “little
fishes in the ocean,” rebel groups would lay the foundation for their rule by empathizing with
the civilian population and earning their support (Beckett 2001:74). As rural areas were
easier to gain control of than urban areas, this shift in focus opened up new possibilities for
would be rebel rulers who could now claim a territory with its corresponding population.
When the group earned sufficient support from the community, it could establish a
“revolutionary administration” which would compete with the pre-existing state authorities
and demonstrate the worthiness of the rebel agenda (Ibid). The goal was to raise a parallel
administration with a corresponding conventional army that could battle the recognized state
authority on equal footing. Mao’s ideas on rebel organization have proved enduring and were
utilized by many rebel groups of diverse political persuasions, including the nationalist
Zimbabwe African National Union (ZANU); the right wing, American-supported National
Union for the Total Independence of Angola (UNITA); the Sinhalese ethno-nationalist People’s Liberation Front (JVP) in Sri Lanka; the Viet Minh in Vietnam; and the Communist Party of Nepal- Maoist (CPN-M), for example.

Mao’s view of violence then was fairly conventional. A military establishment must remain subservient to the political leadership, and the goal is to shift away from guerrilla fighting strategies to the establishment of a military force that can challenge the state on equal footing. Ernesto Guevara, however, in his “foco” theory of guerrilla warfare, placed an even greater emphasis on violence, arguing that no prior period of political mobilization was necessary. Instead, Guevara insisted that military action alone could create the necessary conditions for a political victory (Moreno 1970). His legacy is the prioritizing of the military over the political that continues to have great appeal to rebel leaders today, as it does not require an extended period of popular mobilization, and is hence, quicker to accomplish.

The key to success for Guevara was establishing a rebel base, and he argued that by violently taking territory away from the state, a rebel group could skip the preparatory phase advocated by Mao, and begin anti-state military actions immediately. This completely dismantled the line between the political and military leadership that Mao’s theories had carefully demarcated, instead arguing that the rebel army could fuse the two, with military action taking the lead over a political program (Beckett 2001). By establishing a base in a remote territory, a unit of the rebel army would become the focus of discontented elements elsewhere in the country, who would flock to this liberated zone. As the rebel base gained in strength, similar bases would spring up across the territory, eventually coagulating and threatening the government’s authority (Guevara 1969; Beer 1990). Thus, though they differed in significant ways, both Guevara and Mao shared a belief in the importance of
controlling territory under the rule of a rebel political authority. In both cases, these
territories served instrumental functions that would determine the success or failure of the
insurgency itself.

Despite Guevara’s personal failures in implementing his program in Congo and
Bolivia, his ideas have also endured. While nowhere as broadly influential as Mao,
Guevara’s “foco” theory of war had its adherents amongst many Latin American groups
including the National Liberation Front (ELN) and to a lesser degree the Revolutionary
Armed Forces of Colombia (FARC) in Colombia, as well as even less successful groups in
Guatemala, Ecuador, and Peru. More successfully, Guevara’s ideas were influential amongst
Uganda’s National Resistance Army (NRA), and in Sri Lanka, his ideas were influential
amongst the early LTTE cadres (Beckett 2001).

As with Mao, the key to the success of Guevara’s theory, which admittedly was never
very successful outside of the Cuban case, was the support drawn from the civilian
population who reinforced the rebel unit and supplied it with essential goods. Thus, Guevara
pays a great amount of attention to analyzing relations with civilians in his works. He
believed that the productive power of violent action would unleash the revolutionary
potential of the peasantry immediately, leaving civilians with little time to acclimate to the
rule of a rebel army. In order to rectify this, it becomes essential to establish “civil
organizations” that would administer the liberated zones and serve to win over the
population, bringing them over to the rebels’ cause:

In view of the importance of relations with the peasants, it is necessary to
create organizations that make regulations for them, organizations that exist
not only within the liberated area, but also have connections in the adjacent
areas. Precisely through these connections it is possible to penetrate a zone for
a future enlargement of the guerrilla front. The peasants will sow the seed
with oral and written propaganda, with accounts of life in the other zone, of
the laws that have already been issued for the protection of the small peasant,
of the spirit of sacrifice of the rebel army; in a word, they are creating the
necessary atmosphere for helping the rebel troops (Guevara 1969: 81).

Guevara viewed the construction of an effective rebel civil administration as central to the
success of any guerrilla efforts, and correspondingly he devotes considerable space in his
analysis to outlining some key issues. Guevara’s prioritization of violence is resonant with
the behavior of many contemporary insurgents, who generally skip the preparatory phase
advocated by Mao, and deal with the question of governance only after the fighting has
begun and they find themselves in control of expansive territories.

In his major strategic treatise, *Guerrilla Warfare*, Guevara emphasizes the importance
of demonstrating concern for the social welfare of the population, through the provision of
public goods. He advocates first establishing a judicial system based on the laws of the
country, but adapted to fit the particular concerns of the rebel army. The goal of this would
be to “help the peasant to normalize and institutionalize his life within the rebel zone”
(Guevara 1969: 83). Once this is done, Guevara advocates rebel groups to begin construction
of technical departments to manage the provision of services like health and education.

Betraying his training as a doctor, Guevara devotes an entire section of his work to discuss
the organization of a three-tiered medical system that could serve both the rebel army and the
surrounding population. To run the civil administration, a general council would be set up
composed of rebels or their sympathizers that could administer the laws and draft the penal
and civil codes. The council would also control fiscal issues within the territory, including
the collection of taxes, though no laws should be made that impoverish the population, and
any actions taken by the council should be adequately explained to community leaders (Ibid).
Guevara’s council is clearly dominated by the guerrilla force, which he viewed as a party in embryo, but other groups, including the African Party for the Independence of Guinea and Cape Verde (PAIGC) of Amilcar Cabral, sought to ground the rebel civil administration amongst the population by allowing a semi-democratic election process to determine its composition (Laquer 1977; Chaliand 1982). Though it is debatable to what degree Cabral, who like many other rebel leaders agreed with Guevara on the ability of a military force to create a revolutionary situation, actually followed his democratic prescriptions, the organizing principal of the PAIGC was based on a weak form of democracy and collective leadership (Laquer 1977). Cabral’s view is the most civilian-centric and in his writing he stresses the impact of the population on the rebel leadership, empowering them with a somewhat romanticized transformative affect on the behavior and outlook of the rebel leaders (Cabral 1970). In each of these writings, we find that the provision of public goods is viewed as having an ameliorating effect on the use of violence by a rebel group. Within this conception, the development of a civil administration is seen as the key to reconciling the tension between domination and hegemony—or put in another way, between mere violence and true power—that all rebel groups seeking to control territory face.

Conclusion

In this chapter, I have argued that viewing rebel groups as replicating the trajectory of the modern state is limited in important ways. Instead, it is more useful to think through rebel governance as an example of both the potential and limitations of a political and social order produced by non-state or anti-state actors. Central to this approach is distinguishing between the differing strategies available to rebel leaders in their interactions with civilians. The goal
has been to move away from pre-existing assumptions about rebel behavior, and instead offer a more realistic appraisal about the constraints that a rebel group must grasp in order to remain viable.

The stakes of this debate are more than academic. On one hand, a growing tendency is to view any non-state actor involved with violence as illegitimate at best, or irrational terrorists at worst. On the other hand are those that view rebel groups as states-in-waiting. Those who view rebels as terrorists engage in a willful ignorance of the importance of these groups in establishing order within conflict zones and their impact on the provision of services to civilians. While those with a more positive take tend to de-emphasize insurgent violence, preferring instead to celebrate their revolutionary potential. The rest of this study is dedicated to shedding some clear light on the behavior of rebel organizations through a specific focus on the design and effect of their civil administrations. The goal is to offer policy makers an approach for assessing rebel behavior with the hope of identifying groups that take the provision of services seriously, and to encourage those that do not, to do so. It is a pragmatic approach based on the sole ability of a group to provide services to civilians, and one that can move us away from the demonization or glorification of anti-state actors to a more clear-eyed view.
Chapter 4
Explaining Variation in the Provision of Services by Rebel Groups

Introduction

In Chapter 2, I argued that two factors present at the onset of conflict can help explain the variation in the provision of services by rebel groups: 1. The degree to which the state penetrated into society prior to the outbreak of conflict (hypothesis 1); and 2. whether the group’s agenda is to take power at the center or to promote a regionally defined goal (up to and including secessionism) (hypothesis 2). I also argued that groups with a unified political command are more capable of developing effective governance structures than groups that have multiple and competing leadership poles (hypothesis 3a). In this chapter, I test these propositions against a sample of fifteen randomly selected cases in order to assess their applicability to questions of rebel governance more generally.

I proceed in the following manner. Section 1 describes the cases, selection process and methodology. Section 2 specifies the observable implications of my hypotheses and discusses the different measures that I use for each of the variables. While determining whether or not a group has a regional or ethnic focus and whether the command is unified or divided are fairly straightforward processes (despite some important qualifications I address below), measuring state penetration using objective measures is notoriously difficult. This is because no single variable captures state penetration succinctly—instead, it can only be discerned by relying on certain theoretical propositions about the nature of the state, and objective measures that capture this. I examine different approaches and explain the utility of

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33 An earlier version of this chapter was presented at the Working Group in African Political Economy meeting December 1 and 2 at UCLA. I am grateful to all the participants for their feedback.

34 Hypotheses 3b, 4, 5, 6a, 6b, and 7 are discussed in the case studies that follow this chapter.
each before presenting my preferred method. Section 3 explains the approach I used for measuring the effectiveness of rebel governance and provides assessments of each of my cases. And section 4 provides the results of the small-N analysis, and discusses the significance of my results.

1. The Cases

The cases below were selected from the “Armed Conflict List 1946-2001” published by the Centre for the Study of Civil War (CSCW) at the International Peace Research Institute, Oslo (PRIO) in 2004. The list is more comprehensive than similar lists as it includes conflicts based on a much lower threshold of 25 battle deaths compared to the 1000 battle deaths necessary for inclusion in the Correlates of War data set, for example. CSCW identifies 226 conflicts in this period both inter- and intra-state. Focusing on intra-state conflicts for the period of 1980-2002, I included only conflicts categorized as “Intermediate” or “War,” removing conflicts in which less than 25 people a year had been killed. I then updated the list to determine new end dates. Consistent with my arguments in Chapter 1, I removed all conflicts that existed for less than five years on the assumption that any less time is insufficient to see the development of a group’s civil administration. Finally, I researched each of these cases to determine whether or not the rebel group involved operated in areas outside the control of the state. If two groups were fighting the same government at the same time, I coded them as distinct only if they operated in different territories within the state's borders. This left 36 groups that met all of my criteria presented (Table 4.10, Appendix 4.1).

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35 The latest version is available at the PRIO website: http://new.prio.no/CSCW-Datasets/Data-on-Armed-Conflict/UppsalaPRIO-Armed-Conflicts-Dataset/
Using a random number generator, I numbered each of the 36 cases and chose the top 15 for the sample presented below.

<table>
<thead>
<tr>
<th>Country</th>
<th>Rebel Group</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angola</td>
<td>National Union for the Total Independence of Angola (UNITA)</td>
<td>1975-1995</td>
</tr>
<tr>
<td>Burma</td>
<td>Communist Party of Burma (CPB)</td>
<td>1968-1988</td>
</tr>
<tr>
<td>Colombia</td>
<td>Revolutionary Armed Forces of Colombia (FARC)</td>
<td>1980-2006</td>
</tr>
<tr>
<td>D.R. Congo</td>
<td>Movement for the Liberation of Congo (MLC)</td>
<td>1999-2004</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Free Aceh Movement (GAM)</td>
<td>1999-2005</td>
</tr>
<tr>
<td>Iraq</td>
<td>Kurdish Democratic Party of Iraq (KDP)</td>
<td>1976-1993</td>
</tr>
<tr>
<td>Liberia</td>
<td>National Patriotic Forces of Liberia (NPFL)</td>
<td>1990-1995</td>
</tr>
<tr>
<td>Mozambique</td>
<td>Mozambican National Resistance (RENAMO)</td>
<td>1976-1992</td>
</tr>
<tr>
<td>Peru</td>
<td>Sendero Luminoso (SL)</td>
<td>1981-1994</td>
</tr>
<tr>
<td>Philippines</td>
<td>Moro National Liberation Front (MNLF)</td>
<td>1972-1988</td>
</tr>
<tr>
<td>Somalia</td>
<td>Somali National Movement (SNM)</td>
<td>1987-1996</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>Liberation Tigers of Tamil Eelam (LTTE)</td>
<td>1985-2006</td>
</tr>
<tr>
<td>Sudan</td>
<td>Sudan People's Liberation Movement/ Army (SPLM/A)</td>
<td>1983-2002</td>
</tr>
</tbody>
</table>

The cases above vary along a number of dimensions. Several are ongoing conflicts that have lasted decades (Colombia and Sri Lanka) while others barely met the five-year threshold (DR Congo and Liberia). Some of the conflicts were Cold War proxy wars with the groups overtly siding with the United States or the Soviet Union (Angola, Burma, El Salvador, and Mozambique), while at least one (DR Congo) was triggered by the end of the Cold War and the concomitant loss of support for an American proxy ruler (Mobutu Sese Seko). The ideological origins of the conflicts also vary with leftists groups (Burma, Colombia, Nepal and Peru) as well as anti-Marxist fighters (Angola and Mozambique).

Several groups sought to capture power at the center of the country, while others focused on fighting on behalf of a specific ethnic or regional group within a portion of the territory. And several groups have a religious dimension, including Islamists (Indonesia, Philippines and Somalia) and other religious traditions such as Animism, Christianity and Hinduism (Sri
Lanka and Sudan). The above cases also represent significant geographic variation as demonstrated by the table below.

<table>
<thead>
<tr>
<th>Table 4.2: Geographic Location of Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa (6)</td>
</tr>
<tr>
<td>South America and the Caribbean (3)</td>
</tr>
<tr>
<td>South Asia (2)</td>
</tr>
<tr>
<td>South East Asia (3)</td>
</tr>
<tr>
<td>West Asia/ Middle East (1)</td>
</tr>
<tr>
<td>Angola, DR Congo, Liberia, Mozambique, Somalia, Sudan</td>
</tr>
<tr>
<td>Colombia, El Salvador, Peru</td>
</tr>
<tr>
<td>Nepal, Sri Lanka</td>
</tr>
<tr>
<td>Burma, Indonesia, Philippines</td>
</tr>
<tr>
<td>Iraq</td>
</tr>
</tbody>
</table>

In the next section I specify objective measures of the variables under consideration.

2. The Hypotheses and Measures

1.) State penetration

Hypothesis 1 addresses the relationship between the rebel leadership and the population present in the area the rebels are operating in. I argue that rebels will respond to the demands made by civilians. The question is why are certain populations more likely to make demands on the rebel leadership? In my view, a population’s response to the political authority is a learned behavior that will carry over even after the outbreak of conflict. Thus, civilians habituated to making demands on their political authority prior to the conflict are more likely to make demands on a rebel leadership than civilians that had little interaction with the state’s political institutions. This provides us with the basis for hypothesis 1:

**H1: If a group emerges in a state with minimal penetration into society, it is less likely to develop an effective civil administration than one that emerges in a state that penetrated deeply into society.**

While there is no universally accepted methodology for measuring state penetration cross-nationally, I present several approaches and analyze their usefulness. In my view, state penetration is a combination of both the ability of the state to exercise effective control over
its territory (empirical sovereignty) and the actual acceptance by the population of the political regime’s legitimacy (hegemony). Thus, physical penetration can be measured by examining the infrastructural capacity of the state while hegemony can be measured by discerning the willingness of the population to support the institutions of the state. Since no dataset exists that ranks countries along these dimensions, I have to rely on proxy measures that provide approximations of state penetration for my cases.

A few appealing approaches (due to their basic simplicity and intuitiveness) to measuring state penetration have important flaws. For example, correlating an increase in the size of the state with a decrease in state penetration (Herbst 2000) was dismissed as several large states have high degrees of state penetration, such as the United States. Size does not hold even when comparing low-income countries. India’s bureaucratic apparatus penetrates deeply into much of the country contrasting with tiny Nepal where much of the countryside remains essentially detached from any connection to the state bureaucracy. The proportion of difficult terrain as measured by mountain or forest cover that presumably would correlate with low state penetration (Fearon and Laitin 2003) was also ruled out due to cases such as Rwanda with its extensive state bureaucracy despite its geographical landscape.

Other measures offer some explanatory power, but only after making several important qualifications. For example, income levels (as measured by GDP per capita) are useful for measuring state penetration as poorer countries generally do have a lower degree of state penetration than richer ones. This measure holds true especially at the extremes, thus the wealthy countries of North America and Western Europe are all characterized by high degrees of state penetration while extremely poor countries (less than $200 per capita) tend to have low degrees of state penetration. However, between the extremes, states that rely on
natural resource rents have been shown to avoid this general pattern, characterized instead by unequal development across the territory. In addition, GDP per capita does not account for cases with high state penetration but low per capita GDP such as Sri Lanka with a per capita GDP (for the five year period prior to outbreak of conflict) of only $282.

Table 4.11 in Appendix 4.2 presents the GDP per capita values for each of my cases. With all my figures, I use the five-year average when possible in order to take into account related events that may have occurred immediately prior to the conflict qualifying as a civil war in PRIO’s classification. As Michael Ross (2004: 4) notes, “…since civil wars do not officially “begin” until they have crossed some threshold of violence, they might be preceded by years of low-level hostilities…” that have substantive impacts on the political and economic situation. In the case of GDP, a five-year average is necessary to avoid the figure being artificially weighted by stochastic events that may have triggered the outbreak of conflict—for example, a rapidly decreasing GDP. Of my 15 cases, only two countries meet the criteria of being extremely poor with GDP per capita below $200: the Democratic Republic of Congo ($168) and Somalia ($123). None of the conflicts are in countries with high-income levels, though six of the conflicts were in countries with per capita GDP close to or above $500 per person prior to the outbreak of conflict (Angola, Colombia, El Salvador, Indonesia, Iraq and Peru). Examining these countries using GDP per capita in PPP provides a similar picture, though six cases drop out due to a lack of data (Table 4.12, Appendix 4.2).

Another problem with GDP per capita is that it tells us nothing about civilian support for the legitimacy of the state, a key factor for my arguments about rebel governance. For example, states that derive much of their wealth from natural or strategic rents may have a
high GDP per capita while only deriving a small portion of GDP from the population. One approach suggested to distinguish state penetration beyond just income levels, is to look at the portion of GDP derived primarily from rents drawn from natural resources. Analysts have noted that states that derive significant revenue from natural resource rents (rentier states) are characterized by a lower degree of state penetration (Mkandawire 2002; Moore 2004).

Calculating the portion of government revenues derived from mineral rents is a difficult task, but several authors have attempted to do this, most notably, the World Bank. However, the data set is characterized by a large amount of missing data, and only seven of my fifteen cases actually register (Table 4.13, Appendix 4.2).

Another, more accessible approach for measuring the relative rentier-ness of the state is suggested by Thandika Mkandawire (1995). Mkandawire’s approach is to assess the share of total revenue derived from both taxes (on income, profits and capital gains) and non-tax revenue using figures drawn from the IMF’s Government Finance Statistics. According to this approach, states that cross a 55% threshold should then be classified as rentier. I used this approach to calculate per year values for the five-year period prior to the outbreak of conflict and then calculated the five-year average. I was able to develop figures for eleven of my fifteen cases (Table 4.14, Appendix 4.2), except for Angola and Mozambique, which only came into existence in 1976. The GFS did not have data for Iraq, and Burma went to war prior to the IMF’s collection of data began in 1973.

Measuring the dependence of the state on rents does offer some explanatory power about the relative acceptance of the state by the population. However, none of the approaches

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36 I am grateful to Mick Moore for passing along this data. The method for calculating the data is provided in (Hamilton and Clemens 1999).
for measuring state penetration discussed above shed light on the empirical ability of the state to control its territory. Furthermore, none of the above approaches provide a convincing measure along which to classify the degree to which the population accepts the political authority of the state. Despite their shortcomings, the above measures do provide a picture into the nature of the pre-conflict state/society relationship in each of my cases.

In order to provide a more inclusive measure of state penetration, I decided to use separate measures for hegemony and empirical sovereignty that I believe provides a fuller picture. First, in order to measure hegemony, I calculate the share of state revenue derived from taxes on personal income, which offers a more complete picture of the relationship between the state and the population. This approach also shows the relative dependence of the state on the population. The logic behind this approach is the reverse of the rentier mechanism, as it argues that the larger the portion of state revenue derived from personal taxation, the greater the degree of accountability the state will have to its population (Bates and Lien 1985). Stated more succinctly, the more the population puts into the state, the more they will take out of it.

Sociologists and historians have long argued that the modern state as a political form was only possible as governments became more reliant on the population for financial salience, and thus progressively expanded the taxation apparatus (Tilly 1990). According to the literature, the more a state has to rely on personal income taxes to finance its operation, the more it will seek to ameliorate the demands of the citizenry. In this view, taxes are payments by the citizenry to the state for services such as security (through the establishment of a police force and legal system), infrastructure (roads, power, etc.), and even more complex public goods (education, healthcare, etc.) (Timmons 2006). Taxation is also a good
measure of citizen’s trust in government. Citizens do not pay taxes only out of fear of the state, but also out of a collective sense of duty. John Scholz has shown that the rate of tax compliance is not only a function of enforcement by the tax agency, but also a result of the citizenry’s trust in political institutions that govern the country (Scholz 1998).

Table 4.3 provides the results of the fiscal measure of the state’s relationship to its population. Using the IMF’s numbers, I calculate the average share of total revenue derived from personal income tax for the five-year period prior to the outbreak of conflict. Angola and Mozambique’s conflicts began immediately at the creation of each state and therefore taxation figures are unavailable. Burma’s conflict began before the IMF began gathering data, and Iraq’s figures were unavailable.

<table>
<thead>
<tr>
<th>Table 4.3: Taxation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country (conflict yr)</td>
</tr>
<tr>
<td>Liberia (1990)</td>
</tr>
<tr>
<td>Indonesia (1999)</td>
</tr>
<tr>
<td>Colombia (1980)</td>
</tr>
<tr>
<td>El Salvador (1981)</td>
</tr>
<tr>
<td>Philippines (1972)</td>
</tr>
<tr>
<td>DR Congo (1996)</td>
</tr>
<tr>
<td>Nepal (1991)</td>
</tr>
<tr>
<td>Somalia (1987)</td>
</tr>
<tr>
<td>Sudan (1983)</td>
</tr>
<tr>
<td>Sri Lanka (1983)</td>
</tr>
<tr>
<td>Peru (1981)</td>
</tr>
<tr>
<td>Angola (1975)</td>
</tr>
<tr>
<td>Burma (1968)</td>
</tr>
<tr>
<td>Iraq (1976)</td>
</tr>
<tr>
<td>Mozambique (1976)</td>
</tr>
</tbody>
</table>
In order to measure empirical sovereignty, I follow Herbst who argues that roads tell us much about the state’s “ability to broadcast power” (2000: 161). Using data gathered by the International Road Federation, I look at each country’s road density, which is the total length of road construction in kilometers as a fraction of the total square kilometers of the entire country’s territory. Although, this measure does not take into consideration population dispersion, it does serve as a useful measure for understanding a government’s ability to project power across its territory. The figures below are for the year closest to the outbreak of conflict. Since road density increases only slowly over time, and is not likely to fluctuate widely year-to-year, I use the single year figure alone without averaging the five-year period. Only Burma and Sudan did not have figures available.

<table>
<thead>
<tr>
<th>Country (conflict yr)</th>
<th>Kms of Road/Sq. Kms of Land (Road Density)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burma (1968)</td>
<td>0</td>
</tr>
<tr>
<td>Sudan (1983)</td>
<td>0</td>
</tr>
<tr>
<td>Iraq (1974)</td>
<td>0.03</td>
</tr>
<tr>
<td>Nepal (1978)</td>
<td>0.03</td>
</tr>
<tr>
<td>Somalia (1983)</td>
<td>0.03</td>
</tr>
<tr>
<td>Peru (1972)</td>
<td>0.04</td>
</tr>
<tr>
<td>Mozambique (1974)</td>
<td>0.05</td>
</tr>
<tr>
<td>Angola (1974)</td>
<td>0.06</td>
</tr>
<tr>
<td>DR Congo (1997)</td>
<td>0.07</td>
</tr>
<tr>
<td>Colombia (1980)</td>
<td>0.07</td>
</tr>
<tr>
<td>Liberia (1987)</td>
<td>0.08</td>
</tr>
<tr>
<td>Indonesia (1984)</td>
<td>0.19</td>
</tr>
<tr>
<td>Sri Lanka (1978)</td>
<td>0.48</td>
</tr>
<tr>
<td>Philippines (1979)</td>
<td>0.49</td>
</tr>
<tr>
<td>El Salvador (1989)</td>
<td>0.6</td>
</tr>
</tbody>
</table>

The scatterplot below plots all fifteen cases on two measures, namely road density and taxation, providing a relative sense of the degree of state penetration for each case. As

---

37 This is an ancient and consistent observation, going as far back as the Romans, through to the 16th century Moghul ruler Sher Shah Suri who claimed that “Roads are the carriers of civilization.”
can be seen from the graph below, my cases represent the spectrum—from states with minimal state penetration to states with fairly high penetration. Although we might expect some degree of concurrence between the two measures, this is not necessarily the case as one (road density) directly measures the physical penetration of the state while the other (taxation) measures the fiscal penetration of the state.

Figure 4.1: Scatterplot of 15 cases

I then divided the scatterplot into four quadrants at .15 for road density and .1 for taxation. This gave me the following table which divides each of the cases based on their combined values relative to the other cases. Quadrant 3 represents those cases with the lowest degree of state penetration. Quadrants 1 and 4 represent some degree of state penetration and quadrant 2 represents the highest degree of state penetration.
The main problem with measuring state penetration in this way is that my measures do not distinguish variation within territories, but rather provide a generalized picture of the entire territory. Thus, as is common, a state may incorporate a specific portion of its territory in an unequal fashion, though this internal variation is likely to be masked by the general figures. Furthermore, this variation can also become the basis of the grievances that lead to the insurgency in the first place. Of my cases, Indonesia and the Philippines are most likely to be affected by this phenomenon. In the following chapters, I am able to avoid this dilemma through my detailed case studies of the D.R. Congo, Sri Lanka and Sudan. Through the case studies, I am able to trace the historical relationship between the state and the territory from which the rebel group emerges, providing a more accurate portrayal of the state’s ability to penetrate into society throughout its territory.

II.) Regionalism and Secessionism

Hypothesis 2 deals with the motivation of the rebel leadership. Rebel leaders have the option of framing the struggle as either national or regional in scope. Both national and regionally focused groups can make targeted appeals to their supporters along ethnic or broader regional lines, but groups that view victory in primarily regional terms are more
likely to take serious the task of establishing governance structures. Demonstrating their ability to improve the quality of governance vis-à-vis the recognized political authority is essential for these groups as they attempt to prove to their followers their ability to outperform the state on governance questions. Furthermore, the ideal outcome for regionally focused groups, whether secession or just increased autonomy, would leave the recognized state authority still in power, and a constant comparison point for the performance of the new rebel constructed political order. This provides us with the basis for hypothesis 2.

**H2: If the group is ethno-nationalist or secessionist, it is more likely to develop an effective civil administration than groups that seek to capture power at the center.**

While identifying regionally defined groups—whether advocating ethno-nationalism or even secessionism—is an easier task than measuring state penetration, there are some important qualifications that need to be made regarding this measure as well. Many groups openly proclaim their ethno-nationalist credentials as well as their secessionist (or irredentist) agenda such as the LTTE in Sri Lanka; various Kurdish movements in Iran, Iraq and Turkey; the Kashmir and Khalistan nationalist struggles in India; or the Oromo Liberation Front in Ethiopia, for example. Other groups openly profess their intentions to take power at the center and do not in any way advocate a regionally or ethnically defined agenda such as the RCD in Congo; the Revolutionary Armed Forces of Colombia; or the Communist Party of Nepal-Maoist. Despite this difference in external agendas, both center-seeking groups and regionally or ethnically focused groups can claim territory away from the center. It is my contention that they will differ in how they actually treat these territories, with groups professing a secessionist or ethno-nationalist agenda more likely to develop effective governance structures compared to groups focused on capturing power in the center.
If all groups followed their stated goals, it would be fairly easy to classify each group as center-seeking or not, however, the choice of how to define a group is itself a strategic one, and groups may claim to be one or the other in order to make their agenda more appealing or even just palatable to various constituencies. For example, the SPLM/A in Sudan openly claimed to be a center-seeking movement with an agenda of taking power in Khartoum. Their participation in alliances with other anti-government groups in Sudan such as the Sudan Alliance Forces (SAF) seem to bear out this claim. However, in the vast portion of the South that the group controlled during the conflict, both civilians and members of the group openly professed their interest in carving out a separate state in the South (see Ch. 5 for a full discussion). In fact, a referendum on secession was a key incentive necessary for the SPLM/A to agree to a comprehensive peace agreement with the Government of Sudan.

How then should we deal with these in-between cases where the group’s stated goals may not be inline with their actual behavior? It is important to emphasize that the leadership of most rebel groups are highly aware of the complex political calculus that constantly shifts the environment in which they operate, and that they are likely to contradict their stated agendas if this can bring them either short-term or long-term advantages. Furthermore, regionally or ethnically defined groups can adapt their goals in accord with the realities of the battlefield, broadening their agendas if their fortunes improve, for example. There is no fundamental contradiction with even a minority ethno-nationalist group seeking and winning power at the center as demonstrated by the Rwandan Patriotic Front (RPF) in Rwanda or the Tigray People’s Liberation Front (TPLF) in Ethiopia.

Ultimately, any approach for classifying in-between cases can be legitimately challenged, thus it is vital to stick with a basic rule that can divide the cases consistently. For
the purpose of this project, I choose to classify groups based not only on their stated objective, but also their military capacity and external agenda. This only applies to cases where there is no clear way of identifying a movement as a secessionist or ethno-nationalist one. Groups that actually make genuine military efforts to take power at the center are classified as center-seeking groups while other groups that may profess their interest in taking power at the center while focusing their entire fire power at carving out a specific territory will be classified as ethno-nationalist or secessionist, depending on the circumstances. Two cases fall into this ambiguous category. First, despite its proclamations to the contrary, I classify the SPLM/A as a secessionist group since it never had the ability to take power in Khartoum. Instead, the group always focused its military efforts on gaining and controlling a piece of territory in the South of the country contiguous with the lands previously occupied by ethnic groups from which it recruited the vast majority of its fighters and supporters. And second, despite having participated in attacks on the capital Mogadishu, I classify the SNM as a secessionist group due to its focus on carving out the territory currently known as Somaliland. Table 4.6 classifies all 15 groups as either center-seeking or secessionist/ethno-nationalist.

<table>
<thead>
<tr>
<th>Center-Seeking</th>
<th>Secessionist/ Ethno-nationalist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angola</td>
<td>Indonesia</td>
</tr>
<tr>
<td>Burma</td>
<td>Iraq</td>
</tr>
<tr>
<td>Colombia</td>
<td>Philippines</td>
</tr>
<tr>
<td>DR Congo</td>
<td>Sri Lanka</td>
</tr>
<tr>
<td>El Salvador</td>
<td>Somalia</td>
</tr>
<tr>
<td>Liberia</td>
<td>Sudan</td>
</tr>
<tr>
<td>Mozambique</td>
<td></td>
</tr>
<tr>
<td>Nepal</td>
<td></td>
</tr>
<tr>
<td>Peru</td>
<td></td>
</tr>
</tbody>
</table>
III.) Political Command

Finally, the third hypothesis that I want to test is related to the actual structure of the leadership. A unified leadership structure is almost always the result of a group recognizing early on a singular personality as the supreme leader and placing him (or in rare cases such as Alice Lakwana in Uganda, her) at the head of an autocratic command. It can also result from a group with a unified command subjugating competing factions to its authority. A divided leadership can result from at least two situations. First, a competing faction can emerge from within the group and demand a voice in leadership. Second, many groups are actually coalitions of multiple independent groups that merge to form an umbrella organization. Such groups are also likely to have divided leaderships as former leaders are forced to work together, despite their prior independence.

I argue that groups with a unified leadership at the head of a disciplined organization are more likely to be able to develop a coherent political authority than groups with a divided leadership. Groups with a strong structure from the top down are more likely to outperform expectations about their group’s behavior than groups where the leadership is contested and unable to exert control over the entire organization. When the leadership is divided, questions about governance tend to be subsumed by political disputes between the elites of the movement. This provides us the basis for hypothesis 3a.

H3a: If a group is able to form a unified political authority either through subjugating competing factions or incorporating them into a single command, then they are more likely to be capable of developing effective governance structures than groups riven by multiple and competing poles of power.

As discussed earlier, throughout this project, the rebel leadership is viewed as the
primary agent that determines the nature of the civil administration as they respond to
demands made by various actors. Their ability to do this is determined by the relative
strength of the leadership as it attempts to pursue either military or political goals. While
having a unified command does not tell us about the priorities of the rebel leadership, it does
provide insight into the ability of the leadership to pursue their own agenda. In order to label
groups as unified or divided I had to rely on secondary sources that provide histories of
particular rebel groups. Table 4.7 presents each of my cases categorized as either having a
unified or divided command. Most of the groups were easily classifiable into one of the two
categories. However, three cases (KDP, LTTE, and SL) were somewhat ambiguous as they
all faced challenges to their control from factions or other rebel groups. I chose to classify the
LTTE and SL as having a unified command because the groups that challenged their rule (the
Karuna faction and Movimiento Revolucionario Túpac Amaru, respectively) operated in
distinct territories, leaving both groups in control of their own territory. On the other hand, I
classify the KDP as having a divided command because their territorial control of northern
Iraq was directly challenged by the presence of the Patriotic Union of Kurdistan (PUK), at
least until after the US intervention in the local politics of Kurdistan in 1998.\textsuperscript{38}

\textsuperscript{38} In 1992, elections were held that eventually brought about an end to the division between the two main
factions and a clear demarcation of territory for each faction in 1998. However, by this point it was not quite
accurate to refer to the KDP as an anti-state actor as the true sovereign in the region was arguably the US force
that prevented the Iraqi government from entering the Kurdish region after the end of the Gulf war.
Table 4.7a: Command Structure

<table>
<thead>
<tr>
<th>Unified Command</th>
<th>Coalition or Divided Command</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angola (UNITA)</td>
<td>Burma (CPB)</td>
</tr>
<tr>
<td>Colombia (FARC)</td>
<td>El Salvador (FMLN)</td>
</tr>
<tr>
<td>DR Congo (MLC)</td>
<td>Indonesia (GAM)</td>
</tr>
<tr>
<td>Mozambique (RENAMO)</td>
<td>Iraq (KDP)</td>
</tr>
<tr>
<td>Nepal (CPN-M)</td>
<td>Liberia (NPFL)</td>
</tr>
<tr>
<td>Peru (SL)</td>
<td>Philippines (MNLF)</td>
</tr>
<tr>
<td>Sri Lanka (LTTE)</td>
<td>Somalia (SNM)</td>
</tr>
<tr>
<td></td>
<td>Sudan (SPLM/A)</td>
</tr>
</tbody>
</table>

3. Assessing Rebel Governance

The next task is to identify an effective measure of rebel governmental performance. In the detailed case studies that follow this chapter, I was able to draw on personal interviews with civilians, rebel and governmental bureaucrats, NGO and international agency workers and others directly knowledgeable of and affected by conditions in ongoing war zones. Combined with information gleaned from secondary sources, I was able to put together a picture of service provision (or the lack thereof) by rebel groups in the D.R. Congo, Sri Lanka and Sudan. However, for the broader sample, it was not possible to personally visit all fifteen cases in order to assess the provision of services by the rebel group.

While I did look for a pre-existing dataset that could shed light on the effectiveness of rebel civil administrations, institutions that likely would be interested in compiling information on service provision by rebels such as the UN Office for the Coordination of Humanitarian Affairs (OCHA) tend to shy away from this subject due to fears that they may unintentionally legitimize rebel organizations (Zahar 2001). While a few aid groups openly work with rebels to reach populations outside the control of state authorities (Norwegian People’s Aid in Sudan, for example), many others prefer to keep their engagements with rebel organizations more discreet, as they fear being viewed as abetting groups labeled as
‘terrorists,’ especially in this post-9/11 era. In the words of Adam Barbolet of International Alert, “My impression is that nobody: not national governments, multilaterals, bilaterals, INGOs and so on, want to be seen to be legitimizing rebel groups by collecting data on their service delivery” (email interview 8/2/2006).

Currently, Nelson Kasfir is in the process of putting together mini-case studies that will detail rebel civil administrations globally, but this project is still some time from completion. I did look at other datasets that could potentially proxy the effectiveness of rebel governance, such as data on Internally Displaced People (IDPs) collected by various centers. However, these datasets do not disaggregate the cause of the forced migration. Thus, while it is plausible that an increase in the numbers of IDPs reflect inadequate service provision by rebel organizations, it is more likely that an increase in the flow of IDPs is related to the level of active fighting. Knowledgeable sources suggested proxying service provision with a decrease in the number of people affected by specific diseases or infant mortality rates, for example, but admitted that these shifts were more likely the result of poor data collection rather than health programs initiated by rebel groups (Ibid)

Faced with these challenges, the best option is to rely on secondary sources produced by knowledgeable journalists, academics, country experts and NGO workers writing on life in various conflict zones. For each of my cases, a team of undergraduate researchers\textsuperscript{39} helped me to examine numerous accounts, both contemporary and historical, about the provision of services by rebel leaders. In classifying the groups, I looked at three specific areas that

\textsuperscript{39} Kyndra Johnson and Justin Boorska of the University of California, Santa Barbara. I am grateful to Varun Soni for arranging their assistance for my project.
correspond with the roles normally associated with state sovereignty, i.e. security, welfare and representation:

1. Establishment of a police force and legal system for adjudicating disputes.
2. Establishment of a service provision structure that provides basic health and education to the population.
3. Establishment of a mechanism for the provision of civilian feedback to the political authority.

Based on the above criteria, I can define what an effective, partially effective and non-effective civil administration require. Although important for the case studies, I determined that a civilian feedback mechanism was never a necessary condition for an effective civil administration, and hence, I only focus on the first two.

<table>
<thead>
<tr>
<th>Effective</th>
<th>Required</th>
<th>1 and 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Partially Effective</td>
<td>Required</td>
<td>1 or 2</td>
</tr>
<tr>
<td>Non-effective</td>
<td>Required</td>
<td>Neither 1 nor 2</td>
</tr>
</tbody>
</table>

Table 8 presents the classification of my fifteen cases in regards to the rebel group’s provision of services. As explained earlier, I had to rely on secondary sources and expert interviews to make these assessments. Appendix 4.3 provides a brief descriptive paragraph that details each rebel group’s service provision, legal structure, and command based on information gathered by my research team and I.
4. Results from case studies

The preceding sections have presented data regarding three variables that I argue affect the provision of services by rebel groups, two—state penetration and agenda—are relevant at the onset of the conflict and provide us with information about the nature of the population that the rebel leadership will interact with, as well as the agenda that they intend to pursue. Once the fighting commences, the structure of the leadership (unified or divided), can tell us about the ability of the leadership to construct an effective governmental structure. I also developed a framework for assessing the relative effectiveness of each rebel group’s

<table>
<thead>
<tr>
<th>Country</th>
<th>Rebel Group</th>
<th>Legal</th>
<th>Services</th>
<th>Feedback</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angola</td>
<td>National Union for the Total Independence of Angola (UNITA)</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Effective</td>
</tr>
<tr>
<td>Burma</td>
<td>Communist Party of Burma (CPB)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Non-effective</td>
</tr>
<tr>
<td>Colombia</td>
<td>Revolutionary Armed Forces of Colombia (FARC)</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Effective</td>
</tr>
<tr>
<td>Democratic Republic of Congo</td>
<td>Movement for the Liberation of Congo (MLC)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Non-effective</td>
</tr>
<tr>
<td>El Salvador</td>
<td>Farabundo Martí National Liberation Front (FMLN)</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Free Aceh Movement (GAM)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Iraq</td>
<td>Kurdish Democratic Party of Iraq (KDP)</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Liberia</td>
<td>National Patriotic Forces of Liberia (NPFL)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Non-effective</td>
</tr>
<tr>
<td>Mozambique</td>
<td>Mozambican National Resistance (RENAMO)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Non-effective</td>
</tr>
<tr>
<td>Nepal</td>
<td>Communist Party of Nepal-Maoist (CPN-M)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Peru</td>
<td>Sendero Luminoso (SL)</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Philippines</td>
<td>Moro National Liberation Front (MNLF)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Somalia</td>
<td>Somali National Movement (SNM)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>Liberation Tigers of Tamil Eelam (LTTE)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Effective</td>
</tr>
<tr>
<td>Sudan</td>
<td>Sudan People’s Liberation Movement (SPLM)</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Partially effective</td>
</tr>
</tbody>
</table>
civil administration based on two criteria. First, the group’s ability to control their territory by both establishing mechanisms for resolving disputes as well as a force capable of policing the territory. And second, the ability of the group to provide basic health and educational facilities to civilians living within their territory. The question remains how accurate is the framework in describing the behavior of the rebel leadership for each of my cases? Table 4.9 presents the 15 cases with their results.

<table>
<thead>
<tr>
<th>Rebel Group</th>
<th>Penetration</th>
<th>Center-Seeking</th>
<th>Prediction</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Union for the Total Independence of Angola (UNITA)</td>
<td>Low</td>
<td>Yes</td>
<td>Non-effective</td>
<td>Effective</td>
</tr>
<tr>
<td>Communist Party of Burma (CPB)</td>
<td>Low</td>
<td>Yes</td>
<td>Non-effective</td>
<td>Non-effective</td>
</tr>
<tr>
<td>Revolutionary Armed Forces of Colombia (FARC)</td>
<td>Medium</td>
<td>Yes</td>
<td>Partially effective</td>
<td>Effective</td>
</tr>
<tr>
<td>Movement for the Liberation of Congo (MLC)</td>
<td>Low</td>
<td>Yes</td>
<td>Non-effective</td>
<td>Non-effective</td>
</tr>
<tr>
<td>Farabundo Marti National Liberation Front (FMLN)</td>
<td>Medium</td>
<td>Yes</td>
<td>Partially effective</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Free Aceh Movement (GAM)</td>
<td>High</td>
<td>No</td>
<td>Effective</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Kurdish Democratic Party of Iraq (KDP)</td>
<td>Low</td>
<td>No</td>
<td>Partially effective</td>
<td>Partially effective</td>
</tr>
<tr>
<td>National Patriotic Forces of Liberia (NPFL)</td>
<td>Medium</td>
<td>Yes</td>
<td>Non-effective</td>
<td>Non-effective</td>
</tr>
<tr>
<td>Mozambican National Resistance (RENAMO)</td>
<td>Low</td>
<td>Yes</td>
<td>Non-effective</td>
<td>Non-effective</td>
</tr>
<tr>
<td>Communist Party of Nepal- Maoist (CPN-M)</td>
<td>Low</td>
<td>Yes</td>
<td>Non-effective</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Sendero Luminoso (SL)</td>
<td>Low</td>
<td>Yes</td>
<td>Non-effective</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Moro National Liberation Front (MNLF)</td>
<td>Medium</td>
<td>No</td>
<td>Effective</td>
<td>Non-effective</td>
</tr>
<tr>
<td>Somali National Movement (SNM)</td>
<td>Low</td>
<td>No</td>
<td>Partially effective</td>
<td>Partially effective</td>
</tr>
<tr>
<td>Liberation Tigers of Tamil Eelam (LTTE)</td>
<td>Medium</td>
<td>No</td>
<td>Effective</td>
<td>Effective</td>
</tr>
<tr>
<td>Sudan People’s Liberation Movement (SPLM)</td>
<td>Low</td>
<td>No</td>
<td>Partially effective</td>
<td>Partially effective</td>
</tr>
</tbody>
</table>

Of the five groups deemed non-effective in governance—CPB (Burma), MLC (Congo), NPFL (Liberia), RENAMO (Mozambique), and MNLF (Philippines) only one
(MNLF) is categorized as not having low state penetration. Furthermore, only the MNLF is a secessionist group, while the other four sought to capture power at the center. Thus, there is significant support amongst these cases for the framework.

Of the seven groups deemed to have partially effective governance structures—FMLN (El Salvador), GAM (Indonesia), KDP (Iraq), CPN-M (Nepal), SL (Peru), SNM (Somalia) and SPLM (Sudan)—all except two of the groups emerged as either secessionist struggles (GAM, KDP, SNM, SPLM) or in a country with high state penetration (FMLN). Again, these cases fit well into the framework established. Only the CPN-M in Nepal and the SL in Peru slightly outperformed my expectations for a center-seeking group operating in an area of low state-penetration by achieving partially effective governance.

Finally, of the three groups deemed to have effective governance—UNITA (Angola), FARC (Colombia) and LTTE (Sri Lanka)—only the LTTE follows my arguments exactly as it is a secessionist group that emerged in a state with medium penetration. The FARC, slightly outperformed my expectations for a center-seeking group in a state with medium penetration, and was able to provide effective governance. And directly contrary to my expectations, UNITA emerged as a center-seeking group in a state with low penetration, but was still able to develop effective governance structures. Thus, of my fifteen cases, nine performed directly inline with my framework. Three cases slightly outperformed my expectations (CPN-M, SL and FARC). While one greatly outperformed my expectations (UNITA). Two cases underperformed my expectations, one slightly (GAM) and one greatly (MNLF).

40 Although Liberia is categorized as having a medium degree of state penetration based on its high value from the IMF taxation data, other estimates imply that the Liberian state received the majority of revenues from rents on timber.
What explains the over-performance or underperformance of these six groups? The presence of a unified command is a common factor for all three groups deemed to have effective governance. In fact, of the four groups (UNITA, FARC, CPN-M, and SL), that seem to have outperformed my expectations (center-seeking groups in states with low or medium penetration), all four were led by a united command structure that was able to impose discipline from the top down throughout the entire organization. At the same time, the two groups (GAM and MNLF) that underperformed (secessionist groups, medium or high penetration) were led by fractious leaderships, lending support to my argument that the leadership of the group has significant leeway in determining the relations between civilians and rebels after the fighting begins.

<table>
<thead>
<tr>
<th>Unified Command</th>
<th>Coalition or Divided Command</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angola (UNITA)</td>
<td>+</td>
</tr>
<tr>
<td>Colombia (FARC)</td>
<td>+</td>
</tr>
<tr>
<td>DR Congo (MLC)</td>
<td>=</td>
</tr>
<tr>
<td>Mozambique (RENAMO)</td>
<td>+</td>
</tr>
<tr>
<td>Nepal (CPN-M)</td>
<td>=</td>
</tr>
<tr>
<td>Peru (SL)</td>
<td>+</td>
</tr>
<tr>
<td>Sri Lanka (LTTE)</td>
<td>=</td>
</tr>
<tr>
<td>Burma (CPB)</td>
<td>=</td>
</tr>
<tr>
<td>El Salvador (FMLN)</td>
<td>=</td>
</tr>
<tr>
<td>Indonesia (GAM)</td>
<td>=</td>
</tr>
<tr>
<td>Iraq (KDP)</td>
<td>=</td>
</tr>
<tr>
<td>Liberia (NPFL)</td>
<td>=</td>
</tr>
<tr>
<td>Philippines (MNLF)</td>
<td>=</td>
</tr>
<tr>
<td>Somalia (SNM)</td>
<td>=</td>
</tr>
<tr>
<td>Sudan (SPLM/A)</td>
<td>=</td>
</tr>
</tbody>
</table>

It is tempting to hypothesize that groups that promote an internal or external left-leaning agenda may be better able to develop governmental structures due to their emphasis on peasant relations. Of the fifteen cases, the six groups with such an agenda did perform better on average than the rest of the cases (CPB, FARC, FMLN, CPN-M, SL, LTTE). In fact, of the four cases that outperformed the framework, three had explicitly leftist agendas (FARC, CPN-M and SL). However, the group that most outperformed my expectations, UNITA, was an explicitly anti-left organization, while a group like the Communist Party of
Burma was non-effective in providing governance despite their explicitly leftist orientation. Thus, while it may be that ideology does play a role, I think the nature of the command and its control over the entire organization is the more significant factor.

**Conclusion**

This chapter has attempted to generalize my initial findings about the variation in the provision of services to a broader, random sample of cases. Nine of the fifteen cases fall into the pattern that the framework predicts, i.e., that groups that emerge as secessionist movements in countries with a higher degree of state penetration are most likely to develop effective governance structures. In the remaining six cases that either outperformed or underperformed my expectations, the command variable does seem to help explain the outcome. The importance of the command is a significant finding in its own right as it demonstrates the ability of the leadership to fundamentally determine the nature of the relationship with civilians. Although the international community may have little say in determining whether a group has a secessionist agenda or if the pre-conflict state penetrated deeply into society, they can and do have influence over the behavior of the rebel leadership, especially in regards to civilian treatment (Zahar 2001). As the case studies in the following chapters demonstrate, the behavior of the international community is integral in determining the strategies pursued by rebel elites in regards to the establishment of a civil administration.
### Appendix 4.1: Universe of Cases

<table>
<thead>
<tr>
<th>Country</th>
<th>Rebel Group</th>
<th>Years</th>
<th>Random #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angola</td>
<td>National Union for the Total Independence of Angola (UNITA)</td>
<td>1975-1995</td>
<td>2</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>Chittagong Hill Tracts People’s Coordination Assembly (JSS/SB)/ Peace Force (Shanthi Bahini)</td>
<td>1974-1986</td>
<td>30</td>
</tr>
<tr>
<td>Burma</td>
<td>Communist Party of Burma (CPB)</td>
<td>1968-1988</td>
<td>10</td>
</tr>
<tr>
<td>Burma</td>
<td>Mong Tai Army (MTA)</td>
<td>1976-1988</td>
<td>16</td>
</tr>
<tr>
<td>Burma</td>
<td>Karen National Union (KNU), Karen National Defence Organization</td>
<td>1950-2001</td>
<td>27</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>Khmer Rouge, United National Front for an Independent, Neutral Peaceful and Cooperative Cambodia (FUNCINPEC), Khmer People’s National Liberation Front (KPNLF)</td>
<td>1979-1998</td>
<td>24</td>
</tr>
<tr>
<td>Cambodia</td>
<td>Revolutionary Armed Forces of Colombia (FARC)</td>
<td>1980-2006</td>
<td>12</td>
</tr>
<tr>
<td>Colombia</td>
<td>National Liberation Army (ELN)</td>
<td>1980-2006</td>
<td>26</td>
</tr>
<tr>
<td>D.R. Congo</td>
<td>Rally for Congolese Democracy (RCD)</td>
<td>1998-2004</td>
<td>23</td>
</tr>
<tr>
<td>D.R. Congo</td>
<td>Movement for the Liberation of Congo (MLC)</td>
<td>1999-2004</td>
<td>6</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>Eritrean Liberation Front (ELF), Eritrean People’s Liberation Front (EPLF)</td>
<td>1968-1991</td>
<td>33</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Free Aceh Movement (GAM)</td>
<td>1999-2005</td>
<td>8</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Revolutionary Front for an Independent East Timor (FRETILIN)</td>
<td>1975-1998</td>
<td>32</td>
</tr>
<tr>
<td>Iran</td>
<td>Kurdish Democratic Party of Iran (KDPI)</td>
<td>1979-1993</td>
<td>18</td>
</tr>
<tr>
<td>Iraq</td>
<td>Kurdish Democratic Party of Iraq (KDP)</td>
<td>1976-1993</td>
<td>11</td>
</tr>
<tr>
<td>Israel</td>
<td>Palestinian Liberation Organization (PLO)</td>
<td>1965-2006</td>
<td>19</td>
</tr>
<tr>
<td>Liberia</td>
<td>National Patriotic Forces of Liberia (NPFL)</td>
<td>1990-1995</td>
<td>4</td>
</tr>
<tr>
<td>Morocco</td>
<td>Popular Front for the Liberation of Saguia al Hamra and Rio de Oro (POLISARIO)</td>
<td>1975-1989</td>
<td>20</td>
</tr>
<tr>
<td>Nepal</td>
<td>Communist Party of Nepal- Maoist (CPN-M)</td>
<td>2001-2006</td>
<td>15</td>
</tr>
<tr>
<td>Peru</td>
<td>Tupac Amaru Revolutionary Movement (MRTA)</td>
<td>1984-1999</td>
<td>25</td>
</tr>
<tr>
<td>Peru</td>
<td>Shining Path (SL)</td>
<td>1981-1994</td>
<td>13</td>
</tr>
<tr>
<td>Philippines</td>
<td>Moro National Liberation Front (MNLF)</td>
<td>1972-1988</td>
<td>14</td>
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<tr>
<td>Philippines</td>
<td>Moro Islamic Liberation Front (MILF)</td>
<td>1994-2006</td>
<td>21</td>
</tr>
<tr>
<td>Russia</td>
<td>Republic of Chechnya</td>
<td>1995-2001</td>
<td>17</td>
</tr>
<tr>
<td>Rwanda</td>
<td>Rwandan Patriotic Front (FPR)</td>
<td>1991-1994</td>
<td>22</td>
</tr>
<tr>
<td>Sierra Leone</td>
<td>Revolutionary United Front (RUF)</td>
<td>1994-2000</td>
<td>31</td>
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<tr>
<td>Somalia</td>
<td>Somali National Movement (SNM)</td>
<td>1987-1996</td>
<td>1</td>
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<tr>
<td>Somalia</td>
<td>Somali Patriotic Movement (SPM)</td>
<td>1987-1996</td>
<td>35</td>
</tr>
<tr>
<td>Somalia</td>
<td>United Somali Congress (USC)</td>
<td>1987-1996</td>
<td>29</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>Liberation Tigers of Tamil Eelam (LTTE)</td>
<td>1985-2006</td>
<td>7</td>
</tr>
<tr>
<td>Sudan</td>
<td>Sudan People’s Liberation Movement/ Army (SPLM/A)</td>
<td>1983-2002</td>
<td>3</td>
</tr>
<tr>
<td>Tajikistan</td>
<td>United Tajik Opposition (UTO)</td>
<td>1992-1996</td>
<td>34</td>
</tr>
<tr>
<td>Uganda</td>
<td>National Resistance Army (NRA)</td>
<td>1981-1991</td>
<td>28</td>
</tr>
</tbody>
</table>
Appendix 4.2: Alternate measures of state penetration

<table>
<thead>
<tr>
<th>Table 4.11: GDP per Capita</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source: United Nations</td>
</tr>
<tr>
<td>Country (conflict yr)</td>
</tr>
<tr>
<td>Burma (1968)</td>
</tr>
<tr>
<td>Somalia (1987)</td>
</tr>
<tr>
<td>DR Congo (1996)</td>
</tr>
<tr>
<td>Philippines (1972)</td>
</tr>
<tr>
<td>Nepal (1991)</td>
</tr>
<tr>
<td>Sri Lanka (1983)</td>
</tr>
<tr>
<td>Mozambique (1976)</td>
</tr>
<tr>
<td>Liberia (1990)</td>
</tr>
<tr>
<td>Sudan (1983)</td>
</tr>
<tr>
<td>Iraq (1976)</td>
</tr>
<tr>
<td>Angola (1975)</td>
</tr>
<tr>
<td>El Salvador (1981)</td>
</tr>
<tr>
<td>Peru (1981)</td>
</tr>
<tr>
<td>Indonesia (1999)</td>
</tr>
<tr>
<td>Colombia (1980)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Table 4.12: GDP per Capita/ PPP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source: World Bank</td>
</tr>
<tr>
<td>Country (conflict yr)</td>
</tr>
<tr>
<td>Angola (1975)</td>
</tr>
<tr>
<td>Burma (1968)</td>
</tr>
<tr>
<td>Iraq (1976)</td>
</tr>
<tr>
<td>Liberia (1990)</td>
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<tr>
<td>Mozambique (1976)</td>
</tr>
<tr>
<td>Philippines (1972)</td>
</tr>
<tr>
<td>Somalia (1987)</td>
</tr>
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<td>Sudan (1983)</td>
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<tr>
<td>DR Congo (1996)</td>
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<tr>
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<td>Nepal (1991)</td>
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<tr>
<td>Indonesia (1999)</td>
</tr>
<tr>
<td>Colombia (1980)</td>
</tr>
<tr>
<td>El Salvador (1981)</td>
</tr>
<tr>
<td>Peru (1981)</td>
</tr>
</tbody>
</table>
Despite the low value for the DR Congo, it is important to remember that 1991 marked a year of tremendous transformation for the country as the Mobutu regime lost support from its Cold War patron, the United States. An examination of the 5-year period from 1987 to 1991 is telling as the value for this period increases to 37.7.
Appendix 4.3: Brief summaries of the fifteen cases


*Center seeking group with a unified command within a state with low penetration. Outcome: Effective governance*

UNITA’s leadership was unified under the direction of Jonas Savimbi who led the group till his death. Immediately after, his lieutenants, unable to continued the armed struggle due to a lack of popular support, signed a comprehensive peace agreement. UNITA received a fair amount of support from civilians through their effective political mobilization campaigns and welfare provision (Potgieter 1989: 258). According to Radu, “UNITA has been most successful in establishing an effective state-within-a-state…. They provide schools with a centralized curriculum, medical facilities, food production and distributions, and an incipient commercial and trade network that enables UNITA to export such items…” (1990: 30)

According to Potgieter, in the Terras Libres de Angola, the name given to UNITA controlled territories, the organization “established 22 secondary schools in the areas they occupied, almost 700 primary schools, with 7,127 teachers and 224,881 students. Dozens of UNITA students were sent abroad to study at universities… The main focus of the education program abroad was medical, engineering, and agricultural skills, necessary to ensure UNITA’s self-reliance and development of parallel hierarchies to sustain its insurgency” (1989: 262). UNITA territory in 1987 housed 11,000 rebels and family members to whom the group provided educational, social, economic, and health services (Heywood 1989: 60).


*Center seeking group with a divided command within a state with minimal penetration Outcome: Non-effective governance*

Supported by China and divided from the onset by ethnic and ideological lines, the CPB began violently challenging the Burmese state in 1968, soon coming into control of a 20,000 square kilometer area near the Chinese border controlled by a military wing that claimed upto 23,000 fighters at its peak. Though initially attempts were made to establish a civil administration, by the 1980’s, lack of funds and low motivation led to a focus on other, more immediate concerns, “The main preoccupation of the civil administrators became tax collection for the party” (Lintner 1990: 40). An impressive structure to partner with civilians “enlisted 87,608 members in 882 different local organizations.” But according to Lintner, “these ‘mass organizations’ existed only on paper” (Lintner 1990: 41). In 1985, the leaders of the CPB recognized the failure of their own efforts to govern their territory and called for the “rebuilding of the civil administration” (Lintner 1990: 41), but the group’s increasing dependence on the lucrative opium trade undermined their attempts to focus on more political concerns, and the war ended soon after in 1988.
3. Colombia (1980-Present): Fuerzas Armadas Revolucionarias de Colombia (Revolutionary Armed Forces of Colombia or FARC)

*Center seeking group with a unified command within a state with medium penetration*

*Outcome: Effective governance*

Accounts of the FARC’s territory estimate that fully 40 percent of Colombia is either controlled by or influenced by the rebel army (Steinberg 2000: 264). The autonomous leadership under the nominal control of the septuagenarian Manuel Marulanda and Jacobo Arenas, his long time deputy, has long been unified as the group has been able to self-finance itself through the drug trade, which brings in as much as 300 million dollars according to some reports (Ortiz 2002: 137). By 1982, according to one observer, the FARC had “a centralized hierarchical structure, a general staff, military code, training school and political program” (Bejarano and Pizzaro 2004: 40). A 60-member secretariat includes members of the FARC’s 73 “fronts,” which sets policies for the entire area under rebel rule (Robinson, Witkin and Newman 1998: 40). According to Ortiz, “throughout the 1990s the FARC…multiplied their capacity for providing services to the population in such areas as health, education, and public order” (2002: 131). Thus, in much of Colombia, the FARC acted, “as the state in the areas they control, organizing such services as education, courts, health, road construction, and loans to farmers and small businessmen” (Steinberg 2000).


*Center seeking group with a unified command within a state with low penetration*

*Outcome: Non-effective governance*

The MLC was founded by Jean Pierre Bemba, the son of a prominent Congolese businessman, after the outbreak of conflict in late 1998. Although it is debated whether Bemba emerged independently or as a result of Uganda interference, what is clear is that very early in the existence of the group, it became closely tied with the Ugandan government (Carayannis 2003). It soon came to control much of Equateur Province in the north-western corner of DR Congo with a force estimated at over 6,000, and also became involved in conflicts in neighboring provinces (ICG 2000: 4). Uganda’s decision to shift support to the group reflected their recognition that the MLC could claim “a degree of popular and financial support unmatched by [the RCD], or any other DRC rebel movement” (Ibid: 36). In addition, Bemba exerted considerable control over the MLC, at least in its early phases (Ibid: 36). Furthermore, through revenues generated through taxation on natural resource extraction, the movement quickly became self-financing (Ibid). As with the other Congolese groups, the MLC initially attempted to create a governance structure, appointing an impressively representative assortment of individuals drawn from every province in the DRC to ministerial positions (Ibid). However, the goodwill the group generated, especially in contrast to the behavior of other, quickly dissipated as the leadership failed to hold rank and file accountable, resulting in accusations of horrendous crimes being perpetuated against the civilian population.

Center seeking group with a divided command within a state with medium penetration
Outcome: Partially effective governance

Founded by a coalition of a left leaning groups in 1980 to participate in what became a quintessential Cold War struggle, the FMLN quickly came “to control significant pieces of territory in the rural zones” (Landau 1993: 98). According to McClintock, “There was no single leader of the organization,” a fact that undermined the organization’s ability to function effectively (1998 :48). The rebel army quickly set up “their own systems of government in villages” though the organization “lacked the wherewithal to maintain the necessary administrative-military structures” (Landau 1993: 98). The FMLN was known for its efforts to accommodate civilian feedback through the establishment of “popular assemblies.” And the legal system established by the group even allowed “judicial authorities [to be] elected by the population” (McClintock 1998: 60). However, despite the group’s social democratic agenda, its experiments with technical service provision varied widely, with a few areas receiving some collective goods, while others were left to their own initiative (McClintock 1998).

6. Indonesia (1999-2005): Gerakan Aceh Merdeka (Free Aceh Movement or GAM)

Secessionist group with a divided command within a state with high penetration
Outcome: Partially effective governance

According to Ross, “discipline inside GAM’s armed forces is poor, and… its military structure is highly decentralized” (Ross 2003b: 27). Factions of GAM challenged central control and the group was riven by internal disputes. GAM has undergone several splits “with incessant squabbling among the major groups in exile” (Aspinall 2000: 7). According to reports, by 2001 GAM had 2-3,000 regular fighters, and an additional 13-24,000 militia members and was reportedly in control of 80 percent of Aceh’s villages (Ross 2003b). GAM’s strategy was first, to attack local governmental institutions, and second, to replace them with GAM’s parallel government. However, in practice, each territory under control of GAM was left to the devices of local commanders, as Schulze notes, “The division of Aceh into seventeen wilayah has allowed field commanders to carve out their own fiefdoms, allowed some commanders to become warlords, and allowed those less effective to let their troops run wild” (2004: 21). This does not mean that local government ceased altogether. According to ICG, GAM allows “state health and education programs to continue in areas under its control… GAM itself is purely a political and military force and provides no social welfare services” (ICG 2001: 13). GAM did set up a legal system for resolving disputes, “GAM members officiate over other legal and social issues and collect taxes, said to be eight per cent, on transactions such as land purchases” (ibid).

*Secessionist group with a divided command within a state with low penetration*

*Outcome: Partially effective governance*

Though formalized by the US invasion of Iraq in 1991, parts of the northern region had achieved lower degrees of autonomy even earlier. Throughout the conflict, the leadership of the Kurdish movement was divided between the forces of the KDP and the PUK who fought prolonged battles until a ceasefire was brokered between the two factions in 1998. Though the tension between the two factions prevented the establishment of an effective security system, the KDP’s “administrative infrastructure provides basic services to the populations within its borders” (Romano 2004:153). This was due to a sense of loyalty felt by many Kurdish professionals including doctors and teachers to remain in northern Iraq to provide a degree of stability to the region following the withdrawal of by the Iraqi government of all administrative personnel (Ibid 158).


*Center seeking group with a divided command within a state with medium penetration*

*Outcome: Non-effective governance*

Founded by Charles Taylor in late 1989, the NPFL quickly blossomed into a full force insurgency by haphazardly distributing weapons to members of ethnic groups with seething resentment towards the government. Despite Taylor’s brutal efforts to unite the factions that comprised the movement, his authority was constantly challenged by other leaders within the NPFL (Ellis 1998: 160). Viewed by many as the quintessential ‘warlord’ insurgency, Taylor funded the NPFL through the sale of diamonds, timber, gold and other commodities, often with the assistance of MNCs, that existed within the area that soon came to be called ‘Taylorland.’ At its zenith in 1992/93, Taylorland comprised 90% of Liberia as well as portions of Sierra Leone and the border areas of Ivory Coast (Jackson :139). During their control of this vast region, the NPFL “had its own currency and banks, its own radio station and television network, a newspaper, several airfields and a deepwater port” (Ibid: 140). What the NPFL did not do, however, was provide much in the way of services. Instead, local commanders were given relative freedom to loot the population, which they did with impunity (Ellis 1998).


*Center seeking group with a unified command within in a state with low penetration*

*Outcome: Non-effective governance*

Initially, under the leadership of André Matsangaissa, who was sponsored by the white minority government of Rhodesia, RENAMO relied on foreign patronage for much of their fight against the left wing Mozambican government. Though Matsangaissa was killed by
government forces in 1979, Afonso Dhlakama soon took the reins after a brief struggle and led the group until a ceasefire was signed in 1992. According to Young, “Despite occasional references to health, education and economic officials, RENAMO lacked a comprehensive system of direct administration for civilian areas” (Young 1997: 134). Though there were some minimal efforts made to provide services, generally, governance was left to local initiative as Fernandes explains, “Administration doesn’t have anything to do with the military. We are based on the traditional system: the administrative system depends on the area the chieftan has.” (Young 1997: 134). Or as Weinstein explained, “There is little debate that Renamo relied heavily on traditional structures to govern civilian populations” (Weinstein 2006: 307). Non-coercive civilian interactions with the RENAMO leadership were minimal, and “Civilians had little access to the rebels. As one former combatant explained, “The people didn’t live in a Renamo base; they lived a safe distance away, but under the control of the guerrillas” (Weinstein 2006: 310). And finally, according to Weinstein, “In this context of unilateral governance and limited participation, Renamo did little to provide public goods in exchange for civilian labor and contributions,” and it was only in response to international pressure towards the end of the conflict that Renamo even began constructing an embryonic civil administration (Weinstein 2006: 312).


Center seeking group with a unified command within a state with low penetration
Outcome: Partially effective governance

Founded by the charismatic Maoist intellectual Prachanda, the CPN-M controlled to varying degrees a vast portion of rural Nepal. Prachanda directly controlled the military wing (The People’s Liberation Army) and directed the political wing (the United People’s Front) which was led by Baburam Bhattarai, who emphasized the need for a system of control for the rural peasantry. Thus, according Rajamohan, “They have set up Peoples Courts which look into cases and [give] verdicts,” by encouraging, “local commanders to take judicial action” (2004: 3). However, little was done to provide technical services to the rural population which had long been marginalized by the state in Kathmandu. According to one CPN-M cadre, the party only had 15 or 16, “medical personnel who performed the tasks of doctors,” a strikingly low number to boast about considering the terrain and depth of poverty (quoted in Thapa 2005: 233). The CPN-M did not provide much in terms of education either, viewing teachers as a threat to their political agenda. According to a New York Times reporter who visited the region, “A Unicef survey of one war-torn district found that the number of children who showed up for year-end exams had dropped by nearly half… I learned in [Maoist controlled] Thabang that no one in the last two years had passed the national 10th-grade matriculation exam, a benchmark recognized as the completion of formal schooling” (Sengupta 2005).

Center seeking group with a unified command within a state with medium penetration
Outcome: Partially effective governance

Founded by a former university professor, Abimael Guzman, as an offshoot of the Communist Party, the SL began its insurgency against the Peruvian state in 1980. Though initially widely successful, the movement began to fracture as local militias, unhappy with the ideological nature of the organization and its harsh system of control, began to challenge it violently by forming local militias. In some of the areas controlled by Sendero Luminoso, a governmental structure that provided opportunities for civilians to participate was established. According to Weinstein, “The evidence suggests that the Shining Path sought to bring about a fundamental revolution in governance at the local level… In rebel-held zones, the Shining Path built structures of governance that broadened participation beyond elite intellectuals; created overlapping institutions of control where power was shared between the military, the party, and the administration; and drew resources from the civilian population in manageable and accepted ways… Fundamental to this strategy of governance was the involvement of a broad range of civilians in each community” (Weinstein 2006: 314). Their governmental structures were hailed as being effective in providing some services to the population, “To a much greater degree than the FMLN, Sendero sought to provide material benefits to its supporters… Sendero combined the use of force, material benefits, and symbols to create a sense among many Peruvians that it was a better, and more powerful, alternative to the Peruvian state” (McClintock 1998: 292). Although little was done in the security system, a functional school system existed that “taught people to read and write in addition to the political and ideological line of the movement.” (Weinstein 2006: 319).


Secessionist group with a divided command in a state with medium penetration
Outcome: Non-effective governance

Created by Nur Misuari to fight for the creation of an independent Moro nation, the MNLF initially received considerable support from both the local population as well as the broader Islamic community, “The Moro movement… was fairly successful at mobilizing mass support both at home and abroad. They were quite well organized, and the Moro populace gave the MNLF wholehearted support until it achieved some regional autonomy” (Islam 1998: 454). However, despite this support, the MNLF remained divided throughout its existence, riven by internal factions, “It is unrealistic to suggest that the MNLF was a well structured organization, with a clearly established chain of command running from the top of the organization’s hierarchy to the bottom. Even in its most active period, from early 1973 to late 1977, the effective structure of the MNLF was not as it was constituted on paper” (Che Man 1990: 82). As McKenna notes, “The MNLF never controlled all of the rebels fighting the government and was, in fact, a loosely knit group, with the borders between the fighters who were members of, aligned with, or exterior to the MNLF never very clear” (1998: 157). A split by the more conservative faction (what became the Moro Islamic Liberation Front or MILF) led the MNLF to spend much time dealing with internal squabbles. Consequently, little was done by the leadership to construct governmental institutions, and, according to
ICG, “From the outset, the secessionist movement was much more strongly oriented toward seeking support from the international Muslim community than toward building institutions of self-governance at home” (2004: 4).


*Secessionist group with a unified command within in a state with low penetration*

*Outcome: Partially effective governance*

Founded in 1981 by members of the Isaaq community, the SNM remained an exile organization based in Ethiopia until 1988 when it returned to Somalia to fight the regime of Siyad Barre. From the beginning the SNM was “divided between chauvinistic sections,” though this did not hinder the group from participating in the broader Somali front comprising militias representing different ethnic groups and regions of the country (Compagnon 1998: 76). The collapse of the Barre regime precipitated the declaration of independence by leaders of the northwestern territory of Somalia, once known as Somaliland, especially from within the Isaaq community. Though the SNM eventually became functionally indistinguishable from the leadership of Somaliland, they continue to exert a significant influence on the region’s political scene. For example, the former chairman of the SNM, Abdurahman Ahmed Ali, became the first president of Somaliland. The Somaliland government has gone to considerable lengths to legitimize their control of the territory, even conducting a referendum and writing a constitution. It has “acquired all the abstract symbols of statehood—a flag, anthem, currency and vehicle license plates” (Bryden 2004: 169). It also has succeeded “in maintaining a degree of peace and stability,” though beyond security, few other services are provided as the international community has failed to recognized the government, and thus left it fairly impoverished (Ibid).


*Secessionist group with a unified command within a state with medium penetration*

*Outcome: Effective governance*

See Chapter 6 for a full discussion.

15. Sudan (1983-2002): Sudan People’s Liberation Movement/ Army (SPLM/A)

*Secessionist group with a divided command within a state with low penetration*

*Outcome: Partially effective governance*

See Chapter 5 for a full discussion.
Chapter 5

Sudan: The Sudan People’s Liberation Movement/ Army (SPLM/A)

Introduction

Before my first visit to New Sudan, I wandered around Kampala, Uganda in search of a “visa” from the SPLM/A’s representative in the city. We were told to find the offices of an NGO run by Sudanese exiles with close ties to the rebel group, but when we presented our request to the Director in front of a room filled with Southern Sudanese, we were met with blank stares and abject silence. A chance meeting with a rebel commander at a popular Kampala café, produced a letter of introduction and a return visit to the Director, who happily gave us an official looking certificate—after we parted with a passport size photo and 35 dollars. After traveling overland through northern Uganda to the SPLM/A controlled town, Nimule, along the Southern Sudanese border, we were struck by the sense of normalcy we encountered. Two years of a ceasefire had allowed the SPLM/A to develop a bureaucratic apparatus that provided a basic security system, and in conjunction with NGOs who had flocked to the region, a rudimentary health and education system. However while impressive in scope, conversations with civilians, NGO workers, SPLM/A soldiers and bureaucrats revealed that the SPLM/A civilian administration was still a work in progress rather than a comprehensive system of governance, as I describe in this chapter.

Until the signing of the ceasefire agreement in 2002, the war in South Sudan was one of the world’s longest and most destructive conflicts, spanning over two decades and causing the deaths of at least two million people. The signing of a comprehensive peace agreement in early 2005 brought the SPLM/A into the government, and transformed the former guerrilla

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42 I was traveling with Adam Branch of Columbia University.
army into a political party, albeit one with the ability to go back to war if it ever feels that the conditions of the peace agreement are being broached.\footnote{The agreement provides for a federal solution to Sudan’s long standing tension between North and South, including a 50/50 split of the oil revenues. Under the agreement, the long time leader of the SPLM/A, John Garang was made Vice President, though a helicopter crash ended his life in July of 2005. The agreement allows for Southerners to vote on whether or not they want independence in six years, though it is yet to be seen if the current crisis in Darfur undermines the whole process.} During the twenty years of its existence, the SPLM/A morphed from its origins as a conglomeration of various discontented southern factions into one of the most structured rebel armies in contemporary Africa.

I examine the development of the SPLM/A civil administration, tracing its origins back to internal tensions between the SPLM/A’s constituent factions. Inline with my arguments about a secessionist group operating in a territory with minimal pre-conflict state penetration, the SPLM/A only began the process of constructing a civil administration in response to internal challenges to the leadership’s rule around the question of civilian treatment. These challenges forced the SPLM/A to realize that the development of a civil administrative structure was the key to the group emerging as the fulcrum around which a Southern Sudanese resistance could cohere. Faced with a political landscape with little to no penetration of actual state institutions, I argue that the SPLM/A deserves credit for developing a method for transforming INGO’s into supporters by co-opting them into its civil administrative structures. This innovative approach allowed it to begin the process of providing to South Sudan what it always lacked, a meaningful political authority, though as I show in this chapter, actual service provision varied widely across the territory of New Sudan. Their reliance on transnational actors also made the SPLM/A leadership susceptible to the witness role that transnational actors can often play.
My analysis is based on an examination of two separate towns that remained under SPLM/A control for much of the latter part of the conflict. They were chosen to reflect the Dinka/ non-Dinka split within SPLM/A controlled territory. Rumbek and Yei are towns of similar size and import for the group. However, Rumbek’s majority Dinka population and frontline location contrasts with Yei’s non-Dinka population and relative stability along the border with Uganda. Rebel governance often varies widely within the actual territory of a specific group. By comparing two similar towns under the control of a single rebel political authority, I am able to explore some of this internal variation.

Figure 5.1: Map of Sudan
While some observers have been unimpressed by the SPLM/A’s governance project, I argue that the establishment of civil administration served other functions for the leadership that warrant serious consideration. Premier amongst these was the success of the SPLM/A in integrating previously antagonistic elements into its broader agenda by developing a civil administrative structure that privileged local autonomy over central control. I connect the group’s approach to civil administration to the history of neglect that characterized the South’s relationship with the Khartoum government. With little to work with, the leadership’s only option for developing a civil administration was to co-opt the plethora of transnational actors active in developmental activities in the South into their political agenda. I argue that by limiting the civil administration’s role to managing these activities, the SPLM/A was able to exert a degree of control over the developmental and humanitarian activities in their territory. At the same time, this minimalist approach allowed the SPLM/A to empower local level administrators, fostering greater cohesion amongst the Southern population generally.

Background to the Conflict

The conflict in Southern Sudan has been viewed mainly as between an Arab and Muslim North, which has controlled the central government since independence, and the African and Christian South, which has been subject to varying degrees of economic and social marginalization and political and religious repression since before independence. Although it is true that the Khartoum-based government has consistently exploited the South while brutally suppressing opposition to its rule, closer examination reveals that the North-South divide is only one of many political divisions in contemporary Sudan. Sudan, Africa’s largest country, is home to dozens of ethnic groups speaking hundreds of languages. There
are a significant number of Africans—Christians, Muslims, and those adhering to traditional beliefs—in the North, and a significant number of Muslims in the South. Thus, while religion has been a language in which politics and violence have been expressed, it cannot be seen as the cause of the conflict nor its main reason for continuing.

Likewise, although race is often portrayed as the cause of the conflict, there are Arabs within the SPLM/A, just as there are Africans who support the regime. The conflict being fought by those identified as both Muslim and African in Darfur against the Government of Sudan that broke out in early 2004 demonstrates the difficulty of defining clear cleavages in a country as expansive and diverse as Sudan. Instead of being caused by racial or religious differences, many analysts of, and participants in, the struggle have made clear that the conflict in Sudan is anchored in unequal development and political exclusion taking place in the context of easily politicized racial and religious identities (Abdel Salam and De Waal 2001).

The historical negligence of the South by the North has antecedents that pre-date colonial rule and have been traced to the rule of the Mahdi regime in the 19th century and even earlier (Idris 2001). This history of marginalization is central to the development of the SPLM/A civil administration, as I will argue in this chapter. In fact, the South has long been “stateless” and has actively resisted attempts to incorporate it into any of the major states of the region (Johnson 1998). At no point in the relationship between the two was the South ever genuinely treated as an equal partner in the construction of the Sudanese nation.

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44 Johnson identifies multiple conflicts in the North and other parts of Sudan including the Nuba mountains and Darfur (Johnson 2003).
45 Prior to the Mahdiyya, Sudan was a part of the dying Ottoman Empire. The Ottomans viewed Sudan as just another site for levying tributes and stripping assets, including slaves. It never attempted to develop the region and no functional bureaucracy was ever established.
Many commentators point to this pre-colonial relationship between the North and South as a cause of the current conflict, “Today’s lurid crop of massive insecurity, enslavement, repression, and genocide was first sown generations ago…” (Daly 1993: 1).

The post-colonial leadership in Sudan further marginalized the South from any meaningful political and economic development. At best it was viewed as a poor relative worthy of little more than contempt, or even, outright hostility. In practical terms, this meant that little attention was paid to the development of the South, while much was done to ensure that the South’s resources could be funneled to benefit Khartoum and the surrounding environs, particularly after the discovery of oil in Bentiu in 1978. Since the people of the South were often viewed as expendable by the GoS, the penetration of the actual institutions of the state were minimal (Prunier and Gisselquist 2003). Thus, when dealing with the region, the GoS eschewed seeking a balance between consent and coercion, in favor of a rather harsh and relatively uncontested force meant to keep the population compliant.

North and South really came into administrative contact with the advent of the Anglo-Egyptian Condominium period, during which England ruled the Sudan through its Egyptian pawn. The two regions were ruled separately, with the financial profitability of the north serving as a convenient pretext for an unequal development policy that fostered further racial separation (Idris 2001). The North received a far greater percentage of the developmental disbursements for health and education from the colonial government. Combined with the business opportunities created through British economic interests, a northern economic elite emerged with easy access to the newly minted political institutions (Daly 1993). The South, meanwhile, was of interest only strategically, because of the longstanding British desire to control the Nile River that wound through it (Yongo-Bure 1993). In the South, the British
adopted a policy of separation meant to keep the region free from Arab/Muslim influence, and allow it to develop in its own “natural” way. As some have argued though, the British chose not to develop an educated and skilled Southern elite to provide administration in the region out of fear that this could lead to the development of a discontented nationalist Southern intelligentsia⁴⁶ (Tvedt 1994).

This was taken to its natural extreme with the adoption of the Southern Policy in 1930, when development of the South was essentially abandoned, with administration limited to a few Egyptian and Sudanese clerks, and education left to Christian missionaries of various denominations. By 1949 when the South finally opened its first secondary school, the few remaining colonial institutions were in demise and the region had become a political and economic backwater. By the time Sudan had gained independence under the unionist government of Ismail al-Azhari in 1956, British policy had left the South amongst the least developed in all of Africa (Ibid). In their hurry to abandon Sudan, the British passed control of the country to a tiny Arab elite who had comprised the exclusively Arab ‘nationalist’ movement and who viewed the remaining 70% of the country as external to their conception of the new nation (Prunier and Gisselquist 2003). At this early point, the country had already witnessed a series of riots by dissatisfied southern elements that left over 300 dead (Daly 1993). During the next decade, conditions in the South deteriorated reaching their nadir in 1964 when war broke out between the two regions.

**The First Anya Nya War**

⁴⁶ Experiences elsewhere in the colonial world had taught the British that promoting liberal values amongst the colonized elite could backfire, with this elite serving as the fulcrum around which nationalist struggles emerged. Thus in Sudan, as in many parts of Africa, indirect rule systems were put in place which relied on a cooption of traditional authority systems, in the place of a westernized local political elite. See Mamdani (1996).
Of the 25 million people in Sudan, around six million live in the South. The region is characterized by tremendous diversity being home to 50% of the languages spoken in the country (Johnson 1998). It is a politically contested space with no unified Southern Sudanese identity. What common identity does exist seems to be based primarily on common repression by, and resistance to, the Khartoum regime. But equally prominent are the divisions between the many ethnic groups in the South. The first Anya-Nya war, as it came to be known, was fought by a collection of small southern militias, many with roots in Equatoria province along the northern Uganda border. Initially, the various guerrilla bands operated autonomously along ethnic lines, even going as far to proclaim the establishment of their own republics such as the “Sue River Republic” of Samuel Abujohn or the “Anyidi Republic” of Akuot Atem (Johnson and Prunier 1993).

It was not until six years later, in 1970, that Joseph Lagu, an Equatorian leader, supported by Israel through the brokerage of Idi Amin, consolidated these groups into a single force unified under the Southern Sudan Liberation Movement (SSLM) title (Ibid). Already seriously underdeveloped, the war wreaked further havoc on the Southern landscape as the government targeted infrastructure including roads, bridges, agricultural fields, and even schools for destruction (Yongo-Bure 1993). In 1969, an army coup with Colonel Jafar Muhammad Nimeiri at its head, overthrew the government in the North. Initially promising a new vision for Sudan, the coup leaders formed a ten-man Revolutionary Command Council that soon fell victim to infighting. This prompted a second coup attempt that failed to overthrow Nimeiri, causing him to purge the council of its progressive elements. Nimeiri

recognized the importance of ending the southern war which he viewed as a step in consolidating his rule, and in March of 1972, under the auspices of the All-African Council of Churches, the Addis Ababa Agreement formally ended the war between the Government and the SSLM.

The Regional Self-Government Act for the Southern Provinces emerged out of this accord and was willingly accepted by the SSLM. The act created a single region out of the South, with its own regional assembly, High Executive Council, and a significant degree of regional autonomy, though it stopped short of creating a truly federal government (Alier 1990: 89-99; Lesch 1998: 46-7). However, this arrangement was quickly undermined by both Nimeiri and southern leaders. Although the agreement called for the development of the political and administrative institutions that the South had always lacked, only a small portion of the budget was actually allocated by the central government. Instead, foreign NGOs began their involvement in the region, particularly in Equatoria, the southernmost province, where NGOs went as far as taking control of several public sectors (Rolandsen 2005). To be fair, with limited financial resources, there was little that Southern leaders could do, as the South was completely bereft of the skilled manpower necessary to staff its newly empowered institutions. According to one account, the administrative and professional personnel during the interwar period in the South was “probably… the smallest administration and the most uneducated administration in the world” (Tvedt 1994: 73). Still the two regions got along well enough, at least until the construction of the Jonglei Canal in

48 According to Tvedt (1994), from the mid-1970s to mid-1980s it was the very efficiency of NGOs operating in the region that led them to undermine state authority. “I will argue that, in Southern Sudan, the NGOs contributed unintentionally to the erosion of the authority of a very weak state. … The NGOs put up their own administration and authority systems thereby undermining the state institutions without establishing viable alternative structures.”
1977, which ran through the Upper Nile province displacing Southern communities and denying them access to dry-season grazing land for their cattle (Prunier and Gisselquist 2003).

In the North, Nimeiri was beset with a challenge from Islamists to whom he found himself increasingly beholden. The reforms that he proposed to bring the Sudanese constitution inline with Islamic law only further exacerbated the growing tensions between the regions. On the economic front, the years 1978 to 1982 witnessed a progressive deepening of Sudan’s external debt which had risen to over five billion dollars. The discovery of significant oil deposits near Bentiu led Nimeiri to believe that the regime’s salvation lay with the untapped black gold, causing him to calculate (wrongly) that the Addis Ababa Agreement was no longer essential to the survival of his regime (Johnson 1998: 46). Since Bentiu lay within territory demarcated as part of the South, Nimeiri forcibly adjusted the country’s administrative boundaries to remove the oil fields from the jurisdiction of the Southern regional government, much to the chagrin of southern leaders. Feeling pressure on both the economic and political fronts, Nimeiri pandered to his major supporters, the Islamists, by increasing his Islamization policies, even going as far as declaring Shari’a law throughout the country. Naturally, Southern leaders viewed this as deliberately undermining the autonomy of the Southern region.

At the same time, in the South, schisms began to reappear and non-Dinka politicians promoted a “re-division” of the region into its three constituent parts (Equatoria, Bahr el

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49 After Nimeiri had abandoned his supporters in the Communist Party in 1971, he was forced to rely on the Islamists in order to survive, famously embracing them in a public display in 1977. For their part, under the leadership of Hassan al-Turabi, the impressively professional and credentialed social base of the Islamist movement recognized the strategic value of entering the civil service and economy in vast numbers, greatly exaggerating their power relative to their actual base of support in the country (Prunier and Gisselquist 2003).
Ghazal and Upper Nile) by mobilizing popular fear among non-Dinka of Dinka domination of the unified Southern administration—a program commonly known by the Bari word, “Kokora”\(^5\) (Dak 1988: 191-193). Initially, non-Dinka did occupy many of the positions in the Southern government, but throughout the 1970’s, the Dinka began to assert their strength and were able to quickly increase their numbers in the leadership. This culminated in the replacement of the Equatorian leader (and prominent Kokora supporter), Joseph Lagu, at the top of the regional government, by Abel Alier, a Dinka nationalist. Alier promptly filled half the ministerial post in the Southern High Executive Council (HEC) with Dinka supporters, creating insecurity amongst non-Dinka groups that made the entire structure vulnerable (Johnson 1998: 53). This played into Khartoum’s own agenda to foster factionalism in the South. When the HEC consistently refused to re-divide the South, in June 1983 Nimeiri did it himself by decree, assigning to the three newly reformulated provinces a greatly reduced degree of autonomy (Lesch 1998: 51).

This re-division was one of the triggers for the SPLM/A rebellion, as the partially federal structure was, with re-division, replaced by one entailing increased central control from Khartoum.\(^5\) Thus, the SPLM/A was fighting in part to preserve a *status quo ante* that many Southern Sudanese did not want. To be clear, many Equatorians did want a redivision of the South in order to be free from what they perceived as Dinka hegemony in the South,

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\(^5\) For an account of the divisions that plagued Southern politics leading up to the SPLM/A rebellion, see Badal 1994. Badal relates the history of the resentment of Dinka hegemony within the South; he quotes Lt. General Lagu, the Madi leader of Anyanya, as stating that “It is time we cut the Dinka down to their original size. They must go home, they have nothing to do in Equatoria” (120). See also Lagu (1980). For a more recent account, see Johnson (1998).

\(^5\) Garang himself does not agree with the importance of the Kokora as a trigger for the war pointing out that the SPLM/A went into the bush before the re-division. Still, he does admit that it was an important factor. See his interview: “Colonel Dr. John Garang Speaks To Heritage On (War and Peace in the Sudan).” *The Heritage.* Monday, November 2, 1987, p. 4.
but even these proponents of the redivision were not satisfied by the more centralized structure imposed on them by Khartoum (Johnson 2003).

**Origins of the SPLM/A**

Nimeiri had long been forced to walk a balancing line between his interests in keeping Sudan united and pressure from Islamic parties that wanted to declare Sudan an Islamic state. In the end, on top of his progressive weakening of the Southern government, and his attempts to reorganize the country’s boundaries in order to control the oil resources, it was his shift to a more Islamist position through the proclamation of Shari’a across the land, that proved to be the final straw that broke the proverbial camel’s back, setting into motion the events that birthed the SPLM/A. Initially, the war began with a series of mutinies amongst southern fighters in the national army, including many who had fought in the first Anya Nya war. However, in July 1983, these different groups were brought together by the Marxist Ethiopian government who long harbored resentment against the GoS for its support of the Eritrean secessionists, and had been arming groups in the South in revenge (Johnson and Prunier 1993). At the Ethiopians’ insistence, the newly founded SPLM/A decided against a separate military and political wing, instead combining the two under the leadership of John Garang, Ethiopia’s choice for leader of the fledgling rebel army.

The choice of Garang, a Dinka, over former non-Dinka Any Nya I fighters who had held positions senior to Garang in the first war, contributed to tensions between the SPLM/A’s component ethnic groups from the onset. Openly recognizing the risk of being perceived as a Dinka ethno-nationalist movement, the group has, since its inception, tried to
transcend the problems of polarized racial, religious, and ethnic identities by calling for a “New Sudan” based on national unity and equal development (Lesch 1998: 88-92).  

The dominance of the Dinka within the SPLM/A is unsurprising considering the demographic strength of the community in the region. Approximately a third of the Southern population is Dinka, far exceeding the next largest community, the Nuer. They have long lived and clashed with the Arab-ized ethnic groups that occupy lands close to their traditional holdings. Their demographic strength notwithstanding, it is important to also recognize the historical position of the Dinka within Sudanese society. More a conglomeration of several distinct sub-groups, than an organized ethno-political identity, the Dinka were passed over for positions in the colonial government in favor of communities viewed as better able to handle the demands of bureaucratic life. According to Johnson, “the majority of clerks, police and soldiers in the South were drawn from Equatoria and western Bahr al-Ghazal” (Johnson 1998: 50). This educational advantage explain why it was from amongst the Equatorian population, and not the Dinka, that Anya Nya I received its leadership.

Despite Garang’s attempts to frame the SPLM/A’s struggle in an inclusive manner, tensions between the various ethnic groups in the South plagued the group from the start. Even at the earliest phases of the group’s history, non-Dinka lacked a prominent role within the SPLM/A leadership, especially when considering their predominance in Anya Nya I. In fact, tensions between Southern ethnic groups have broken into all out conflict many times since Independence. The GoS has long found it expedient and cost effective to promote schisms within the Southern opposition, and though it is wrong to lay blame solely with the

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52 In its founding manifesto, the SPLM/A went as far to state, “that the principal objective of the SPLM/A is not separation from the South.” Cited in Atem (1999).
government for these tensions, it is clear that it has been Machiavellian in its attempts to fragment the Southern opposition. Despite their professed socialist bearings, initially the SPLM/A leaders did little to build support with the non-Dinka population. Non-Dinka were subject to atrocities at the hands of the SPLM/A (HRW 1994; SHRA 2003), and viewed the group as a vehicle of Dinka domination not dissimilar to the Khartoum government. In fact, the SPLM/A treated Equatoria in particular as occupied territory, moving large Dinka populations into the province where they would have better access to relief aid and avoid the worst fighting further north. This massive, violent demographic shift meant that during the war, in parts of Equatoria, Dinka IDPs outnumbered remaining non-Dinka by three to one, while those who remained found themselves subject to political and economic marginalization in their own homes. In response, several small ethnic militias emerged throughout Equatoria to challenge the authority of the SPLM/A, though none posed a real challenge to its military might.

By 1989, the group had merged with several other factions and had achieved impressive military victories over GoS forces, giving them control over two-thirds of the South including several large towns (Prunier and Gisselquist 2003). Political power rested with a Political Military High Command (PMHC) which exercised absolute control over all civil and military affairs. In 1991, the SPLM/A lost its key supporter when the regime of Ethiopian president Mengistu Haile Mariam collapsed. Mariam had long provided both funds as well as logistical support to the group. And throughout its brief history, the SPLM/A had

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53 As Johnson (1998: 70) writes, the inhabitants of Yei Town saw the SPLM/A as an “army of occupation.”
54 A 1994 USAID estimate put the number of IDP’s in SPLM/A-held territory at around 1.5 million; in Equatoria, the number is probably around several hundred thousand, although in interviews, we were confidently told by (mostly Equatorian) informants that the actual number is in the millions. For current statistics, see Global IDP Database, “Profile of Internal Displacement: Sudan,” October 2003, available at www.idpproject.org.
maintained rear bases in Ethiopia, which were utilized for a variety of purposes, including serving as a critical refuge for the group away from Khartoum’s advances. However, the new Ethiopian regime, led by the former rebels of the Tigray People’s Liberation Front (TPLF), had little love for the SPLM/A, quickly expelling them from Ethiopian territory. The collapse of the Ethiopian regime also triggered a massive influx of hundreds of thousands of refugees back into the South returning from camps in Ethiopia (Ibid). The SPLM/A was ill prepared to deal with this population, having long pursued a strategy of funneling civilians across the border to sanctuaries in Ethiopia in order to avoid establishing structures that could provide basic services to the conflict affected population.

**Figure 5.2: Areas controlled (at least partially) by the SPLM/A**

Further adding to the group’s woes, it was at this point that the Nuer, who makeup the second largest segment of the Southern population after the Dinka, began making both
violent and non-violent demands for greater representation within the SPLM/A leadership (Scroggins 2004; Hutchinson and Jok 1999). In August 1991, several Nuer SPLM/A commanders led by Dr. Riek Machar, the commander in charge of Nasir and a member of the PMHC, attempted a coup to replace Garang. Along with Dr. Lam Akol, the Nuer leaders claimed that the group under Garang’s leadership had consistently abused the human rights of civilians within its territory, and more relevant to our discussion, that he had failed to establish functioning institutions55 (Ibid; Atem 1999). Machar’s faction was initially known as the SPLM/A-Nasir, but took on the overtly secessionist appellation, the Southern Sudan Independence Movement (SSIM). Whether or not Machar actually cared about governance, or was merely opportunistically exploiting a demand articulated by the civilian population, the split he orchestrated at least partially demonstrates the consequences of the failure by the SPLM/A’s leadership to address demands for services and representation from the civilian population.

The war between the two factions was extraordinarily bloody and both sides openly targeted civilians. The conflict lasted from 1991 to 1999 and produced many more civilian deaths than the battle against the Khartoum government (Jok and Hutchinson 1999). Although the Nasir faction, which framed itself as the champion of the Nuer, did tap into deep seated political grievances, it undermined its own potential to replace the SPLM/A as the premier rebel organization in Southern Sudan by accepting extensive support from the

55 Machar gained a degree of notoriety after he married Emma McCune, a British aid worker who worked with the British aid group, Street Kids International, which sought to build schools in South Sudan. Even after their marriage, she continued to work with the agency. She also served as Machar’s greatest supporter, using her connections to the international community to promote a kinder, gentler version of the commander that many thought duplicitous considering his actual behavior. See Scroggins (2004).
Khartoum government (Ibid). Like Garang before him, Machar was known to be skillful at garnering support from the international community, and it is unlikely that his faction would have been able to survive if the international agencies had not been so willing to intervene early on, providing relief to the areas the SSIM had taken over (Scroggins 2004: 299). At the same time, personnel from these INGOs eventually cooled on Machar when a videotape made of a Nasir faction attack on a Dinka town in 1991 was circulated amongst the ex-patriot community. The video dashed any perceptions that Machar represented a new, liberal path away from the autocratic tendencies of Garang, arguably preventing a wholesale shift in transnational support away from Garang to Machar’s faction (Ibid; Rolandsen 2005). This is a good example of the crucial support and witness roles that transnational actors can play in conflict zones, and the way rebel leaders respond.

The conflict was only resolved in 1999 when Machar agreed to rejoin the SPLM/A following a peace initiative brought about by churches and other local actors. The split had a profound impact on the SPLM/A organization. The group lost most of its territory as GoS forces took advantage of the split and launched a series of effective offensives against the group. In addition, the SPLM/A lost a large number of troops to the Nasir faction, and their civilian base was greatly reduced as well (Rolandsen 2005). According to knowledgeable observers, the split also pushed the group away from its national focus, to a more secessionist position, in response to the Nasir faction’s use of independence rhetoric (Jok and Hutchinson 1999). The leadership had initially refrained from using secessionist language out of deference for its Ethiopian patron—which was engaged in its own bloody struggle against

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56 Garang often sent off missives to the media to correct what he perceived as misperceptions about the SPLM/A. See the edited volume of his letters and essays, Garang (1992)
Eritrean secessionists. After the loss of Ethiopian support, both the SPLM/A and the SSIM sought to increase their appeal by offering their followers complete independence away from the Sudanese state. Eritrea’s gaining of independence in 1993, long a taboo within both Africa and the international community more generally, had created a secessionist precedent for the SPLM/A leadership that they were finally able to embrace. However, in their propaganda materials, they remained a nationally focused organization.

Forced to recognize the explosive resentment of the group by a segment of the population they claimed to be fighting for, the SPLM/A made attempts to alleviate the tensions between Dinka and non-Dinka. Militarily, they were able to gain some support from Southern populations due to Khartoum’s indiscriminate retaliation on areas suspected of supporting SPLM/A rebels (Johnson and Prunier 1993). Politically, the group initiated a South-South dialogue that sought to bring greater clarity to the political wing of the party, which had long languished under the primacy of the military’s imperatives. Concomitant with these demands for genuine local self-government and ethnic inclusion from below, the National Democratic Alliance (NDA), an umbrella organization that brought the SPLM/A together with the major Northern political parties, armed groups and trade unions, put pressure on the rebel leadership to respect demands for local autonomy. Encapsulated in the 1995 Asmara Declaration, the NDA compelled the SPLM/A to acknowledge “the fact that unity of the Sudan cannot be durably based on force or coercion but on justice and the free-consent of all the various groups in the Sudan” (Abdel Salam and de Waal 2001: 203).

Establishment of the SPLM/A Civil Administration

The conflicts between Southern ethnic groups led the SPLM/A leadership to recognize that decentralization of the political apparatus was essential if they were to retain
support from non-Dinka ethnic groups and be able to build national and international legitimacy (Interview with Arop). This combined with the pressure from NGOs and the international agencies to provoke the SPLM/A into beginning a process of governance reform (Rolandsen 2005). The SPLM/A had in fact begun to establish a civil authority structure in the early 1990s in response to the successful capture of extensive territories in 1989 and the over-militarization of life in the South. The main task of the nascent civil administration was the mobilization of human and material resources for the SPLM/A (Atem 1999). Quotas were imposed on local leaders, particularly for the provision of new recruits, and if these demands were not met, the leaders were fined or removed from power. The population also provided the SPLM/A with the majority of its food needs, as well as labor power and beasts of burden. Although the situation was not quite anarchical as INGOs and religious institutions labored to provide a modicum of social and political order, the administrative capacity of the group at the time was minimal, and reflected the whims and initiative of local political leaders.

In September 1991, the Torit Resolutions made by the PMHC, the highest executive and legislative body of the SPLM/A, initiated a transformation of the civil administration due to pressures from dissenting commanders and donor governments (Johnson 2003). The meeting that produced this document took place shortly after Machar had broken away from the group, though it had been discussed before the attempted coup. This led to a series of smaller conferences of the PMHC, where it was decided to hold a convention to restructure the group’s governmental institutions and practices. Between March and April of 1994, a

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57 In Equatoria, a regional conference in 2001 and a convention in 2002 led to a call by political and civil society leaders for the decentralization of government in the South and constitutional and legal reforms that would guarantee the self-rule of Equatoria free from Dinka dominance.
National Convention of SPLM/A members met to discuss the establishment of a civil authority. This meeting led to, in 1996, the Conference on Civil Society and the Organization of Civil Authority in Himman-New Cush, at which the Civil Authority of New Sudan (CANS) was initiated to rectify a situation characterized by one SPLM/A official as “jungle law” (Interview with Wani).58

From its humble origins in 1994, CANS quickly became more formalized with clearly defined governmental structures that established autonomous political institutions distinct from the military command. It was to be run by civilians or former fighters, and the SPLM/A emphasis—at least in its rhetoric—on democratic, representative local government increased. As the SPLM writes in its “Peace Through Development: Perspectives and Prospects in the Sudan,” published in February 2000:

From the perspective of the SPLM, a peaceful resolution of the conflict in the Sudan will be achieved through a comprehensive development strategy that depends on a sustainable system of participatory democracy and good governance. On the other hand, participatory democracy and good governance rely on the establishment of a broad-based civil authority, such as CANS (SPLM 2000: 10).

The CANS encompassed a civil authority formally independent of the SPLM/A, with its own civil police force, judicial system, and even Department of Wildlife. In theory, the civil authority was to be institutionally distinct from the SPLM/A military command structure, and during the war, CANS and SPLM/A officials often attested to the civil authority’s autonomy. However, in confidential discussions, NGO workers and others who regularly dealt with CANS made it clear that they saw the local government’s autonomy

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58 The conference and its aftermath are detailed in Rolandsen (2005). See also the description of this process in SPLM (2000). A third conference was held in 1997 examining the tense relationship between the SPLM/A and the Church. It resulted in an agreement between both sides to support the other’s agenda by cooperating on a variety of issues.
from the SPLM/A as a project to be realized, rather than reality. Among these informants, it was perceived that politically sensitive decisions were made by the SPLM/A high command, and that the SPLM/A often intervened into decision-making by the civil authority. Moreover, all CANS officials were ex-SPLM/A soldiers which led to an intermeshing of civilian and military through personal ties and influence (Johnson 1998: 67). A military ethos inevitably permeated the civil authority as a result.

Despite SPLM/A claims to the contrary, the military continually held exclusive power. There was a “fusion” of powers in the SPLM/A, as one human rights lawyer claimed (Interview with Lomo), or as one analyst has written, “the administrative structure is not democratically based, but rather reflects a militaristic top-down approach” (Riehl 2001: 11). At the same time, however, these same informants saw the group as making a significant effort to demilitarize the local government, and had seen substantive changes in this direction immediately following the signing of the ceasefire in 2002. The weakness of the higher levels of CANS meant there was wide variation in its implementation in different areas. In fact, the political composition of the local area played a key role in the way CANS was enacted across New Sudan, a feature that served the SPLM/A’s need for empowering local authorities without actually devolving military power away from the central command.

The question of political equality was intermingled with the question of economic and social equality since the beginning of the conflict. As the passage from “Peace through Development” cited above makes clear, decentralization of local government was intended as much to promote inclusive economic development, by decentralizing service provision and development activities to local levels, as it was intended to promote political inclusion. In the

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59 These interviews were conducted in early 2004, before the comprehensive peace agreement was signed.
context of political and economic marginalization, the SPLM/A leadership intended CANS to respond to the political and economic grievances of the Southern populations. The autonomy of CANS in service provision and development activities proceeded in step with the devolution of genuine political authority to CANS from the SPLM/A military structure; thus, CANS represented not only an evolution of local government, but an evolution of the entire structure of the rebel leadership, as the political wing finally realized a degree of autonomy away from the military command.

Service provision had first been formalized in 1989 with the Sudan Relief and Rehabilitation Association (SRRA), a diasporic NGO created to provide basic services to populations under SPLM/A control. Although the SRRA had actually started in 1986, it was not until a widespread famine in 1988 that killed an estimated 250,000 people that the organization moved back into the country from its scattered operations in Ethiopia. The famine triggered a massive reentry of foreign NGOs into the region under the auspices of Operation Lifeline Sudan (OLS). The SRRA influence grew in response to this increased intervention into SPLM/A territory by transnational actors as the PMHC recognized the importance of having an institutional body capable of representing the group within the aid distribution process. By 1990, the SRRA had begun operating in many areas of the South serving as both a coordinator of relief operations, and often, as the political authority on behalf of the SPLM/A. From 1994 on, the SRRA (renamed the Sudan Relief and Rehabilitation Commission, or SRRC) underwent significant reform in response to the reforms proposed to CANS. The SRRC handed off some of the many responsibilities it had accrued throughout the 1990’s — education, health, agriculture, communications, economic development — to CANS, and refocused its efforts on humanitarian relief (Interview with
Daniel). During my last visit to the region in early 2005, shortly before the signing of the comprehensive peace agreement, the relationship between the two, like most institutions in Southern Sudan, remained overlapping, as many of the activities that were supposed to be under the auspices of CANS were still in the hands of the SRRC.

The Structure of the Civil Administration

The task of decentralization was made slightly easier due to the PMHC’s early decision to break down SPLM/A territory into non-ethnic specific zones of command. Many other multi-ethnic insurgent groups take the path of least resistance, dividing their territories into ethnic-specific zones. The danger with this approach is that it tends to reify ethnic identity as the basis for political participation, fostering tensions between the group’s constituent communities. Instead, the SPLM/A based their zonal divisions on existing pre-conflict multi-ethnic provinces and sub-provinces (Johnson 1998). This was an attempt to prevent competition for political influence between different ethnic groups at the regional level. The basic objective of the 1994 reforms was to devolve power to a hierarchy of local authorities, decentralizing the provision of services away from the central command. This bottom up approach began at the village, or Boma, level. Reflecting the colonial strategy of utilizing traditional authorities, the Boma was given a bifurcated political authority, split between an ethnically recognized chief and the Boma Administrator. The traditional chief was chosen by the local village community, was advised by a council of elders, and primarily served to resolve disputes between community members. The Boma Administrator, meanwhile, was appointed by the SPLM to serve as the group’s liaison to the village.

Above this level, a Payam was comprised of four to six bomas. This level had a more elaborate structure: a Payam Administrator was the highest authority figure and liaison to the
SPLM, and oversaw legislative, executive and judicial bodies. Each Payam had a legislature comprised mostly of elected members and some appointed members. The executive branch comprised the Executive Administrator, who was appointed by the SPLM with an eye towards selecting someone acceptable to the local population, often an indigene. This branch was responsible for the administration of the Payam, and was the authority of primary importance for the local population.

Above the Payam was the County, which covered large areas and often included relatively inaccessible regions—especially given the condition of Southern Sudanese roads during the war. Thus despite, the SPLM/A’s intention to promulgate a standardized development agenda at the County level, most County agencies never developed the capacity to implement such programs across such a vast territory. The County was led by the County Commissioner, an appointed position drawn from SPLM/A ranks. The county was responsible for setting and collecting taxes, including a general “poll tax” taken from all

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<th>Figure 5.3: Structure of Payam Administration</th>
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<td>(Source: Payam Administration Office, Nimule)</td>
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<td>Payam Administrator</td>
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<td>Payam Chairman/ Legislature</td>
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<td>Deals with Political Issues</td>
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<td>Chairman, Under Chairman, Secretary Finance,</td>
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<td>mobilizer, councilor</td>
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<td>3. Secretary, 4. Finance</td>
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| Payam Women Association                      |
| Women Affairs Secretary                      |
| 3. Secretary, 4. Finance                     |

| Payam Administrator                           |
| Payam Chairman/ Legislature                  |
| Deals with Political Issues                  |
| Chairman, Under Chairman, Secretary Finance, |
| mobilizer, councilor                         |
| Payam Women Association                      |
| Women Affairs Secretary                      |
| 3. Secretary, 4. Finance                     |
| Payam Women Director                         |
| Payam Women Director                         |
| women, gender, and child welfare            |
able-bodied adults and market fees—though the commissioner of Yei County told us\(^6\) that taxation was primarily a token action (Interview with Lokule). It is hard to discern the actual amount of tax taken by the civil administration, but considering the general poverty levels that prevailed, it is doubtful that much could have been extracted from the population (Ibid). However, the local authority was able to siphon off significant aid from locals through a “personal tax” taken from whatever relief supplies civilians were able to scrounge from INGOs (Interview with American aid worker).

At the county level, several agencies were created to provide services to local communities, especially the County Development Committee (CDC). The CDC’s purpose was to plan, coordinate, and evaluate development programs in the county, and it served as the mechanism through which the development activities of the SRRC were to be transferred to the civil administration (Interview with Khamis). The CDC only came into existence in 1999 and was meant to serve as a liaison between INGOs and the population, especially during peace time. The staff worked closely with the SPLM Development Assistance Technical Office (SDAT), a national body based in Nairobi, which received funding from USAID to develop a model for promoting development within SPLM/A held territory. Above the county level, a zonal/ regional commander appointed by the PMHC served as the highest military and civilian command. This regional commander controlled vast areas such as Equatoria, Bahr-el-Ghazal, or Upper Nile which were based on old multi-ethnic provincial boundaries. These zones, while important as military commands, had little to do with civil administration, which really became a concern at the County level and below.

\(^6\) This interview along with several others was conducted with Adam Branch with whom I traveled to Sudan in March of 2004.
At the national, regional/zonal, County and Payam levels, legislative councils were created, and designed to allow a degree of democratic feedback into the administrative structure. At the Payam level, the congress consisted of 600 members and subsets of this level would comprise the 1800 delegates of the County Congress. Subsets from each of the county legislatures would comprise the Regional Congress of 2400 members, and subsets from the regional level would comprise the National Congress of 3000 members (Stiansen 2002). However, despite the elaborate structure of the legislative system, in interviews with SPLM/A personnel, it became clear that these were little more than paper institutions, especially at the higher levels. While the national congress did meet rarely, as did several regional congresses and many County and Payam congresses, the meetings tended to be ad hoc and unfocused. Furthermore, even in cases where elections were held for various congresses, executive approval from SPLM/A commanders was required before they were allowed to claim their positions (See also Metelits 2004). Although on paper, the structure was genuinely impressive and made many provisions to ensure representation from all groups—reservations were made for women at each level, for example—ultimately, the SPLM/A was more concerned with constructing the façade of democratic institutions to impress international donors than actually gathering feedback on the provision of services to local communities. As such, they do not warrant any further discussion here.

**Service Provision: The Civil Administration and NGOs**

As noted, the majority of the health, education, infrastructure, and, in places, nutritional needs of the Southern Sudanese have for many years been fulfilled by foreign NGOs or foreign funding. The presence of NGOs is so overwhelming that one researcher asked during the war, “Is New Sudan actually the first NGO-istan?” (Riehl 2001: 4). A
significant critical literature on NGO operations in Southern Sudan has developed, for the most part in response to Operation Lifeline Sudan (OLS), and provides an important starting place for the consideration of the relation between NGOs and the SPLM/A in the provision of services to the population.

Immediately prior to the initiation of conflict in 1983, NGO’s had come to play a significant role in the provision of services to the South. The outbreak of conflict led to a rapid exodus of NGO’s out of the warzone, and it was not until the famine of 1988 that NGOs decided to reenter in significant numbers under the auspices of OLS (Minear 1991). Initially, the pace of reentry was slow as many thought that war would soon be ending; thus OLS retained an informal nature, mainly a series of agreements that allowed foreign NGOs to operate in the South under the protection of the UN (Rolandsen 2005). There was no military force offering protection, instead OLS relied on agreements with the various combatants to ensure safe passage for all NGO and UN personnel. This led to the development of the OLS Ground Rules of 1995 which specified certain requirements from all warring parties before OLS would sanction the provision of aid into a particular territory. By this point, annual expenditures for OLS was put at over $100 million (Riehl 2001); and over 50 international and national agencies and NGOs operated throughout the region thanks to its efforts (Crossley 2004). OLS also pushed to develop both indigenous NGOs and foster the growth of the SPLM/A civil administration as the ad hoc nature of INGO interventions into the region required local partners in order to be effective (Riehl 2001).

Tvedt (1994: 89) writes that “in Southern Sudan the NGOs came to play a very important role already in the 1970s,” calling Southern Sudan “an early and natural place for NGO involvement.” Different factions competed for aid by offering safer environments than others. The inability of one faction to provide a secure environment could lead NGOs to move their operations from one faction’s territory to another that could better provide stability (Rolandsen 2005).
As discussed in Chapter 2, several critiques have been made of foreign-funded, NGO-implemented relief and humanitarian aid. In relation to Sudan, these critiques demonstrate both the impact of transnational actors on rebel groups and the various strategies leaders of groups such as the SPLM/A use to take advantage of their presence. NGOs follow their own institutional imperatives in determining aid allocations often creating a culture of dependency amongst local communities and undermining indigenous forms of political and social order. As a result, rebel groups may be able to insert themselves between an NGO and the civilian population it seeks to serve, enriching rebel coffers by siphoning off resources.\(^6\) In South Sudan, NGOs accepted that a certain portion of any aid given was taken by the SPLM/A or other factions. While thievery was common, more commonly the SRRA would insist on controlling the aid distribution process, which allowed them to both skim off a portion of each shipment, while also directing aid to reward supporters or segments of the population the SPLM/A hoped to win over. SPLM/A officials would also commandeer vehicles, radios, and other technology, and put them to use for their own purposes.

Initially, as long as INGOs were willing to provide the SPLM/A with the ability to enrich itself and direct where some of the aid went, they were allowed to control the nature and content of the programs they administered in SPLM/A territory. The SPLM/A viewed INGOs as little more than a lucrative resource, but there also existed a growing degree of resentment towards OLS as it developed into an autonomous political behemoth that seemingly challenged the authority of the SPLM/A itself (Riehl 2001). The challenge for the SPLM/A was how to subordinate INGOs to local political institutions through the strategic

\(^6\) The Ground Rules did allow for the SPLM/A to tax personnel working with foreign agencies, including Sudanese working for the UN (Crossley 2004).
intervention of the civil administration in the process of aid distribution (Branch and Mampilly 2005). In many ways, this was the raison d’État for the design of the civil administration, prior to which the group lacked the mechanisms to intervene between NGOs and the civilian population (DeMars 1994; HRW 1994: 174-189; Karim et al. 1996). With the termination of open fighting in the South in 2002, the civil administration became regularized, the administrative capacity of the CANS increased, and the SPLM/A’s control over foreign NGOs improved to the point where it was able to begin mediating between foreign NGOs and the civilian population.

The SPLM/A managed to gain a degree of control over NGOs and the distribution of foreign funds through a number of strategies. The formal instrument of this control was the Memorandum of Understanding (MoU) which was introduced as a mechanism for controlling NGOs in 2000 (Riehl 2001). Every NGO was required to sign a MoU with the SPLM/A, and abide by these terms at risk of expulsion.64 As the Executive Director of Yei Town put it, “NGOs have to fit into our own program” (Interview with Mukhtar). Through the use of the MoU the SPLM/A was able to avoid the random patchwork of neglect and over-provision of services commonly seen in areas of dense NGO activity. Amongst officials with the civil administration, there was a broad consciousness of the pitfalls of dependence upon foreign aid. Officials frequently related their reluctance to accept foreign aid, seeing themselves as trying to navigate a course between two contradictory imperatives. On one

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64 Riehl (2001: 9) claims that the MoU effected no fundamental change: “A fully implemented and carried out MOU would in fact have been a serious coup d’etat attempt in NGO-istan but it failed due to the underdeveloped administrative capacity of the SRRA to oversee, coordinate, re-direct, and sanction project implementations of INGOs….In the case of South Sudan the political directive and development coordination remained widely in the hands of INGOs and their networks.” A critical perception of the SPLM/A’s civil administration is echoed in earlier studies by African Rights (see African Rights 1995 and 1997). Rolandsen summarizes both perspectives in his work (see Rolandsen 2005: 64-71).
hand, there was a recognition that a degree of foreign aid was necessary if the local administration was not to lose support due to popular dissatisfaction with continued poverty and lack of services. While on the other, there was an understanding that a long-term dependence upon foreign aid could undermine the social and political coherence of the South, and put the SPLM/A political project at the mercy of the machinations, or apathy, of donor governments and foreign philanthropists (Ibid).

In order to navigate this course, the leadership sought to authorize NGO programs that could be transferred to the civil administration. It also ensured that the distribution of NGO funds, resources, and services went through its own structures, thereby ensuring that the population looked to CANS for resources—instead of going directly to INGOs and bypassing the SPLM/A political authority. Controlling the aid distribution process allowed the group to build the capacity of its civil administration through foreign funding. The decentralization of decision-making concerning the distribution of development funds and NGO services meant that during SPLM/A rule, increasingly it was the most local of authorities, the County, Payam, and Boma levels, that were empowered to decide who got resources for reconstruction and development, and who was excluded. This required the SPLM/A to eradicate what many non-Dinka saw as Dinka dominance within the CANS political structures so that development and reconstruction resources were distributed in what is perceived to be an ethnically fair manner. Thus, the composition of the Boma, Payam, and County Development Committees became increasingly important, as the SPLM/A attempted to consolidate its political project in South Sudan. In the next section, I will look at specific

65 Riehl (1994: 13-15) points out this increased awareness of the threat posed by NGOs on the part of the SPLM/A, but he argues that nevertheless INGOs hold “political domination” “in nearly all fields except for military defence.”
sectors and analyze the ways in which CANS attempted to provide services to the civilian population.

The Provision of Services in South Sudan

My analysis of the SPLM/A civil administration is based on a comparison of two towns of similar size and importance that were under the group’s control for parts of the war. Since governance often varies widely within specific rebel territories, such a comparison provides a more balanced assessment of the group’s behavior, particularly since I have chosen two towns that represent the Dinka/non-Dinka split within the group. Rumbek was captured in 1997 and is the largest town in Rumbek county which has a population of close to 370,000 people. More than 90% of the people are of Dinka origin, the largest Southern ethnic group, though they are split between different sub-groups. It is also home to a sizeable Nuer IDP population (UNOHRCS 2004a). Rumbek served as the base of the SPLM/A and was home to many key offices during the war. It was replaced as capital of the South by Juba, which had remained under the control of the Government of Sudan (GoS) through much of the conflict.

Yei is the largest town in Western Equatoria, the southernmost province in Southern Sudan, located just across the border from Uganda. It is the seat of Yei County, which has a population of around 320,000 people with close to 80,000 in the town itself (UNOHRCS 2004b). It is located in an area traditionally populated by Pajulu, Makaraka, Kakwa, Lugbara and Kelico, collectively referred to as Equatorians. When the fighting spread to Equatoria in the 1990s, many Equatorians fled to Uganda, Zaire, and Kenya. When the SPLM/A captured Yei in 1997, it became home to large populations of Dinka from Juba and other

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66 Estimates of the refugee population put the number at around 500,000 (McLaughlin 2004).
parts of the north, who fled southward to the relative peace the town offered. Many of these IDPs settled into agricultural lifestyles around Yei and their presence was a point of tension for the local Equatorian populations. The county is known to be among the most fertile in Sudan with sufficient rainfall to produce agricultural surpluses.

*The Security System*

As with most rebel groups, the establishment of a semblance of law and order within its territory was the first non-military priority addressed by the nascent SPLM/A civil administration. As early as 1985, the SPLM/A had established a rudimentary court system geared towards controlling rampant cattle raiding, an omnipresent problem in much of Dinka-land, where cattle is the primary source of wealth (Johnson 2003). The SPLM published “The Penal and Disciplinary Laws of the SPLM” in July of 1984, combining customary laws with military law into a tripartite system. The higher two levels were military courts, generally concerned about maintaining discipline amongst SPLM/A cadres. At the lowest level, following the first SPLM/A national convention in 1994, the group formalized customary law to handle civilian grievances. A hierarchy of customary courts from the Boma to County level was recognized, with traditional chiefs empowered in matters of appeal (Johnson 1998).

Like many parts of the formerly colonized world, South Sudan at independence was only expected to embrace a portion of the judicial system of the colonizing power. Hybrid judicial systems that distinguished between ‘modern/ foreign’ and ‘traditional/ indigenous’ legal systems while reifying them at the same time were in fact the norm in many parts of

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67 The town continued to be attacked by GoS forces, but these were limited to intermittent air raids and ended in 2002 (ibid).
Africa (Mamdani 1996). In such bifurcated systems, customary law based on a loose legal code drawn from various conceptions of ‘tribal traditions,’—generally thought to be more deliberative and interpretive than punitive—was used to resolve many disputes, particularly within any particular kin group. On a parallel track, a modern legal system based on a standardized code of laws emphasizing concrete decisions of culpability, also existed.

As a result, in South Sudan, the local judiciary comprised a series of ‘tribal’ courts headed by a hierarchy of chiefs (Sundnes 2004). The SPLM resurrected the colonial-era policy of placing land tenure under customary law and giving the exclusive power to interpret that customary law to a tribally-defined chief, therefore endowing this level with considerable power (Kuol 1997; Johnson 1998: 65-70). Certain cases could be brought to the higher courts through appeal, but more commonly, disputes went to a body of elders or ‘traditional leaders’ on appeal. One of the key powers of the court was the distribution of land which was exclusively under its domain. Appeal from the court on land issues was to a board of traditional leaders or elders (SPLM 2000: 16-20).  

This was a “community” defined as a ‘tribal’ unit, in which decisions as to the most important resource, land, were made exclusively by those seen as embodying that tribal custom—chiefs and elders.

Unlike their attempts to deethnicize the political authority by forming zonal commands, the civil administration was unable to avoid the legacy of ethnically defined traditional authorities in the legal realm. For the SPLM/A judiciary, people were defined first as members of ‘tribes,’ and accountability and representativity of the tribal judiciary were seen as being ensured by the correspondence assumed between members of the tribe and the chief. What is perceived as Dinka ethnic dominance and privilege was thought to be rectified

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68 In an interview with Donald, this was confirmed.
by giving power to those oppressed, also along ethnic lines. However, this further politicized
ethnicity. The concern with ethnic based judicial systems is that they would set the stage for
the management of the population through the manipulation of politicized ethnicities, in a
fashion reminiscent of the approach employed by the colonial authorities. Southerners are
highly aware of the issues surrounding ethnic-based political divisions, and the topic has
been the subject of intense debate for decades amongst intellectuals and political leaders in
the South (Badal 1994).

During the SPLM/A’s reign in South Sudan, chiefs were elected to their positions by
their specific constituencies, as they had been ever since the Addis Ababa agreement in 1972,
but to regard this process as democratic would be a grave error. In the idealized version, the
chiefly structures were meant to ensure that the provision of justice had an innate legitimacy,
and if the selection of chiefs was left to members of the community, then this might have
been the case. However, in practice, the legal system was as affected by the non-existent
division between the civil and military branches, and the SPLM/A often co-opted chiefs after
they were elected, or even influenced which chiefs were selected in the first place (Johnson
1998: 106). Still, by most accounts, this system was widely viewed as legitimate by the
civilian population, at least for resolving intra-ethnic conflicts (Sundnes 2004).

Since the traditional legal system was by definition, ethnicized, the SPLM/A’s
military justice system served to allot justice inter-ethnically. Citizens had a choice as to
where to take their petitions, and usually only approached the military courts for dealings
outside their kin group. Since the SPLM/A was such an omnipresent force, integrating most
able-bodied men and many women into its ranks, the military justice system served as the de
facto civilian judicial system for governing relations between members of different ethnic
communities. Comparable to the system of military police used by governments elsewhere in the world, though much broader due to the percentage of the population involved with the guerrillas, the SPLM/A’s “Code of Rules” regulated the behavior of cadres and served to prevent civilian abuse by irresponsible soldiers. The system was known to be particularly harsh, with death often serving as the punishment for a variety of crimes including rape, robbery and insubordination (Interview with Kevin).

Like most systems in South Sudan, it is hard to gauge how consistently punishments were meted out for transgressions, but anecdotal evidence from the region leads me to believe that both the traditional courts and the SPLM/A legal system were more than paper tigers, and served to regulate life in South Sudan during the war for both SPLM/A cadres and civilians. By constructing a bifurcated legal system, the group managed to replicate the pre-conflict customary legal system for intra-ethnic disputes, as well as, construct it own system for dealing with inter-ethnic conflicts. By formalizing customary law, the SPLM/A drew on pre-existing legal institutions that had been entrenched for generations within the Southern population (Johnson 1998). And where this system was not able to solve the law and order issue within SPLM/A controlled territory, an alternate system was constructed.

The Education System

Whereas the pre-conflict legal system offered some materials upon which the group could construct its own system, health and education offered much less, and therefore, the group had to be far more innovative in dealing with these two issues. In 1981, barely two

69 Human Rights Watch (1994: 239) disagrees with the effectiveness and adherence to the rule of law of this legal system, though this assessment was made prior to the reform initiated by CANS: “Despite an eleven-year history of controlling a large population and territory, the SPLM/A has not developed anything approaching a system of justice and due process.” As they point out at the time “customary Southern Sudanese law continues to be applied in SPLM/A areas” (241).
years before the war broke out, the three regions of Southern Sudan—Bahr al-Ghazal, Upper Nile and Equatoria—had a total of under 600 primary schools, less than 100 intermediate schools, and only 14 secondary schools (Sudan Department of Statistics 1983, cited in Yongo-Bure 1988: 348-350). At the same time, even sparsely populated Darfur had 675 primary schools, 108 intermediate schools, and 11 secondary schools, demonstrating the depth of the South’s marginalization. In Khartoum, in contrast, there were 541 elementary schools, 234 intermediate schools and 55 secondary schools. Finally, in the Central region there were an astonishing 1796 primary schools, 547 intermediate schools, and 60 secondary schools (Ibid).

According to the UN, of the 1.4 million school age children in Southern Sudan, a little over 305,000 (22%) were enrolled in school in 2002, with only 27% being girls. These students were being taught by 8,655 teachers, 94% of whom were men (UNICEF 2003, cited in UNORHCS 2004b: 11). Clearly, these numbers show the depth of the education crisis in the region. But the education system did represent progress and is a testament to the ability of the group’s leadership to respond to pressures from a variety of locations. At independence, Southern Sudan had only two secondary schools (Scroggins: 175), and during the first conflict with the GoS, educated Southerners were targeted by the government as traitors of Islam. Still, many of the leaders of the group were from the educated classes, including Garang himself, who had gone so far as to earn his Ph.D. in Agricultural Economics from the University of Iowa.

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Equatoria did have an additional 176 private primary schools, while Bahr el Ghazal had 36 and Upper Nile had one. However, at the intermediate and secondary levels, only 3 private schools existed throughout the South.
Despite this, during the early phases of the war, the SPLM/A gained a reputation as being anti-education. According to several outside observers, like many rebel groups, the SPLM/A’s reliance on child soldiers led their own interests to come into conflict with broader international norms on children’s rights (Interview with Kevin). The group was initially even hostile to NGOs that sought to provide education in Southern Sudan (Ibid; Scroggins). Pressure from international agencies, combined with demands from civilians, forced the SPLM/A to reevaluate their position regarding education vis-à-vis their initial hostility. Initially, the leadership took a hands-off approach to the education projects promoted by the UN through various NGOs, preferring to keep the option open to run a parallel education system known as FACE. FACE schools, however, faced great criticism from the international community and were viewed more as military training camps than educational sites. Bowing to pressure, Garang shut them down (Scroggins 2004). Eventually, by the late 1990’s following the reforms in various sectors of the civil administration discussed above, the CANS, with funding from Care International established an Education Secretariat, and worked closely with several NGOs such as Jesuit Refugee Services (JRS), International Aid Sweden and Across, as well as UNICEF, to begin developing an education system in SPLM/A territory.

In one example, JRS, which entered South Sudan in 1997, was actually contacted by the SPLM Education Secretariat through the SRRC and asked to run the educational services in Nimule and Kajo Keji (Interview with Raj). By 2004, the program had close to 40,000 students in both primary and secondary education across New Sudan. Like most NGOs in South Sudan, they were required to hire local staff from among former SPLM/A cadres to serve as a liaison between the NGO and the SRRC. In some cases, these individuals
remained relatively aloof from the work of the NGO giving the appearance that the connection is meant more as an employment program for former soldiers, than really a genuine method for controlling the behavior of the NGO. In Nimule, the liaison officer, an elderly Equatorian gentleman, was a library of historical information, but seemed to know little about JRS programs on the ground. However, in other areas, such linkage personnel, as I refer to them, clearly wore multiple hats and were very influential within the NGO, within the civil administration and within the local community as well. For example, in Yei, the Education Officer with International Aid Sweden (IAS) was a local former fighter, who also served as the County Education Coordinator, a volunteer position that is the highest administrator in the County’s education bureaucracy. Based out of the IAS office in Yei, he was involved both in the development of educational strategies through his work with the civil administration as well as with their implementation through his work with IAS (Interview with Deng).

The SPLM/A devised ground rules for education and was able to maintain them through both the MoU and the usage of such linkage personnel. Every Boma had a representative of the Education Secretariat known as the School Supervisor, who was selected from the local community to coordinate educational activities. Education projects were primarily funded by contributions from NGOs, but also from funds raised through Parent Teacher Association’s established by the Secretariat. The community decided on the location of the schools and even appointed the teachers, who also served on a volunteer basis (Stiansen 2002). The curriculum used varied across regions and was often determined by the opportunity to continue education in neighboring countries, leading to the usage of both the

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And presumably received a salary for his work with the group, though I chose not to ask.
Ugandan and Kenyan curriculum (Interview with Raj). The goal of developing a Sudanese curriculum was never met during the war, primarily because students who hoped to continue their education, were forced to leave the country to seek opportunities in neighboring countries that would not recognize a curriculum other than their own.

Every boma was supposed to have a primary school, but significant variation between regions prevailed. In Rumbek county, where the Dinka predominate, only around 12% of the children attended primary school in 2004 (UNOHRCS 2004a: 11). However, in Yei county, the enrollment rate was significantly higher at 43% (UNOHRCS 2004b: 11). Part of the discrepancy between the two can be explained by the ethnic composition of each area. In Yei, cultural attitudes towards education tend to be more positive, especially in regards to educating girls\textsuperscript{72} (38% of pupils in Yei are girls versus only 8% in Rumbek) (UNOHRCS 2004a, 2004b). By empowering the most local of levels with a degree of control over education, including the right to determine who is eligible to attend a local primary school, the civil administration has allowed local initiative to be the primary driver of educational capacity in South Sudan. Educational institutions were also used to foster a national identity, with youngsters in school learning to think of Garang as President, the SPLM/A as the Government, and its policies as national programs (Crossley 2004).

*The Health System*

As with education, the Sudanese government has long allowed and even promoted vast regional differences in the provision of health care. Thus in 1980, the three provinces of the South were serviced by only 31 hospitals, a measly 5 health centers, and 108

\textsuperscript{72} I was told by several interviewees that the Dinka tend to view educating girls as spoiling them (See also, Sundnes 2004).
dispensaries. Meanwhile, Khartoum alone had 22 hospitals, 35 health centers and 57 dispensaries. And Central province accounted for 42 hospitals, 74 health centers and 259 dispensaries (Sudan Department of Statistics 1983, cited in Yongo-Bure 1988). During the initial stages of the conflict, when Ethiopia openly supported the movement, the SPLM/A leadership encouraged civilians to move into Ethiopia to take advantage of refugee camps where food and medical supplies were available (Johnson 2003). With the loss of Ethiopian support and the corresponding development of the civil administration, the SPLM/A initially looked to NGOs to take the lead in the development of a local health system.

By the latter part of the war, a three-tiered health system largely funded by foreign NGOs operated in New Sudan, though it was amply staffed with SPLM/A personnel. The first tier, the Primary Health Care Units (PHCU) were run by Community Health Workers who received a basic nine month training course. The PHCUs were designed to provide health education and basic healthcare for malaria, diarrhea and other common ailments (Interview with Deng). At this level, the health workers did not receive salaries for their services (Stiansen 2002). Above the PHCUs, the Primary Health Care Centres (PHCC) were capable of providing a much wider array of medicines for treating diseases such as tuberculosis, kala-azar, sleeping sickness and leprosy. They also had beds for patients and laboratories for running basic medical tests. By the time of the cease-fire, South Sudan had 17 general hospitals which could provide all of the above services and even had basic surgical capabilities, and operated above the PHCCs (UNORHCS 2004b: 12). Both the PHCCs and the General hospitals were essentially run and staffed by foreign NGOs who paid the salaries for all the workers, while the PHCUs were meant to be staffed by SPLM personnel (Interview with Sworo). The entire system was managed by the County Health
Department, which was run through a collaboration of INGOs with SPLM administrative personnel. In interviews with local Sudanese hired as hospital personnel, the prevailing sentiment was that while the SPLM/A did play a role in providing health care through the grass roots focused PHCU, their primary contribution to the higher two tiers was to remain out of the day to day operation in the hospitals and PHCCs.

As with education, the actual provision of health care varied according to local conditions. However, local initiative was not enough to develop and run a complex health care system, as it was with developing an indigenous school system. The resources required, in terms of both medical personnel and supplies, meant that staffing and running hospitals in areas with active fighting was often insurmountably difficult. Thus, foreign NGOs largely determined the effectiveness of the health system in any particular area. The primary consideration in where NGOs could operate was determined by the degree of stability offered by various locations. The GoS’s willingness to target health facilities, despite OLS prohibitions against this, meant that in practice, certain areas remained out of reach for elaborate health operations.\footnote{According to the U.S. Committee on Refugees, there were 113 bombing in 2000 by GoS forces against civilian and humanitarian sites (Cited in Prunier and Gisselquist 2003).}

By comparison, Yei County, one of the most stable within all of New Sudan, had 62 health facilities including three hospitals, six PHCCs, and 53 PHCU, while Rumbek County had 40 health facilities, including three hospitals, ten PHCCs and 27 PHCU (UNORHCS 2004a, 2004b).

As with education, the group’s approach to health care relied on fusing their health personnel with the resources of INGOs through the usage of the MoU and linkage personnel. But unlike the education system where many of the teachers and administrators were openly...
supporters of the SPLM/A, health personnel, regardless of national origin, seemed to take an agnostic approach to the politics of the region, and focused instead on providing basic healthcare in South Sudan. Thus, the provision of health was determined only by the willingness and ability of INGOs to provide resources, and had little to do with SPLM/A initiatives.

**Conclusion**

While many have pointed to the weaknesses in the SPLM/A’s civil administration, it is important to remember, that prior to the second war in Sudan, the government bureaucracy was never particularly effective, neither during the colonial era, nor for the brief periods the South was directly controlled by Khartoum. Even following the first Anya Nya War, when the region was controlled by a semi-autonomous government, the lack of functioning institutions and qualified personnel meant that the Southern leadership has never been able to administer the region effectively (Johnson 2003: 105). As for the SPLM/A, the question remains if they were successful in developing an effective civil administration? The answer would be mixed. In my view, the historical lack of an infrastructure upon which to develop an effective civil administration —the result of over a century of neglect by the central power, both colonial and post-independence—limited the ability of the group to establish effective civil administrative structures. While the legal system within SPLM/A territory did function with impressive regularity, the variation in the provision of health and education, both of which reflected local conditions and initiatives, reduce the standing of the group when it came to the provision of public goods.

What the leadership does deserve credit for is adapting the civil administration to respond to demands for greater autonomy from its diverse constituent communities over their
local affairs. Under Garang, the leadership responded to these demands by constructing a civil administrative structure that was flexible enough to incorporate non-SPLM/A organizations while remaining responsive to local initiatives. By appropriating NGO efforts to provide services, funds and skills to the population, the SPLM/A was able to share credit for welfare provision in New Sudan, with minimal cost to itself. It was also able to tap into skills present within the civilian population, empowering them to take control of their daily existence, while also endearing them to the broader agenda of the SPLM/A. This was particularly important in non-Dinka areas, where according to one long time observer the “devolution of administration… began to give people the feeling that the Movement was their movement, and the struggle was their struggle” (Johnson 2003: 108).
Chapter 6

Sri Lanka: Liberation Tigers of Tamil Eelam (LTTE)

Introduction

Crossing into LTTE territory from land controlled by the Sri Lankan government feels the same as crossing the militarized border between India and Pakistan. A mile of no-mans land walled off with razor wire separates the Government of Sri Lanka’s (GoSL) immigration post from its Tiger facsimile. On both sides of the partition, uniformed young men and women dutifully ask similar questions in different idioms—Tamil and Sinhala, respectively. Baggage is slowly unpacked and repacked haphazardly. And though tense, both sides exhibit an eerie calm in their interactions with visitors. A visit from a foreigner is treated no more formally than the Check-in at LAX. Lurking beneath the surface, however, is a suspicion reserved for members of the opposite ethnic community that try to cross between the two sides of the divided country. An anger reserved for one’s own reflection.

Like the conflict in Sri Lanka, the nature of the LTTE civil administration is a result of the negatively symbiotic relationship between the Sinhalese and Tamils who share the island nation. A hybrid administrative system that mixes both GoSL and LTTE civil and political institutions controls the lives of civilians occupying the Tamil dominated areas of the combined North and East Province. In line with my arguments about secessionist groups operating in areas formerly penetrated by the state, life in LTTE territory is impressively stable, with a clear political authority responsible for providing extensive public goods. In this chapter, I focus on the organization of the LTTE, the dominant rebel organization operating on the island. With a troop strength estimated at 20,000, the LTTE is arguably one
of the best organized non-state military forces ever assembled, with the capacity to fight on land, at sea, and in the air.

The LTTE has controlled vast parts of the north and east of Sri Lanka for extended periods since the outbreak of conflict in 1983. I show how the LTTE and the GoSL were forced to accept a power-sharing agreement within Tiger territory that allowed the GoSL to provide key services to the population under the group’s control. I argue that faced with strong state institutions that had penetrated deep into the Tamil areas and psyche, the LTTE had little choice but to work with the GoSL to establish a joint mechanism that would ensure a continuity of services for a population accustomed to receiving a substantial amount of public goods from the state. This ensured that those living within LTTE territory are able to receive a steady provision of services through the cooperation of the group’s civil administration with the GoSL. Despite the open conflict between the two sides, the GoSL has a strong incentive to keep a connection to the people within Tiger territory that has forced it to work with the rebel group to divide the provision of public goods in the North and East, despite these areas being out of their control.

Sri Lanka is a country of approximately 20 million people sharing an island of roughly 65,000 square kilometers, slightly larger than West Virginia, off the southeastern corner of India. From its earliest post-colonial incarnation, Sri Lanka’s government has long been a formal democracy with an overzealous emphasis on redistributing resources across the citizenry (Snodgrass 1999). At Independence in 1948, the British viewed Ceylon, as it was known then, as the most promising of the Empire’s extensive holdings in Asia. Even without the benefit of any particularly lucrative natural resource, in 1960, Sri Lanka had a per capita
income comparable to South Korea and significantly higher than both Indonesia and
Thailand.

Figure 6.1: Map of Sri Lanka

Compared to other former colonies, Sri Lanka also had an extensive infrastructure
with an effective and efficient bureaucratic apparatus that penetrated deeply into every corner
of the island nation (Kelegama 1999). The country boasts an annual economic growth rate of
a respectable 4.6 percent and the state has long provided food subsidies, free health care, free
education and subsidized transportation to its population (Jenne 2003). At the same time, for
close to three decades, the country has been divided by a brutal ethnic conflict between the
Tamil and Sinhalese communities that has left over 60,000 dead and close to a million
displaced. In the next section, I provide a history of the conflict. I show how colonial rule incorporated the Tamil minority into a unitary state structure while at the same time radically altering the balance between the two communities. I argue that it is this history of incorporation into the state that shapes the nature of the LTTE civil administration today.

**Background to the Conflict**

Split between a majority Sinhalese community accounting for approximately 74% of the population and a minority Tamil community of slightly less than 18%, Sri Lanka’s ethnic mélange is somewhat similar to the ethnic make up in Rwanda or Burundi. These similarities continue when considering that at Independence in 1948, Ceylon’s minority Tamil population boasted higher education and income rates than the Sinhalese population, as did the minority Tutsis in Rwanda and Burundi. And though Tamils make up a majority of the population in the north and east of the country, almost half of the Tamil population has long lived in all corners of the island, with an especially significant community in the capital Colombo. However, unlike Rwanda and Burundi, where the two communities have fought in cyclical bouts of spectacular violence, Sri Lanka’s ethnic tensions simmered on low for the first three decades after Independence. After war broke out in 1983, a consistent amount of death and destruction over a twenty period has devastated life in the country, but has only occasionally garnered attention for the conflict in the manner of similar recent ethnic conflagrations in Bosnia, Rwanda and Darfur.

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74 More precisely, Tambiah (1986) estimates that fully 47% of the Tamil population lived outside of the Northern and Eastern Province.
The Tamil community is divided between an autochthonous population who constitute about two-thirds of the community, and Indian or Estate Tamils\textsuperscript{75} who constitute the remaining third, and who are concentrated in the rural highlands located in the demographically Sinhala dominated central part of the country (Samaranayake 2002; Sivathamby 2005). A regional difference also exists between Tamils who live in the north and those that live in the east, with the former taking pride in historically having had greater autonomy than the latter, who had been more incorporated into the Sinhala kingdom prior to the arrival of the Portuguese (Sivathamby 2005). The great majority of Tamils profess Hinduism (Saivite) and speak the Dravidian Tamil language, while the bulk of Sinhalese practice Theravada Buddhism and speak Sinhala, a language that is Sanskritic in origin. Both groups also have sizeable Christian/ Catholic populations, the legacy of Portuguese, Dutch and British missionaries. The remaining population of the country consists of a sizeable Muslim population (7\%) who are recognized as constituting their own ethnic community, despite their racial and linguistic connection to the Tamils.\textsuperscript{76} And two smaller communities formed through intermixing of indigenous populations with both Europeans (referred to as Burghers) and Arabs (referred to as Moors).

As it did in other parts of the colonized world, European rule in South Asia forced diverse communities with limited prior interaction into contact, in often uneasy arrangements. This was true with the Tamil minority concentrated in the north and east of Sri

\textsuperscript{75} As I discuss below, this community is comprised of the remnants of the indentured servant population brought by the British to Sri Lanka from India to work in the colonial plantation economy prior to independence.

\textsuperscript{76} The Muslim community is caught between the two sides in the conflict. On one side they have been targeted by the LTTE for not supporting the Tamil cause sufficiently, while at the same time being marginalized from negotiations between the GoSL and LTTE. At the same, they have also benefited from their ability to move between the two communities and are known to own many of the transport and trading companies operating in the country. There is thus a high degree of economic interdependence between the Tamil and Muslim communities (Goodhand and Lewer 1999).
Lanka, whose relationship to the central Ceylonese authority prior to the arrival of the Portuguese rotated between extended periods of incorporation and disengagement (Tambiah 1986). When the European powers first arrived in 1517, the Sinhala and Tamil populations lived in semi-autonomous kingdoms under the nominal suzerainty of Sinhala kings who controlled the entire island through a Buddhist-Sinhala administrative bureaucracy. Tamils may have occupied a lesser position in society, but local and regional sociopolitical arrangements were far more important than any island-wide political or ethnic hierarchy (Ibid). While people were certainly aware of the ethnic divide, it never emerged in a violent manner.\footnote{Contemporary Sinhalese nationalists often point to this period as proof that a federal solution is unnecessary and that both communities can live—and have lived—under a benign, unitary Sinhalese government.}

Colonialism weakened the country’s Buddhist Sinhala institutions. The Portuguese, who sought to use the island as a trading point, attacked the Buddhist political hierarchy, giving land over to the control of Roman Catholic orders. The Dutch followed briefly, before being replaced by the burgeoning British Empire in 1796, which had taken great interest in expanding its consolidation of the South Asian region. The British, like the Portuguese and Dutch before them, continued to usurp local political authorities, replacing local chieftancies with their own provincial administration. British administrators also undermined the special position that the Buddhist clergy held within the Sinhalese state, reducing it to an equal position to that of other religions on the island. At the same time, the British built roads across the island and generally contributed to infrastructural development across the colony, often with more success than their efforts in India due to Ceylon’s relatively small size (Ibid). They also developed a strong educational system that utilized both Sinhala and Tamil at the
primary level, and brought both groups together in an English medium setting at the secondary level (De Silva 1999). While these institutions were spread throughout Ceylon, the colonial power favored the Tamil population due to the perception that Tamils were better suited to serve in the civil service. Thus, through colonial institutions that favored the minority population, the Tamil community was asymmetrically incorporated into the bureaucratic framework of the colonial Ceylonese state. For example, at Independence, Tamils made up 30% of the civil service, and in the armed forces, fully 40% of the personnel were Tamil (Rotberg 1999).

The British also established a system of plantations for the cultivation of commercial crops, mainly rubber and tea. It was the construction of this plantation economy that was to irrevocably change Ceylon’s ethnic balance for the worse. Needing a workforce to staff the booming plantation economy, in 1825, the British began importing Tamils from the much larger community in South India, based on the simplistic assumption that their similar culture and geographic terrain would provide for an easy assimilation into Ceylonese life. This labor transfer served to alter the population balance between the Sinhalese and Tamils of Ceylon in a way that exacerbated pre-existing fears amongst the Sinhalese population of co-optation by the Indian behemoth that lay to its north. As the Colonial period came to a close, changes in the demographic balance between Tamils and Sinhalese, combined with the elevated position of native Tamils who were overrepresented within the colonial civil

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78 Tambiah (1986) explains this perception as the result of the lack of other economic opportunities in the North of the country which pushed the Tamil population to disproportionately take advantage of the newly opened missionary schools in the region.

79 Although this migration has not warranted the same attention as the transportation of Indians to Africa and the Caribbean following the abolition of African slavery, it is part of the same trend and actually predates both of these other migrations.
service, army and educational institutions, made the Sinhalese majority insecure with their own position in Ceylonese society.

At Independence in 1948, Ceylon boasted an educated workforce with a high literacy rate, but also a divided electorate in which the minority Tamil community occupied a higher social position than the majority Sinhalese community. Politically, Sri Lanka adopted a Westminster parliamentary system based on a one-person-one-vote formula that naturally favored the Sinhalese majority while offering little in the way of protection for the minority communities—a surprising omission considering the extensive protections offered minorities in the Indian Constitution that came into existence around the same time. The departing British had initially wanted more protections in the constitution in response to demands from the Tamil leadership, but were able to placate these demands by forcing the adoption of Section 29 of what became known as the Soulbury Constitution. Section 29 made it illegal to make any law discriminatory to, in favor of, or adverse to any one community, which was not equally applicable to the other communities. At the same time, Tamil political leaders led a failed effort to unite all of Sri Lanka’s minorities in a demand for a power sharing arrangement that would have given this minority coalition a fifty-fifty power split (Jeyaraj 2001). Thus, at Independence, Section 29 was the only constitutional provision offering any protection to Ceylon’s various minority communities.

Tensions between the two communities emerged almost immediately as nationalistic Sinhalese politicians sought to make an issue of the migrant Tamil population brought from

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80 The relevant parts of Section 29 of the Constitution reads as follows: “(1) Subject to the provisions of this Order, Parliament shall have power to make laws for the peace, order and good government of the Island. (2) No such law shall -(a) prohibit or restrict the free exercise of any religion; or (b) make persons of any community or religion liable to disabilities or restrictions to which persons of other communities or religions are not made liable; or (c) confer on persons of any community or religion any privilege or advantage which is not conferred on persons of other communities or religions…”
India as labor in the colonial economy. This group was denied membership in the new nation as the Sinhalese controlled parliament chose the nativist option, passing a series of laws including the Ceylon Citizenship Act (1948), the India-Pakistan Residents Act (1949), and the Ceylon Parliamentary Elections Act (1949), effectively rendering the Indian Tamils stateless and denying them political rights. As a result of these and other policies, fifty percent of the Indian Tamils were repatriated to India by the 1970’s (Jenne 2003). The exclusion of the Indian Tamils was attributable to Sinhalese fears of a bloc Tamil vote that would give the minority community too much power in the new parliament. An unintended consequence of this policy was to reify the idea of a unified Tamil community as indigenous Tamil politicians began to embrace their Indian Tamil counterparts. Although Ceylon Tamils had always identified with the Indian Tamils on a linguistic level, the communities were separated geographically, both in terms of their origins, as well as where they lived on the island. Ceylon Tamils also tended to look down upon the working-class Indian Tamils as they were primarily drawn from lower caste/ class communities in India (Sivathamby 2005). The unified Tamil leadership eventually grasped the significance of the state’s repatriation efforts and began an organized effort to challenge these policies within the new Parliament, though with little success (Interview with Ethirveerasingam).

At Independence, Sri Lanka had a competitive economy that exported tea, rubber, coconuts and other commercial crops. Under the populist rule of the Sinhala-dominated United National Party (UNP), the government committed itself to provide a wide range of public goods to the population including subsidized food, education, medical care, and transportation (Snodgrass 1999). The appeals to ethnic consciousness by the Sri Lankan government were built upon this economic populism which both major Sinhalese parties, the
UNP and the Sri Lanka Freedom Party (SLFP), used to woo support amongst the majority population. As early as the 1950’s, economic spending could not keep up with the significant welfare benefits offered to the population, and politicians from both parties shifted strategies by escalating the ethnic rhetoric to garner support for their respective parties.

In 1956, the SLFP came to power under the leadership of the new Prime Minister Solomon Bandaranaike who rode a wave of Buddhist nationalism fomented by his party to shift attention away from the declining economy (Ibid). Bandaranaike himself seemed to recognize the perils of an unadulterated Sinhala chauvinism, and in 1958, he did try and give the Tamils, who were concentrated in the North and East Provinces, a degree of autonomy, including recognizing Tamil as an official language and devolving fiscal and political matters to the provincial level. However, once unleashed, Sinhalese nationalism could not be contained, and Bandaranaike soon found himself being portrayed as disloyal by even more extremist elements who had taken control of the UNP. Forced to pull back on commitments made to Tamils, and facing increased pressure from Sinhalese rivals, Bandaranaike made Sinhala the national language and discriminated against Tamils in the armed forces, civil service and university admissions. Tamils, who had made up 60% of the professionals employed by the state at Independence, fell to under 10% by 1970. In the administrative service, the drop was from 30% to under 5% during the same period, and most dramatically, in the armed services, Tamils went from 40% to less than 1% (Rotberg 1999). In higher education, these exclusionary policies culminated in 1972 with the placement of strict quotas on the number of Tamils allowed entry into universities. Faced with a stagnating economy and contentious intra-Sinhala political disputes, Sinhalese politicians were more than comfortable in using patronage to ensure voter loyalty, culminating in the almost total
exclusion of the Tamil community from the military, civil service and academic sectors by the early 1970’s.

**The Emergence of a Tamil Movement**

The history of the Tamil movement in Ceylon is a clear slide away from a policy of responsive cooperation led by an integrationist political party; to territorially defined autonomy demands; and finally, an all out secessionist war led by a violent insurgent group. At Independence, the majority of the Tamil population believed their future lay with the nascent Ceylonese nation. Throughout the island, there was a general recognition by the Tamil community that the government was a generous one that, despite its other faults, did not discriminate when doling out the generous benefits offered to all citizens (Interview with Ethirveerasingam). The prevailing sentiment amongst the community was that secessionism and even federalism held little appeal and that their continued prosperity required active participation in Ceylon’s economic and political life. So entrenched was this belief that discussions of federalism, let alone secessionism, are largely absent from the political discourse of this period, save for a few marginal exceptions (Jeyaraj 2001). This position was reflected in the leadership of the Tamil community under G.G. Ponnambalam who led the All Ceylon Tamil Congress into a cooperative alliance with the ruling UNP government. It was not until a breakaway faction led by S. J. V. Chelvanayagam formed the Federal Party (FP) that the Tamils began to perceive themselves as a territorially defined minority population deserving of greater autonomy within a federal Sri Lanka. When the Sinhalese nationalist SLFP came to power in 1956, the Federal Party, which up to that point had had little electoral success, swept the polls in the two Tamil majority provinces in the country, reflecting the deepening ethnic polarization of the country (Ibid).
The FP’s rise was a response to the 1956 decision to make Sinhala the official language of the island. A legal challenge was initiated that charged the policy with violating Section 29 of the Constitution. After Tamil leaders succeeded in declaring the law a constitutional violation due to its clear anti-Tamil bias in a lower court, the GoSL appealed the case all the way to the Supreme Court, which refused to rule on the issue. In the Ceylonese judicial system at the time, a Privy Council sat as the highest constitutional order, empowered to make decisions on the constitutionality of different cases. The Privy Council decreed the case to have merit, sending it back to the Supreme Court for a decision. But the GoSL, under Sirimavo Bandaranaike, who had come to power following the assassination of her husband by a radical nationalist Buddhist monk, decided instead to simply circumvent the Constitution. She did this by forming a Presidential Constitutional Commission to write a new Constitution, despite technically lacking the power to alter the old one, which had been vested with the Parliament instead. However, Bandaranaike’s gamble paid off, and in 1972 a new Constitution was ratified which enshrined Sinhala as the official language, in addition to rendering the previous challenge to the linguistic policy null and void. Referring to this incident as the tipping point at which the Tamils shifted from viewing the conflict as one to be waged non-violently, to considering a more militant option, a long time activist within the Tamil movement said, “Tamils had no choice but to take up arms, because it was the Government who rebelled against us [by changing the Constitution]” (Interview with Ethirveerasingam). It was also at this point that Ceylon dropped its name, adopting the ancient Sanskritic appellation, Sri Lanka, or “resplendent land” in English.

By 1972, the Tamil community had faced a progressive marginalization of their social position through three decades of unconstrained Sinhala nationalism. Though initially
divided by descent, religion and caste, the community had come together and unified its’
various political parties under the Tamil Unified Front (TUF). The emergence of TUF
represented the coalescing of a Tamil response to the consistent transformation of a multi-
racial albeit unitary Sri Lankan state into an overtly Sinhalese-Buddhist one. Initially
engaged in constitutional and peaceful political protest against its discrimination, the Tamil
community took a more strident turn in 1976 with the Vadukkodai Resolution that called for
a separate Tamil homeland, renaming their coalition to reflect this new position to the Tamil
United Liberation Front (TULF). The hardening of the Tamil position reflected a similar
stance within the Sinhala community, which in 1977 brought to power the nationalist
government of Junius Jayewardene at the head of a rejuvenated UNP.\footnote{Indian Tamils actually supported the UNP in great numbers as Jayewardene brought the Ceylon Workers’ Congress, a trade union that most Indian Tamils supported, into the government. Exploiting such pre-existing cleavages within the Tamil community has been a common and effective strategy used by different Sri Lankan leaders.}

Having never resolved the economic crisis, Jayawardene turned to the international
community for sustenance by liberalizing the economy. Sunil Bastian (2006) argues that as
the first country in South Asia to liberalize its economy, Sri Lanka was a preferred
destination for the largesse of international financial institutions such as the World Bank,
International Monetary Fund and the Asian Development Bank, as well as donor nations such
as Japan. The shift to international financing constrained the GoSL’s behavior during the war
in important ways, which I discuss in greater detail later on.

Unable to win any political concessions from the GoSL, a younger generation of
Tamils, having grown up never experiencing the multi-ethnic coexistence that characterized
the childhoods of the older generation of Tamil politicians, began articulating a more
aggressive Tamil nationalism and calling for a violent response to perceived Sinhala
oppression. Under the leadership of Vellupillai Prabhakaran, a charismatic eighteen-year-old from a rural Tamil family in the North, the Liberation Tigers of Tamil Eelam (LTTE) emerged as one of several militant insurgent groups (Swamy 2002). By this point, both sides had concretized their positions based on the supposed distinctiveness of their respective ethnic history. And the conflict had taken a violent turn that few could have predicted would be as bloody as it has been.

**Origins of the Liberation Tigers of Tamil Eelam**

We wish to state clearly and emphatically that we are not a group of amateur armed adventurists roaming in the jungles with romantic illusions, nor are we a band of terrorists or vandals who kill and destroy at random for anarchic reasons…We are not in any way isolated and alienated from the popular masses, but immersed in and integrated with the popular will, the collective soul of our nation.


Support for the LTTE increased dramatically following the killing of thirteen government soldiers in 1983. This incident provoked widespread anti-Tamil riots throughout Sinhala-majority areas on the island, including in the capital city, Colombo. Estimates for the number of Tamils killed by Sinhala mobs ranges between 350 to 2000 depending on the source. Though accounts of the riots remain contentious, there is general agreement that the government turned a blind eye to the destruction. Many argue that the violence was orchestrated with the collusion of the UNP government itself as evidenced by the usage of voter rolls to target Tamil homes and businesses, and the lack of response once the violence began (Tambiah 1986). The killing of the soldiers triggered the outbreak of Eelam War I which began with government forces engaging in heavy fighting with the LTTE in the north of the country. In the south, where large numbers of Tamils had lived alongside the majority Sinhala community for generations, the riots led to a massive emigration of Tamils out of Sri Lanka.

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82 ‘Eelam’ is the name given to the dreamed for Tamil homeland in the north and the east of Sri Lanka.
Lanka to the West. Estimates put the size of the Sri Lankan Tamil diaspora at over 700,000 scattered in close-knit communities in North America, Europe and Australia (Daniels 1997).

As with many war induced refugee flows, many of those who left Sri Lanka at the first signs of the conflict were professionals who had the resources to flee the country. This community has been financially successful in their adopted countries and have continued to harbor deep seated resentment at the suffering they faced in their home country (Ibid). This anger motivates the wealthy and not-so-wealthy amongst the diaspora to contribute substantial resources for the LTTE’s efforts, estimated at up to two million dollars a month at its peak (Subramaniam 2000). Throughout the life of the insurgency, it has received considerable financial and other support from the Tamil diaspora through both voluntary and involuntary contributions, which, according to one report, have contributed as much as 80 percent of the group’s revenues at different points. This was collected through taxes on diaspora members in the United Kingdom, Canada, Australia, and to a lesser degree, the United States. Members donate proceeds—often under pressure from Tamil activists—from gas stations, restaurants, and other businesses they run in their adopted countries (Chalk 2000). Despite this significant financial role for the diaspora, most knowledgeable observers agree that the diaspora has had little influence on the military decision-making by the top LTTE brass (Interview with Sivaram).

In its earliest manifestation, the group received significant financial and material support from the Government of India (GoI) and the state government of Tamil Nadu in India’s south, including military training in India and shipments of small arms including grenades, mortars, land mines, and other conventional weapons. New Delhi viewed the LTTE as a potential tool in its pursuit of hegemony in the South Asian region and used the
group to punish the GoSL for its lack of support for the Non-Aligned Movement that India spearheaded till the end of the Cold War. Meanwhile, the Tamil Nadu government provided tremendous support to the LTTE in response to populist mobilization in the state that called for protection of their ethnic Tamil kin living across the Palk Strait in Sri Lanka. The support from the Tamil Nadu government was extensive and included the establishment of camps for the training of LTTE cadres with the GoI providing both the armaments and the expertise to use them.

Indian support for the Tigers came to an end in 1987 after the ascension to Prime Minister by Rajiv Gandhi, the reluctant scion of India’s Nehru dynasty. Soon after taking power, Gandhi signed the Indo-Sri Lanka accords which brought an end to the immediate fighting and established the Indian Peacekeeping Force (IPKF) in Sri Lanka to disarm the LTTE. However, the IPKF soon generated resentment from both the LTTE for their heavy-handed tactics in Tamil areas, as well as from the Sinhalese public out of fear of an invasion of the entire island by India\(^3\) (Rotberg 1999). The fear of Indian imperialism led directly to violent uprisings amongst the Sinhalese population. Faced with an internal popular insurrection, the GoSL secretly formed an unlikely alliance with the LTTE, providing the rebel army with weapons to help it push the IPKF out of the country, which they finally did in 1990 after sustaining and inflicting great losses (Bose 1994). The LTTE’s resentment for the IPKF incursion was great, and they satisfied their desire for revenge in 1991 at a rally in India by assassinating Rajiv Gandhi, who had ordered the Indian troops in to Sri Lanka in the first place. In response, the Indian and Tamil Nadu governments turned on the LTTE, cutting

\(^3\) Despite the IPKF’s presence in Sri Lanka, Indian sympathy for the Tamil cause did not end, even within the Indian armed forces. According to Major General Arjun Ray who served with the IPKF in Sri Lanka, many within the force had great sympathies for the LTTE cadres who were universally admired for their fighting acumen.
off all official support and actively cracking down on any remaining Tamil militants operating in India, though the LTTE did eventually win back a degree of popular support in Tamil Nadu (Smith 1999).

Sri Lanka is divided into nine provinces and 25 districts. In 1987, due to the arrival of the IPKF, the historically Tamil dominated (73% of the total population) North and East Provinces were unified into a single province and put under emergency control by Colombo.\(^4\) By placing the NorthEast under Colombo’s control, the GoSL was able to dissolve the elected provincial assembly, a standard feature of the other seven provinces. In these provinces, funds from the central government are allocated to the provincial assembly which makes decisions regarding funding for education and health matters, for example. In the N&E Province, this power was transferred to the Governor, a position appointed by Colombo. The NorthEast does have a non-elected Provincial Council comprised of members selected by the Governor, but both the GoSL and especially the LTTE do not take the council very seriously. It is generally agreed that the province receives less than their due from the Finance Commission which is supposed to determine fiscal allocations to the provinces under a standardized though complex revenue sharing formula (Interview with Lankanesan).

Following the withdrawal of the IPKF, LTTE leaders were forced to organize the group to deal with three separate challenges. First, the group was suddenly left in control of much of the North of the country that had been occupied by the IPKF from 1987 to 1990, including the Jaffna Peninsula. Second, the group was forced to reorganize its internal operations without the patronage of the external state sponsor that had guided the group from

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\(^4\) Since the unification of the Northern and Eastern Provinces, people refer to the combined region as the NorthEast. In this text I use either ‘N&E Province,’ ‘NorthEast,’ or ‘northeastern’ interchangeably to refer to the province. In 2006, the province was again separated into its two constituent parts.
its origins. And third, the LTTE had to deal with a renewed outbreak of fighting known as Eelam War II with the rejuvenated forces of the GoSL, who had honed their counterinsurgent skills by brutally suppressing the violent revolt of the Sinhala nationalist Janatha Vimukthi Peramuna (JVP or People’s Liberation Front) that had broken out in the south of the country during the IPKF occupation of the North. As I discuss in the next section, these internal crises forced the LTTE to restructure and empower its political wing in order to compensate for the loss of support from India, and to develop a broader based movement that could handle the rejuvenated GoSL forces.

Figure 6.2: Map of LTTE controlled areas (Source: Stokke 2006: 1023)
In 1994, running on a peace platform, Chandrika Kumaratunga (the daugher of the Bandaranaike’s) and her party, the People’s Alliance, won the Presidential election promising to make a deal with the LTTE. The emergence of Kumaratunga brought to an end 17 years of unbroken UNP rule during which the country’s long-standing ethnic dispute had turned shockingly violent. Despite an initial pause in the fighting following a unilateral ceasefire announced by the government, the LTTE grew wary of Kumaratunga’s overtures, and fighting recommenced initiating Eelam War III. In 1998, it was the LTTE, after making some significant gains in territory, that surprised the Sri Lankan political leadership by calling for talks and offering a unilateral ceasefire (Rotberg 1999). Although, the war continued for three more years, the secret talks which had been initiated in 1998 culminated in a ceasefire agreement being signed between the LTTE leaders and the GoSL in 2002.

Prime Minister Ranil Wickremesinghe of the UNP signed the ceasefire. He had come to power through parliamentary elections in an uneasy cohabitation arrangement with Kumaratunga continuing as President. The terms of the ceasefire agreement called for a federal solution to the crisis in Sri Lanka with the creation of a semi-autonomous province under the control of the Tamil leadership. Over the course of the war, over sixty thousand people have been killed and close to a million displaced due to the fighting. Currently, in early 2007, the ceasefire no longer holds following the election of Mahinda Rajapaksa of the SLFP in late 2005. Rajapaksa came to power at the head of a Sinhalese nationalist coalition that promised to revisit the terms of the agreement between the government and the Tigers, leading to a dramatic increase in violence on both sides and fears of a re-initiation of open
The country remains divided between ‘clear’ areas directly under the control of the GoSL and ‘unclear areas’ under the control of the LTTE, though as I discuss below, the situation is more fluid, with the LTTE retaining the ability to influence events in ‘clear’ areas throughout the NorthEast, despite having suffered recent setbacks particularly around Batticaloa in the east (Interview with Lankanesan) (see Figure 6.2). Civilians I spoke with in the region agreed that living in a ‘clear’ area provides greater access to government services while ‘unclear’ areas were thought to be more safe (Local interviews; Interview with Jeyanesan).

**Establishment of the LTTE Civil Administration**

Although the LTTE is the pre-eminent insurgent group representing the Tamil movement, from the beginning they have faced serious challenges to their leadership by other paramilitary groups such as the People’s Liberation Organization of Tamil Eelam, Tamil Eelam Liberation Organization, Eelam People’s Democratic Pary, the Rafik Group, and most recently, a faction led by Colonel Karuna, the former LTTE number two. The GoSL will often provide both overt and covert support for these other Tamil factions, and the struggles between them and the LTTE have proven to be particularly dirty on all sides, with abductions and torture of each others’ cadres common, so much so that several commentators have labeled the war in Sri Lanka a “dirty war” (Nordstrom 1992; Rajasingham-Senanayake 1999).

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85 Interestingly, LTTE leaders studied aspects of the Machakos Protocol which ended the war in South Sudan and hoped to reach a deal comparable to what the SPLM/A achieved. Sadly, despite the similar conflict length, the cease-fire between the two parts of Sri Lanka does not look likely to produce a genuine peace as it may have in South Sudan (writing in early 2007) (Interview with Sivaram). See also Wijemanne (2002).

86 According to Goodhand and Lewer, “A cleared area is assumed to be one that is under the control of the Sri Lankan Armed Forces, where there is no ‘terrorist’ presence, there is a level of protection and stability and the population is receiving the same public entitlements as elsewhere in the country. ‘Uncleared’ areas are those which remain under the military control of the LTTE” (1999: 74).
As a result, when it came to the establishment of a political authority, the leadership has consistently been pre-occupied with maintaining a brutal coercive apparatus over its charges above all else. Faced with competition from other factions throughout its history, the LTTE has sought to establish its dominion by repeatedly punishing those perceived to be sympathetic to these other factions. This was especially true during the first four years of the war (1983-1987) when the group controlled little territory, instead operating alongside existing institutions and focusing mainly on wiping out its competitors. Even at this early stage, the LTTE stood out amongst its competitors for its ability to organize itself under a unified command structure with top-down control over the entire organization, and for its instrumental use of violence in clearing the political space of the NorthEast (Interview with Sivaram; Swamy 2002). As a result, though leadership was technically divided between a Military Office (M.O) and a Political Office (P.O.), in practice, political personnel have generally been drawn from the military wing as the group had little trust in incorporating civilians who had not proven their loyalty to the LTTE on the battlefield (Bose 1994: 125). The consistent failure of the LTTE to separate the P.O. from the M.O. has undermined the autonomy of the political wing since the group’s inception.

From 1983 to 1987, in areas the LTTE controlled, the administration of justice and the police force remained in the hands of the GoSL (Interview with Ethirveerasingam). The LTTE first established a civilian administration during tripartite peace negotiations between the group and the Sri Lankan and Indian governments in 1987. Prior to this a Planning Commission did exist within the P.O., but did little. The process accelerated dramatically following the withdrawal of the IPKF in 1990 as the LTTE sought to build structures to fill the political vacuum opened by the Indians’ departure. Claiming the role of the protector of
the Tamil people, the LTTE established a “Tamil Eelam Secretariat” to replace the P.O. and to serve as the official political wing. The Secretariat gave the group control over “hotels, transport, education, local bodies, cultural activities, media, and food distribution” (Swamy 2002: 213), while also providing a new source of revenue to offset the loss of Indian support.

The first non-security component of the nascent civil administration was a broad development structure named the Tamil Eelam Economic Development Organization (TEEDO). Its initial purpose was to assess damage done to LTTE territory during the war and coordinate efforts for developing these areas. In 1994, several commissions were established by TEEDO comprised of GoSL civil servants, university personnel and civil society actors that provided sectoral assessments of the basic costs and needs of reconstruction. Townhall meetings were held in order to provide civilians and civil society actors the opportunity to give feedback on the plans for reconstruction and development. Through this process, the LTTE published a series of reports detailing the needs of the NE Province and provided a blueprint for moving forward. These reports were released alongside the GoSL’s own assessments of the province’s needs. Structurally, these TEEDO appointed commissions began to specialize in specific sectors and were spun off into their own agencies within the civil administration. The construction of the LTTE’s civil administration was designed to demonstrate the leadership’s capacity to the government, to the international community and to the Tamil diaspora, which had long provided extensive funds and expertise for the LTTE’s non security governance work (Interviews with Maran and Puleedevan; Chalk 2000). As detailed in the next section, the administration grew to include education and health ministries, a legal system comprising both a police force and a judiciary
based on the LTTE’s own legal code, a comprehensive tax authority and even a Bank of Tamileelam, which has six branches (DeClercq 2004).

Following the withdrawal of the IPKF and the resumption of fighting between the GoSL and the LTTE in 1990, the N&E province was subjected to an economic embargo encompassing over 60 items including basic consumer, medicinal and other daily goods such as fertilizer (Sarvananthan 2005). This continued until the ceasefire in 2002, and was reinitiated after fighting recommenced in 2006. The embargo had a profound impact on life in LTTE territory, particularly in the provision of health care, which required many of the goods prohibited by the GoSL for having dual purposes. With the advent of Norwegian-led peace talks in February 2002, the LTTE began a concerted effort to de-link the military from the civil apparatus even further. While the N&E Province has suffered considerable decline in several key indicators including health, education and infrastructure, the overall status of these indicators is only low in relation to their values in the rest of the country. For example, while only 17% of children were born underweight in Sri Lanka, the average in the N&E province is 26% (Sarvananthan 2005). Although a significant difference, considering that the LTTE has long controlled the majority of the territory in this province, what is surprising is how close the two numbers actually are.

The Structure of the Civil Administration

At the top of the organizational structure of the LTTE is the supreme leader, Prabhakaran, who has fostered a personality cult around his distinctive mix of Tamil nationalism and socialist rhetoric. Prabhakaran gained fame amongst the Tamil population for his bravery in battle against the GoSL and his ruthlessness in dealing with dissidents within the Tamil movement. He sits at the head of the Central Governing Committee which
unites all aspects of the LTTE, both militarily and political, under a single command. Within this structure exists the political secretariat, which encompasses the civil administration (Atasialthurai in Tamil) and is headed by the Porupalar in Tamil (or person responsible in English) (Interview with Ethirveerasingam). This position was long held by Thamilchelvam, the most prominent LTTE political administrator, until his death in 2006. The civil administration is split into several sectors each headed by a secretary (also referred to as Porupalar) including Finance, Justice, Protection (Police), Economic Development, Health, and Education (Neeran 1996). It is a top down structure with the specialized sectors serving to implement decisions made by the LTTE leadership (Interview with Sivaram).

As mentioned above, Sri Lanka is divided into eight provinces following the unification of the N&E Province—parts of which have been partially controlled by the LTTE since 1990. Each province is further divided into approximately three or four districts. In the LTTE civil administration, each district in the province is assigned a district level Porupalar who serves to ensure that sectoral directives issued by the head Porupalar are implemented at the district level. As I discuss in the next section, the provision of technical services in LTTE-controlled territory is largely provided by the GoSL and it is the role of the district Porupalar to ensure that the GoSL is following LTTE policy in the provision of these public goods. Even in the ‘clear’ areas of the N&E Province that supposedly remain in GoSL control, the LTTE appoints a Porupalar to monitor government behavior (Interview with Ethirveerasingam).

Service Provision: The Civil Administration and the Government

The provision of services within LTTE-controlled territory is a challenge to understand due to the overlapping relationship between Government and rebel institutions.
While the LTTE has established a complex civil administrative structure, its real purpose is to regulate and supplement the services provided by the Sri Lankan government, at least for technical services such as health and education. As I discuss below, the security sector including the police and the judiciary is completely under the control of the LTTE, but when it comes to health, education and several other sectors, the LTTE works alongside government institutions to meet the needs of the civilian population. Faced with a population accustomed since Independence to the continuous provision of public services, the LTTE had little choice but to work with pre-existing institutions to ensure a continual flow of such public goods.

A leftover from colonial rule, throughout the country, every district is assigned a Government Agent (GA) (known as the District Secretary from 1997 on) who is responsible for implementing directives promulgated by the central government. This remains true even in LTTE areas where the government has long assigned GA’s to each district in the N&E Province. Although officially a government choice, the GA is usually selected with an eye towards ensuring his compatibility with the LTTE leadership, often a Tamil member of the GoSL civil service. Sri Lanka’s unitary structure gives the GA’s considerable influence in ensuring that policies mandated by the center are implemented throughout the eight provinces in the country.

If the assignment of district level supervisors by the government in the persona of the GA seems reminiscent of the LTTE district Porupalar, this is clearly no accidental decision. In 1990 following the withdrawal of the IPKF and the establishment of the rebel civil administration, the LTTE leadership approached the GoSL, asking it to resume service provision in the NorthEast (Interview with Puleedevan). The LTTE then modeled its own
civil administration on the GoSL’s bureaucratic framework with the intention of designing a structure that could both control and fill in the gaps of the government’s agencies. Thus, the district Porupalar position intentionally mirrored the GA position and was designed to regulate it. This approach has guided the design of the entire LTTE civil administration, except in regards to the security system which the LTTE has maintained as its own preserve.

In the country’s other provinces, democratically elected Provincial Assemblies serve as a countervailing force to the power of the GA’s and provide a necessary local control on Sri Lanka’s centripetal tendencies. In the N&E Province, the Governor-appointed, non-elected Provincial Council was created to substitute for the lack of a Provincial Assembly, however, the LTTE has prevented it from gaining much legitimacy as it fears that an effective and representative council could undermine its claim that no institutional solution to the woes of the province is possible (Interview with Lankanesan). This leaves the area bereft of an officially sanctioned democratic oppositional structure, a void the LTTE attempts to step into through its own civil administration. Thus, the Provincial Council, through which 80% of funds allocated to reconstruction by the GoSL flow, determines where and how to allocate these funds unconstrained by any officially recognized democratic feedback mechanism (Interview with Sivananthan). Instead, in the conflict zone, the LTTE’s civil administration is the only institution capable of determining the direction of these allocations.

There are two obvious questions that come to mind. First, why would the government continue providing services to a population that has violently challenged its sovereignty? And second, why should it allow the LTTE any say in this process? The main reason for the GoSL’s approach was the regime’s accurate assessment that Sri Lanka’s economic survival was reliant on the generosity of the donor community, which did not want to be seen as
supporting a regime that allowed any embarrassing humanitarian disasters. As long as the Sri Lankan government ensured that the conflict did not affect the performance of the economy, while continuing to implement the liberalization policies promoted consistently by the donor community since 1977, the international community was content focusing on the economic foundation of the country (Bastian 2006). The fact that the economic base of the country had long been centered in the Western Province around Colombo made this a surprisingly viable strategy. Thus, under the watchful gaze of the international community, which communicated its fear of any negative publicity directly to a receptive GoSL, the government had a strong incentive to manage the conflict with the LTTE without allowing any great humanitarian catastrophes. The best way to do this was to ensure the material welfare of the civilian population in the NorthEast, even while engaging in combat with the LTTE.

A second answer according to several interviews I conducted with government officials was that even the tenuous link that service provision provided the GoSL with the Tamil population made it worth the effort. The prevailing assumption is that if the GoSL abdicated its responsibility to provide services to the Tamil community, nothing would connect the people of the N&E Province with the government that still claims dominion over them. Therefore, the accepted GoSL strategy was to wean the population away from the LTTE by providing public goods. This approach was not embraced uniformly by the Sinhalese political elite. A division existed between Kumaratunga and other factions within her government that pushed for the cutting off of financial support to LTTE territories. While these opposition forces did not have the political clout to force her hand, they were able to

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87 This was probably a wise decision. After the first Gulf War, Saddam Hussein hoped to punish the northern Kurdish population by cutting off the region from supply lines in the South of the country. Instead of destroying the Kurdish population as he hoped, it triggered the development of an autonomous Kurdish government in the North that only solidified Kurdish secessionary claims.
undermine Kumaratunga’s efforts, rendering service provision in the NorthEast less substantial than the other provinces (Interview with Ethirveerasingam).

Finally, the decision to give the group a say in governance questions reflected the recognition by the GoSL that cutting off public goods to the NorthEast would force the LTTE to develop more extensive civil administrative structures, further burnishing the group’s image as a Tamil government-in-waiting (Interview with Lankanesan). This is why the GoSL preferred to negotiate directly with the rebel leaders about service provision, as they feared the possibility that the LTTE could set up a comprehensive parallel administration as a testament to their secessionist credentials. Thus, for both sides, a compromise system that would allow pre-existing institutions to remain while granting the LTTE a say in the nature of service provision was the only viable option.

Thus throughout the N&E Province, there is a bifurcated political command with a dual authority structure comprised of representatives from both the GoSL and the LTTE civil administration. In practice this means that the GA operating in any district under LTTE influence walks a very fine line between ensuring that government mandates are carried out uniformly in all districts and respecting the wishes of the LTTE civil administration, as relayed to him by the district Porupalar. Overall, the civil servants appointed by the GoSL to work in LTTE territory have a congenial relationship with their LTTE counterparts. This is perhaps attributable to the fact that the GoSL only appoints Tamils to work in the NorthEast, and Tamils as a group are generally sympathetic to the goals of the Tamil movement, even if they don’t support the LTTE in particular (Interview with Lankanesan).88

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88 The LTTE leadership told me that they actually select the personnel to work within government agencies who are then incorporated by the GoSL, but I never received confirmation (or denial) of this from GoSL employees.
The LTTE seems to benefit more from this arrangement as they are able to keep the civilian population satisfied without spending much of their limited resources on service provision. Furthermore, the group is also known to forcibly impose taxes on the population within their territory, up to 12 percent for those working in government professions. Because the government pays the salaries of teachers, doctors, nurses, and other professionals in the health and education sectors, the LTTE knows that these civilian professionals usually have the money available to pay taxes. Essentially, they are able to skim funds for their operations from government disbursements used to pay civil servants.\textsuperscript{89} Having diverse sources of funding provides the LTTE with greater stability if any one source gets cut off as it has experienced several times in its history. Besides support from internal sources such as taxes and running its own businesses, and external sources such as the diaspora and the GoI until 1987, the LTTE has also been accused of raising funds through criminal enterprises such as international drug and weapons trafficking; and extortion and racketeering within LTTE territory (Jenne 2003; Chalk 2000).

The Provision of Services in North and East Sri Lanka

The Security System

When the LTTE first came into control of territory in the mid 1980’s, establishing a security system was the first priority, as it usually is with most rebel organizations. A police force was quickly established to regulate life in Tiger territory, even before the arrival of the IPKF. At its peak, the force eventually grew to approximately three thousand officers.

\textsuperscript{89} This does not mean that the GoSL is blind to this strategy, but rather that they accept it as a necessary cost of keeping a connection to the people in LTTE territory. Indeed, the LTTE is forced to rely on such strategies to compensate for the total lack of foreign investments in this part of the country. This is the result of an active policy by the government to prevent investment in LTTE controlled areas as this would provide the group with the ability to strike lucrative financial arrangements with foreign investors. This did change briefly following the signing of the ceasefire when many diaspora members were allowed to initiate projects in the NorthEast.
regulating rebel territory. A police academy was established by a Tamil former constable of the Sri Lankan Police with the capacity to train 300 cadets a year (Bulathsinghala 2003a). Local informants confirmed that the LTTE police have a high degree of legitimacy amongst the civilian population who viewed the police as an uncorrupt and important stabilizing force in the region.

However, unlike other rebel groups that focus on developing a security system primarily to ensure compliance and normalize life under rebel control, the LTTE took a different approach in regards to the judiciary. Instead of viewing the judicial system solely as a source of stability, the LTTE was as concerned with using the judiciary as a source of legitimate revenue from the population. They did this by establishing a system of land courts that would assess the value of the properties under their control, through a joint consultation with the property holder, to establish an agreed upon value for the land. This allowed the group to establish an annual property tax on all properties within its terrain, providing the organization with an immediate and steady source of income, especially from relatively wealthy members of the diaspora concerned about their property holdings in the area now referred to as Eelam. At the same time, it put control over a key resource, land, squarely within the jurisdiction of the LTTE’s embryonic civil administration (Interview with Ethisveerasingam).

While establishing the land courts, the LTTE continued to use the GoSL’s legal regulations to administer justice. It was only after the withdrawal of the IPKF that the LTTE tried to establish an alternative judicial system comprised of ‘committees of respectable persons,’ including retired civil servants and teachers. But its disorganized approach to administering justice led to widespread complaints (TamilNet 1997). Recognizing that the
prosecution of crimes and the resolution of civil disputes was an important point of contact with the civilian population it sought to control, the LTTE gave up hopes of establishing a distinctive legal system, and turned its attention to modifying the pre-existing system to fit its agenda more closely. To this end, they set up a law college with the capacity to train 300 lawyers a year, and by 1992, a legal system was put into place across LTTE territory.

Enacted in 1994, a Tamil Eelam Penal Code set out the maximum and minimum sentencing requirements, with the death penalty proscribed for a variety of offenses including murder, rape, and treachery (treason) (Interview with Anpu).

The LTTE system adapted elements of the British influenced Sri Lankan Penal Code and combined them with a customary system based on their interpretation of the Tamil cultural norms known as *Thesavalamai* that regulate inheritance, marriage and other civil practices (Interview with Puleedevan; Local interviews). The “Thesavalamai Code” was actually laid out by a Dutch legal scholar in 1707 based on his understanding of the customs of Tamils in ancient India and Sri Lanka. It was used as the framework for regulating civil issues in the Tamil areas throughout the colonial period. Even in contemporary Sri Lanka, marriage and inheritance laws for Sri Lankan Tamils are influenced by the code (Muttettuwegama 2001). The LTTE modified and further expanded the code while

![Figure 6.3: Structure of LTTE Legal System](image-url)

- Supreme Court (1 court with 5 judges)
- Special Bench (1 court)
- Court of Appeals (3 courts)*
- Magistrate (criminal)
- High Court (civil/ 2 courts)**
- District Court (civil/ 7 courts)

*Only one Appeals court functions, in Kilinochchi
** These are located in Kilinochchi and Mullativu
integrating it into the group’s own legal system, excluding those cultural norms that did not fit in with its social agenda. For example, while the colonial interpretation of the code provides extensive regulations regarding such unpleasant subjects as caste and dowry, they are excised from the LTTE version.

Perhaps the area where the code fit in most closely with the LTTE agenda was with control of land transfers. According to the LTTE’s reading of the code, land transfers can only be made to relatives or local community members (Interview with Nagendran). The main purpose of this strategy is to prevent Sinhalese and other outsiders (Muslims and even other Tamils) from buying land in traditionally Tamil areas, a genuine concern considering the GoSL’s use of population transfers to the NorthEast to change the demographic balance in the region. By incorporating Tamil cultural norms into their legal regulations on property transfers, the LTTE was able to gain legitimacy for their judicial approach while also keeping close control over this very contentious, and lucrative (through taxes on property) issue.

There is a single legal system for both civilians and the LTTE cadres in Eelam, run by lawyers and judges trained in the law program, almost all who had experience in the military ranks (Interview with Lankanesan and Anpu). A small number of lawyers are even sent to India and Australia by the LTTE to receive advanced legal training. The LTTE used local media such as cheaply published pamphlets and public meetings to spread awareness about the new legal system. Justice is administered very quickly, usually in two or three days for most civil disputes. Furthermore, there is a perception that most judgments were favorable to poorer sectors of the community. The LTTE goes to great pains to demonstrate the non-corruptability of the legal system in LTTE areas, and there is a general perception that crime is a greater concern in the government-controlled areas of the NorthEast. The LTTE also
ensured that legal services are accessible, charging a flat fee of less than twenty dollars—which also covers the cost of the court appointed lawyer—to most, while also providing free legal advice for the poor. Thus, in areas clearly under the control of the Tigers, the system has proved to be effective and well received by the population.

However, as discussed earlier, the LTTE does not control the entire N&E Province, but rather a patchwork of territories that tend to cede control of most urban areas to GoSL forces. Although these ‘clear’ areas are technically under the control of government forces, the Tigers have an impressive ability to influence daily life even in towns outside of their nominal control. Tamils in ‘clear’ areas of the NorthEast can cross the border and file complaints in the LTTE judicial system, and the Tigers may then issue a summons to the defendant requesting their presence in an LTTE court (Interview with Jeyanesan; TamilNet 1997). In this case, civilians essentially have two legal systems to choose from and will tend to decide based on their own perceptions of the relative benefits of each. This is an especially despised facet of the system in the eastern capital of Batticaloa where the population perceived it as interference into their daily matters, as supporters of the Tigers tried to use LTTE courts to overrule judgments made by the official Sri Lankan legal system.

The Health System

Undoubtedly, the health infrastructure in the NorthEast was undermined to a much greater degree by the war-induced embargo on goods than other sectors like education which are not as reliant on highly skilled personnel or the timely provision of a diverse array of supplies. In the East, health centers exist in LTTE areas, but they are not staffed by doctors. This is due to the fact that the LTTE only controls rural parts of the east and no major population centers, and therefore, there are no government hospitals operating in the area.
NGOs such as Medecins Sans Frontiers, the International Committee of the Red Cross, and the Tamil Relief Organization provide a limited number of mobile health centers, but civilians with more serious medical conditions are forced to travel to clear areas for treatment (Interview with Sivam). This was a normal difficulty of life during the war for civilians who had to cross the border between the two areas before it was closed every day at six, if it was opened at all that day.

In the north, Kilinochchi, the largest town under LTTE control, has a large government run hospital staffed by a crew of doctors and nurses paid for through GoSL allocations. However, the entire health service sector suffered from chronic shortages of supplies due to the embargo. When the conflict is active, many medicines are categorized as restricted, and almost no new health facilities can be constructed due to a ban on the transportation of cement to rebel areas (Interview with Damian). There is also a shortage of personnel due to a general hesitation by qualified Tamils to work in LTTE areas. Although all medical personnel receive salaries from the government, they must self-select to work in the NorthEast, a commitment many are understandably afraid to make. For example, with a population of approximately 150,000 people, Kilinochchi only had 15 doctors and 7 assistant doctors in 2005. This is compared to a country-wide average of approximately 50 doctors per 100,000, almost three times as many than in LTTE areas. About 20 nurses serve this population, about a sixth of the actual number necessary for adequate health care provision (Interview with Sathyamourthy).

Unlike the education sector where the LTTE has a pro-active community based effort to control the quality of education within its territory, the group plays little more than an advisory role when it comes to the provision of health. Instead, the health sector looks to
international agencies such as UNICEF to supplement its shortcomings, though as I discuss below, it was not until the ceasefire of 2002 that NGOs and international agencies began entering the region in significant numbers.

The Education System

As in any conflict zone, daily life is regularly disrupted by the rhythm of a war that vacillates between periods of extended calm and brutal fighting. Despite frequent closures, the education system in LTTE areas is remarkable for its ability to provide a degree of continuity despite these interruptions. To understand the importance of education in N&E Province, it is essential to recognize the historical educational opportunities that long prevailed in the Tamil regions of the country. As discussed in the beginning of this chapter, the British established an extensive system of missionary schools throughout the NorthEast based on their desire to incorporate Tamils into the colonial bureaucracy. The unofficial first city of the Sri Lankan Tamils, Jaffna, was favored by the British, and during the colonial era, had more schools than anywhere else outside of the Colombo/Kandy area. This area is revered as a cultural sanctuary for the Tamils and has produced the most important leaders of the Tamil movement (Interview with Sivaram).

After Independence, the populist policies of the new Ceylon government covered educational expenses for all citizens. In the NorthEast, this included the payment of fees for students attending missionary schools and salaries for the teachers. This continued till 1960 when Bandaranaike nationalized schools, taking power away from the missionaries who had run the educational infrastructure in the NorthEast from colonial times. While disruptive, the European missionaries who had set up the schools during the colonial period ceded power to native Tamil converts who continued to maintain the high educational standards put in place,
even after the government nationalized the education sector. Thus prior to the war, Tamils in
the N&E Province had the highest educational rates on the island. The education system in
Sri Lanka empowers the provincial governments with the ability to make decisions regarding
the curriculum, hiring of teachers, location and construction of schools, and other issues
affecting education in the provinces (Interview with Lankanesan). Provincial education
offices were given a degree of flexibility in these matters, though they were also expected to
implement mandates issued by the Ministry of Education in Colombo. Such a decentralized
structure was necessary given the linguistic differences between provinces, especially in the
NorthEast which required a Tamil curriculum.

During the war, the LTTE established the Tamil Eelam Education Council (TEEC) to
coordinate the provision of education with the provincial representatives. The council
functioned as the ministry of education within the LTTE civil administration under the
leadership of a Secretary of Education. Its purpose was to encourage the establishment of
civil society based advisory committees in every district composed of parents and educators
to regulate and supplement the provision of education. In my interviews with civilian Tamils
living within LTTE territory, the ability to send one’s children to school was a frequent
concern, reinforcing the common perception that Sri Lankan Tamils place a superlative
emphasis on education as a means for social uplift. It also provided the LTTE with a pro-
active community that the advisory committees could tap into. During the war, when the
school system was interrupted either due to a lack of teachers or materials, members of the
council could pitch in and supplement the government education system (Interview with
Ethirveerasingam). This provided schools with a degree of continuity necessary to
compensate for the frequent breaks in education provision due to the war. Even during the
difficult days of the embargo, students in the NorthEast had impressively high pass rates.

In 2002, a total of 1994 primary and secondary schools operated throughout the province with a total enrolment of 648,000 according to GoSL figures (Ministry of Education 2002 cited in UN 2003). The UN estimated that about 50,000 children are out of school in the Northeast, and put the student drop-out rate at 15%, almost four times the national average (UN 2003). While relatively high compared to national averages, it is worth pointing out that a 15% dropout rate is remarkably low for an area affected by more than two decades of almost continuous conflict. While no figures exist that specifically separate out the number of schools in LTTE areas versus areas controlled by the government in the NE province, it is fair to assume that the actual number of drop-outs in LTTE areas is higher than government controlled territories. However, considering the extent of LTTE control over the population in the province, a high drop out rate in LTTE territory would have clearly been reflected in the provincial wide number, which it is not.

In the east, teachers preferred to live in the GoSL controlled capital, Batticaloa, and travel into LTTE territory every day. Considering that this entailed passing through a series of checkpoints and traversing some very difficult terrain, it is likely that teachers often missed class altogether (Interviews with Jeyanesan; local teachers). In the North, areas under control of the LTTE are more autonomous and teachers were drawn from within LTTE territory. From all accounts and my own personal observations, a functioning education system up to the upper secondary level existed throughout the N&E Province, although students were required to travel to schools located in towns controlled by the GoSL if they wanted to continue beyond this point (Interview with Sivam).
The Impact of the Ceasefire and the Role of NGOs

The 2002 ceasefire initiated the continued evolution of the LTTE Secretariat into an even more complex structure as the political leadership sought to adjust the civil administration in response to the rapid changes affecting the NorthEast. The civil administration was transformed in two different ways. First, in response to the easing of travel restriction between the two former provinces, the LTTE sought to centralize the structure by transferring powers once given to the eastern commanders back to the North. And second, it was forced to deal with the influx of post-conflict aid brought by International Agencies and INGOs to the region.

Despite the unification of the Northern and Eastern Province, the distance between the two former provinces and the difficulty of traveling through government territory to reach the other meant that during the war, the LTTE’s second-in-command, Colonel Karuna, exercised great autonomy over the area that once comprised the former Eastern Province. Essentially, during the war, the LTTE’s administration functioned in a quasi-federal manner with impressive powers given to the regional command, especially in regards to the provision of public goods, though Karuna was expected to defer to Prabhakharan on most military issues. The ceasefire altered this dynamic and for the first time members of the LTTE could travel freely between the two regions.

The central command used this opportunity to claim greater power for the civil administration away from the Eastern commanders. The court systems, the police stations, and income tax offices were all made to report back to the center and not to the regional command, directly undermining Karuna’s authority in his home region. Karuna’s split from the LTTE in 2004 was directly related to the increasing centralization of governance brought
about in the context of the ceasefire. Karuna was able to appeal to latent dissatisfaction due to the perceived discrimination of the eastern Tamils by the northern Tamil population. As evidence of this discrimination, Karuna cited numbers demonstrating the under representation of eastern Tamils in leadership positions and their over representation in casualty figures (Jeyaraj 2004). His split, however, left the LTTE with no internal opposition, allowing Prabhakaran to continue the process of centralizing authority under his direct command.

In its earlier manifestations, a secretariat for NGOs existed within the political secretariat to coordinate humanitarian efforts, but it had a limited scope that reflected the relative paucity of INGOs in wartime Sri Lanka. Several types of NGOs did operate throughout the NorthEast, but as a category, they did not have the same influence or warrant the same attention they do in other cases I discuss such as the SPLM/A. This is largely attributable to the relatively solid service provision that characterized life in the province before and during the conflict, and the LTTE’s suspicion of and general aversion to INGOs operating in their territory. Thus, prior to the early 1990s when the fall of the Soviet Union brought about an influx of western money geared directly towards the promotion of so called ‘civil society’ initiatives, there were few NGOs, save for those that came out of the Churches or other big charitable organizations (Goodhand and Lewer 1999).

The exception to this is the Tamil Rehabilitation Organization (TRO) established by Tamil refugees and members of the diaspora in 1985 to provide support for reconstruction

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90 There is little space here to recount the history of relations between the Northern and Eastern Tamil communities. Generally it is fair to say that the Eastern Tamils do support the LTTE, but are wary of its unwillingness to give the East greater say in the behavior of the movement, which many in the East perceive as holding the interests of the North above all else (Interview with Miller).

91 Estimates I heard in the region put the number of INGOs operating in LTTE areas around five or six including the Red Cross, Oxfam and Care (Interview with Nagendran).
efforts in LTTE areas and relief for the growing refugee population in India. It is difficult to pinpoint the exact relationship between the LTTE and TRO. As an NGO, TRO operates in 15 countries including Sri Lanka and it goes out of its way to prove its autonomy from the LTTE (TRO 2004). Although partially true, according to one community leader who remained in the Kilinochchi area throughout the conflict, the LTTE wanted a local NGO that could handle developmental affairs, so they backed TRO soon after it commenced operations in the region (Interview with Nagendran). It is probably best to think of TRO as something between a quasi-LTTE institution and an independent NGO as the vast majority of its activities do not directly involve LTTE institutions, though it is also clear that it would never have the type of reach it would without its close ties to the LTTE. Approximately 50% of TRO’s volunteers are foreigners, predominantly Australians, and many are not members of the Tamil diaspora, but rather people motivated to work with the TRO due to exposure to publicity exercises, mostly informal, organized by members of the Tamil diaspora in Australia, Canada, the United Kingdom and the United States.

Even when INGOs first began trickling into the region in the early 1990’s, the vast majority of service provision remained under the shared control of the LTTE and the GoSL. The ceasefire, at least in its first and second years, led to hopes by many within the international community that Sri Lanka had turned a corner and was deserving of large aid projects to encourage the nascent peace process, producing an influx of developmental INGOs, flush with money from international agencies such as the World Bank, into LTTE-controlled areas of the NorthEast. This influx spurred the development of new structures within the LTTE civil administration that sought to keep control over the development process (Interview with Mathy). The LTTE was determined to be perceived as a reliable
partner, creating a Planning and Development Secretariat (PDS) in January of 2004 to coordinate NGO activity within LTTE territory. The pace by which other sectors within the Secretariat were spun off into their own agencies increased as well (Interview with Puleedevan). The PDS required that NGOs be registered, submit their plans for approval, and find a local partner organization, which the LTTE hoped would promote capacity building amongst their Tamil constituency (Ibid). The goal was for Community Based Organizations (CBO) to take control of INGO projects fostering local ownership over the development process. Evaluating the success or failure of this structure is not possible at this early phase of its development, though with the reemergence of fighting, it will be interesting to see if the ratcheting up effect that I describe in Chapter 2—in which structures created during times of relative peace persist even after fighting reinitiates—will apply to these structures.

In a gleaming new office building in the official LTTE capital, Kilinochi, I spoke with the Managing Director of the PDS in July 2004. A twenty-something former fighter, Maran spoke impeccable English and had a tremendous grasp of issues affecting development and reconstruction in LTTE areas. According to Maran, the role of the PDS is to formulate a general development agenda for the province, set standards for any work done, and to guide actors on where and how to set up projects. The secretariat’s role increased significantly following the Tsunami of December 2004 when the region witnessed an almost unimaginable influx of foreign NGOs into the region. When the Tsunami hit, PDS had only one office in Kilinochchi. However, the disaster triggered an expansion of the PDS and district offices were opened across LTTE territory to handle the newly arrived aid agencies (Interview with Mathy). The stated goal of the LTTE following the Tsunami was to ensure that donors viewed the PDS as the speediest means for implementing policies, though they
also recognized the legal constraints that donors face in their home countries where the LTTE is often labeled as a terrorist organization, especially in the aftermath of September 11, 2001.92 According to one knowledgeable observer, the LTTE hoped to change this perception of the group and “wanted to use the opportunity (tsunami) to gain legitimacy” (Interview with Lankanesan).

Unsurprisingly considering their history of cooperation, distribution of Tsunami aid brought the newly created LTTE aid distribution mechanisms together with their GoSL counterparts. During the war, the Conflict Affected Areas Program (CAAP) was primarily funded by government allocations and NGOs had little role, however, the Tsunami Affected Areas Program (TAAP) was primarily supported through NGO and other external funds leading both sides (GoSL and LTTE) to recognize the importance of working together to maintain control over the process of aid distribution (Interview with Sivananthan). A joint mechanism was established between the LTTE and GoSL to distribute the substantial financial resources flowing into the country following the Tsunami. Both sides viewed it as an opportunity to bring the LTTE into the mainstream, and the LTTE initially earned plaudits for its effective reconstruction programs (Ibid). A consortium was established comprising the government agent, INGOs and an LTTE representative to regulate the behavior of INGOs involved in Tsunami reconstruction efforts (Interview with Puleedevan). However, the goodwill created through this deepening of the relationship between both sides was short lived as tension arose about other issues that have unraveled the peace process in the past two years.

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92 International agencies were not as affected by these national restrictions and the World Bank held several meetings with the LTTE leadership in order to determine ways of providing funds directly to the group, though it was generally recognized that only a comprehensive peace agreement would allow funds to flow unconstrained.
Conclusion

This chapter has shed light on the overlapping nature of service provision in LTTE territory. Faced with the entrenched experience of the Tamil population, which has been able to access extensive public goods from the GoSL since Independence, the LTTE would have risked alienating their support base if they had tinkered unsuccessfully with the provision of education or other public goods. At the same time, the GoSL was wary of losing its main connection to the areas of the NorthEast that remain outside its control. The joint system in which the two combatants work together to maintain service provision in rebel areas reflects these competing imperatives that both sides were forced to respond to during the war. The case of the LTTE also demonstrates the reliance of the rebel command on support from the civilian population in nationalist struggles. Underlying both the LTTE and GoSL behavior is a subtle but continuous struggle, as the insurgent group attempts to present itself as the natural representative of the Tamil people while the GoSL seeks to limit this perception amongst both the civilian population and the international community.
Chapter 7

Democratic Republic of Congo: Congolese Rally for Democracy-Goma (RCD-Goma)

Introduction

In 1964, Pierre Mulele, a deputy of the deposed Patrice Lumumba, began an insurgency in the western Congolese Kwilu province. Mulele soon came to control an area the size of Belgium where he ruled his followers with a mix of socialist rhetoric and promises of magical protection. Mulele attempted to organize a bureaucratic structure within his territory, distinguishing between the military and political commands, with departments focused on medical welfare, social affairs, and popular support (Welch 1975). Soon after, in the eastern part of the country (contemporary South Kivu), Laurent Kabila, an ambitious and opportunistic former bureaucrat, came into control of a vast enclave with his “Afro-Marxist” Parti de la Revolution Populaire (Party of the Popular Revolution or PRP) (Kayunga 2000). Kabila’s fiefdom engaged in collective agriculture and mineral smuggling, often in connivance with Mobutu’s own military commanders who were well aware of his activities (Dunn 2002: 54-55). The history of Congo is littered with examples of rebel groups taking territory and constructing a political authority, though consistently, none have achieved the level of sophistication of rebel governance structures found in other cases, including neighboring Uganda, where the impressive Rwenzururu Kingdom came into existence around the same time as these early Congolese examples.

The back to back wars that racked the Democratic Republic of Congo throughout the latter parts of the 1990’s brought the country screaming into the 21st Century at a lower point than almost any other period in its short and often difficult post-Cold War existence. At points during the conflict, civilians in the eastern areas of the country experienced a dystopia
comparable to the anarchy envisioned by Thomas Hobbes. Unsurprisingly, this conflagration, which drew in countless fighters from neighboring countries, became viewed as intractable, and the country itself came to epitomize the worst of the post-Cold War African battle grounds. But even amidst the seeming chaos, forms of political order were being constructed in a way dissimilar to the earlier two cases. Whereas the LTTE and the SPLM/A took the lead in establishing political order within the territories they came to control, the RCD\textsuperscript{93} often appeared either uninterested or incapable of providing governance over its territory, abandoning the task to other non-state actors.

Under Mobutu Sese Seko, the political authority withdrew from vast portions of the country’s territory, leave behind a minimalist state apparatus that interacted with local actors in complex and unique political arrangements to fill the void. Zaireans\textsuperscript{94} under Mobutu were forced to look towards civil society actors such NGO’s, traditional authorities, business associations, and religious institutions, all of which negotiated with the remnants of the Mobutuist state to provide some semblance of order to their highly localized constituencies. With the advent of the first war in 1996, state retraction accelerated, leaving behind a plethora of diverse institutional arrangements that the invaders from the east were forced to interact with—either by coercing these actors into submission or finding other ways to co-opt them into the agenda of the new political authority.

Most commentators tend to view the leaders of the RCD-G harshly for their oppressive and frequent use of force against civilians under their control. But to characterize

\textsuperscript{93} As I discuss below, soon after the conflict broke out, the RCD split into several factions including the RCD-Goma. Since the RCD-Goma was the dominant faction, I focus mostly on its behavior. I refer to the “RCD-G” when discussing the group after the split, and to the “RCD” when discussing the pre-split entity.

\textsuperscript{94} Under Mobutu, the Democratic Republic of Congo was renamed Zaire in 1971. It retained this appellation until 1997 when the country’s name was returned to its pre-Mobutu form. I use the historically appropriate form in this chapter, and thus refer to either the D.R. Congo or Zaire depending on the time period.
the behavior of the RCD-G as driven solely by the engine of violence, ignores its attempts to address the extraordinarily complex political situation within the territories under its control in the East. Faced with a multifarious political environment, the RCD-G made several attempts to forge a political hierarchy using different strategies. These attempts may all be judged failures, but in their failure, they shed light on the strategies available to insurgents operating in conditions where the political authority is unclear, the population is non-supportive and even hostile, infrastructure is minimal, intragroup tensions are high, and involvement from the international community often illicit.

In this chapter, I chart the trajectory of the RCD-G’s governance project, situating it within a broader narrative of neglect that characterized relations between the center and the periphery in Zaire during the rule of Mobutu. As the Mobutuist state withered away, civil society actors became the primary source of social, political and economic stability. The failure of the RCD-G governance project is primarily the result of the leadership’s inability to negotiate with the alternate political institutions that had emerged in the East prior to the outbreak of conflict. I argue that three factors help explain this failure. First, the RCD-G leadership failed to address concerns about the ethnic and national affiliation of the rebellion. Second, the command failed to resolve internal tensions between different factions which undermined its ability to implement a coherent political agenda. And finally, focused on the political kingdom in Kinshasa and reliant on foreign markets and governments for revenue, the leaders struggled to develop the local expertise necessary for achieving hegemony over RCD-G territory far from the capital. This led the leaders to neglect the internal forces that were pushing them to take seriously the concerns of the same civil society actors that had emerged as the quasi-political authority in the region.
Research for this chapter was conducted primarily in the RCD-G base areas in the eastern most provinces of the D.R. Congo, which I visited in early 2004 and again in early 2005. North and South Kivu are the most densely populated provinces in Congo, and have long been oriented more towards East African countries, which they border, than with the capital, Kinshasa. And on both of my research visits, I traveled to the region from the Ugandan capital Kampala via the Rwandan capital, Kigali—once onboard a United Nations helicopter, and once in a local bus. RCD control of the two Kivus was primarily an urban phenomenon, with control of the rural areas often shifting between an assortment of militarized actors. Combined with the insecurity of leaving the urban environment, I chose to focus my research on the two largest cities in the Kivus. Bukavu, a once major industrial city on the southern banks of Lake Kivu, has a population of close to 500,000 people and is the capital of South Kivu. Goma, the capital of North Kivu, is located on the northern edge of Lake Kivu, and has a population of close to 400,000 with another 100,000 in the surrounding areas. It served as the base for the RCD-G rebels during the war.

**Background to the Conflict**

Ernesto ‘Che’ Guevara arrived in East Africa in April of 1965 with aspirations of spreading his doctrine of insurgency and Marxist politics in Africa. Barely a year after the doomed insurgency of Pierre Mulele broke out, Guevara crossed into Congo from the east soon after his arrival on the continent. Despite his experiences in Latin America, Guevara was unprepared for the complexity of the Congolese situation. He quickly came to realize that the Congolese insurgency was riven by multiple factions, and infiltrated by a seemingly

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95 Tull (2004: 57) points out that the Kivus are closer to five other national capitals than they are to Kinshasa.
96 I also visited Kisangani in the center of the country and Bunia in the troubled Ituri region, though my discussion is mostly drawn from my research in Goma and Bukavu, as they were the areas most directly under the control of the RCD-G during the war.
countless number of foreign interlopers, including his own adopted home of Cuba. During this period, Guevara spent close to two years in the Congo working with the rebel forces loosely under the control of Laurent Kabila. After a prolonged attempt to organize the Congolese rebels, Guevara departed the Congo in disgust. Soon after, Mulele followed his mentor to an early grave in 1968. Joseph Mobutu, the man who orchestrated the assassinations of his two greatest rivals as well as countless others, had, by this point, begun to consolidate his control over the country he quickly renamed Zaire.

Guevara’s account of the war is revealing in that many of the realities that he faced on the ground were replicated during the latest fighting between the Kinshasa government and another rebel force that had come to power in the Kivus, the RCD-Goma. In his journal, Guevara highlights the importance of the rebel group in shaping political and social life in the areas they have come to control. He discusses his frustrations with the inability of Kabila’s group to provide basic services like education and health that, he believed, could have fostered loyalty amongst the civilian population they professed to be fighting for. Guevara argued that the Congolese rebels should take advantage of the “liberated zone” opened up by Kabila, administering it effectively so that it could become a productive contributor to the struggle, and serve as an example of rebel competence. He hoped to develop the region for use as a training ground for both Congolese and other African rebel groups, a mission he soon gave up in favor of a doomed return to Latin America (Guevara 1999). Guevara was also cognizant of other factors that continue to shape the politics of insurgency in eastern Congo today, including the significance of ethnic membership, though

97 According to Severine Autesserre, RCD rebels often referenced Guevara’s history in the region and attempted to appropriate his legacy.
its power to affect political outcomes was something he never quite grasped. He was also an early commentator on the transnational nature of civil wars, which he highlighted in his discussion of the role that international NGOs like the Red Cross played in rebel controlled territories (Ibid).

**State and Society in Zaire**

The failure of the Mulele and Kabila insurgencies and numerous others to mount a serious challenge to the Congolese state, allowed the renamed Mobutu Sese Seko Kuku Ngbendu Wa Za Banga to mold Zaire according to his own prerogatives. Commentators have examined at length the “deflation” of the state under the regime of Mobutu from 1965 to 1997, stressing the ways in which the state progressively retracted from vast areas under its *de jure* control (Young and Turner 1985; Nzongola-Ntalaja 2002). Although Zaire under Mobutu was the epitome of a rentier state characterized by a limited degree of state penetration in the bulk of the country, Mobutu’s doctrine of Zairois stressed the idea and territoriality of Zaire in a cultural manner, imbuing the population with a strong sense of nationality despite their lacking any productive interactions with actual institutions of the state. A glance at the history of the state in Zaire offers some clues as to why these institutions penetrated so deeply into the Congolese psyche, despite eventually being revealed as little more than smoke and mirrors.

In many ways, Mobutu’s rule of the Congo should not be viewed as exceptional, but rather as a continuation of many of the colonial practices of rule, which themselves refashioned pre-colonial forms of power to their own agenda (Young and Turner 1985; Tull

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98 The former Joseph Mobutu took this name in 1972. It roughly translates as “The all-powerful warrior who, because of his endurance and inflexible will to win, will go from conquest to conquest, leaving fire in his wake.”
Upon first assuming power, Mobutu faced a political and economic landscape driven by the colonial imperative of resource extraction. Infrastructure across the country was sporadic, and designed primarily to maximize revenue to the state coffers through the sale of copper, diamond, timber and other resources. As with most rentier states, a single resource served as the basis for state power. In the case of Congo, copper served as the dominant source of fiscal revenue, from the colonial period on. In fact, copper provided the bulk of government revenue and foreign exchange from 1920 consistently through to the tail end of Mobutu’s rule in 1990 (Nest et al 2006: 18). It is unsurprising then, that after deposing the nationalist leader Patrice Lumumba and claiming the presidency for himself, Mobutu wasted little time before nationalizing the mining and other industries. Between 1960 and 1975, Gecamines, the name given to the nationalized copper mining company, provided between 50 and 80 percent of state revenue (Ibid).

Initially, Mobutu used the economic resources offered by the copper wealth to build an impressive physical and bureaucratic infrastructure directly under the control of the central state:

At first the Mobutu regime seemed successful, building on the autocratic heritage of the colonial state to create a remarkably unified and centralized polity—with exorbitant pretensions. At its zenith in the mid-1970s, Mobutu had built a command state with himself at its helm, erecting an extravagant personality cult around his role as president and enforcing his rule through a single national party (Young 2006: 302).

But reliance on the copper market rendered Mobutu’s state construction agenda precarious, and the collapse of the copper market in 1975 exposed the weak underpinnings of a single commodity driven economy. This fiscal collapse forced Mobutu to shift his populist developmental agenda, to a more nationalist approach. While copper exploitation had
allowed Mobutu to develop infrastructure, his cultural turn was funded by hitching Zaire’s political fortunes to Cold War politics. By the late 1970s, Mobutu had abandoned most state development projects and presided over an extended period of atrophy during which infrastructure established across the expansive country hollowed out into ineffective shells of their former selves (Callaghy 1984; Young and Turner 1985). At this point, the Mobutuist state, having failed to establish empirical control over its territory, shifted to political repression and nationalist appeals to establish a highly personalistic hegemony over the population (Schatzberg 1988).

By the 1980s, growing corruption claimed an ever greater portion of public finances leading to a consistent decline in the state’s capacity. The loss of state capacity encompassed two key elements (Young and Turner 1985). First, the state was unable to provide even basic services despite continued attempts at revenue collection. And second, the Zairean public lost faith in the state’s legitimacy, and began to seek out other institutions to assume the responsibilities that the state no longer performed. This is not to say that the state disappeared. Starved of even the most basic resources, including salaries, local government officials were left to fend for themselves, and empowered to do so by the central government which turned a blind eye to the many compensatory mechanisms established by officials to make up for fiscal shortfalls (Tull 2004: 65). Bureaucrats quickly reverted to extracting revenue directly from civilians or from private capital, maintaining the semblance of state control despite the lack of any actual provision of services.

The regime was able to soldier on due its significance in the Cold War (McCalpin 2002). A prize for both the NATO Alliance and the Soviet Union, the troika of Belgium, France and the United States, was willing to continue providing financial sustenance to prop
up the Mobutu regime—while ignoring its obvious failure—in order to prevent the Soviets stepping into the fray. Lacking an internal revenue base, Mobutu cut funding for public services including health, education and basic infrastructure, dramatically reducing the size of the state bureaucracy. Between the revenue from the copper industry and foreign aid, throughout his regime, Mobutu never had to look to the Zairean population to generate fiscal resources. Zairean civilians under Mobutu had little meaningful interactions with the political authority, coming to view it as an unwelcome burden, and relying instead on local political and social institutions to fill the void. ‘Tribal’ authorities, religious institutions, private business and a few NGO’s stepped into the fray, providing a modicum of order.

As the cold war came to an end in the late 1980s, Zaire’s position in the new Post Cold order shifted, and the US lost interest in bankrolling an aging kleptocrat. By the early 1990s, production of copper had declined by over 90% from its heyday and hyperinflation set in (Young 2006: 304). Per capita national revenue decreased from $377 in 1958 to $117 in 1993. In a country the size of Western Europe, Mobutu’s regime eventually withdrew into itself, spurring the development of original institutional forms to compensate for the absence of state power (International Crisis Group 2003b).

**Eastern Congo prior to the outbreak of the war**

Congo today has a population of close to 60 million people. Road density is the lowest on the African continent, and the bulk of the population lives in densely populated border areas, with the expansive forested interior largely unpopulated. North and South Kivu, located along the eastern border with Rwanda and Burundi, have a combined population estimated at close to 5 million, ranking them amongst the most densely populated provinces

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in the entire country. The population density, especially in North Kivu, combined with the
diversity of ethnic groups sharing the provinces, has long led to disputes over land between
the different communities (Vlassenroot and Huggins 2004). Close to 50% of the population
of the Kivus is composed of the Rwandaphone population, which refers to several subgroups
that share the Kinyarwanda language. The Rwandophone share linguistic and cultural
connections with people in Rwanda and Burundi, and their presence in other countries of
Central and East Africa has often been contentious due to the lasting perception that they are
aliens to any area outside of the two tiny countries. The bulk of the Rwandophone population
was brought to Congo from Burundi and Rwanda to serve as labor during the colonial
regime, though a significant portion of the community predated this labor migration
(Mamdani 2001).

Figure 7.1: Map of the Democratic Republic of Congo
Joseph Kabila’s insurgency in the 1960s in South Kivu was not the only rebellion to have based itself in the eastern provinces (Prunier 2001; Young 2002). The area was cut off from the capital by the vast Congo basin and other geographical features, as well as the linguistic prominence of Swahili, a language only spoken in the East and parts of the South. Furthermore, the area is surrounded by the Great Lakes and has long borders with Tanzania, Uganda, Rwanda, Burundi and Sudan, making it an ideal location for basing an insurgency. Even during the copper boom, the Mobutuist state had difficulty establishing its control over the eastern provinces, especially North and South Kivu and Katanga, where powerful chieftancies resisted attempts at direct control. Instead, it reverted to strategies of intermediary rule by co-opting chiefs and extending patronage to willing allies, in addition to exerting control over the local economy (Tull 2004: 55). Thus, few infrastructural and development project were ever undertaken in the region, leading to an antagonistic relationship between Kinshasa and the eastern provinces throughout the post-independence history of the country.

The diminution of the state following the copper bust in 1975 did not signal the end of the state’s presence, but rather, further entrenched Mobutu’s policy of supporting local agents to minimize challenges to his power. Agents of the state continued to operate throughout the country in association with new political actors that emerged in the wake of state withdrawal. This was especially true in the Kivus, which, during the 1980’s and 1990’s had begun looking east to Kampala and Kigali with which they shared linguistic, historical, ethnic and cultural connections, instead of west towards the distant Zairean capital of Kinshasa (Englebert 2003). Unlike Southern Sudan where the state never significantly penetrated deeply, eastern Zaire was characterized by a complex political arrangement that
established political order through interactions between active agents of a distant state and other categories of political actors. Central and regional offices of the state continued to be staffed by personnel who received their income from fees and other kickbacks charged to civilians, and who worked hand in hand with private capital to ensure a steady extraction of the region’s extensive resources. While agents of the state continued to operate in the East, little was provided to the population in the way of meaningful public services, whether health, education, infrastructure, or even a consistent legal system. NGOs and religious institutions, in conjunction with local chiefs, stepped in to provide education and construct other developmental projects (Local interviews; Young 2006: 316).

Throughout the history of Congo, membership in a specific ethnic community determined one’s access to land and other aspects of economic and social power (Nzongola-Ntalaja 2002). Prior to the colonial period, membership in an ethnic community was a function of a patron/client relationship, whereby the local Mwami or chief granted his clients rights to land usage in exchange for their loyalty and tribute. Although altered slightly by the political regimes that followed, the basic framework that restricted land access to the discretion of the empowered local traditional authority, reinforced the instrumental value of ethnic membership for successive generations of Congolese citizens. After independence, two types of citizenship co-existed alongside each other. National citizenship gave all individuals political and civil rights, while ethnic citizenship provided those with membership in the officially sanctioned Native Authorities access to economic and social rights, such as access to land. This partitioning of rights gave great power to the traditional authorities who now had the ability to allocate land, as well as issue identity cards, run local markets, and administer customary justice (Mamdani 2001: 238). Thus, competition for
power, whether economic, social or political, came to take on ethnic valences, with ethnicity at the center of disputes over land, political positions, and economic markets. This was especially true at the local level, but even at the national level, access to the political sphere came to be determined by one’s ethnic identity (Ibid).

In the eastern provinces of the country, which border the densely populated corners of Rwanda, Burundi and Uganda—areas from where ethnic communities migrated freely across borders since pre-colonial times on—ethnic disputes also came to encompass questions over who was indigenous and what indigeneity itself entailed (Jackson 2006). At the center of these disputes in the Kivus was the Congolese Rwandophone community (both Hutu and Tutsi) that had long been viewed with suspicion by other eastern Congolese communities. At times incorporated and favored by the Mobutu regime, and at others, disenfranchised by the state, both Tutsi and Hutu vacillated between brief periods of recognition by the state followed by periods of increased nativism, during which their very existence in Congo came into question by the government and other ethnic communities. At independence in 1960, the Fundamental Law granted most of the Rwandophone community partial citizenship, but failed to recognized them as indigenous. For members of the community to gain access to land, they had to pay tribute to the local customary authority, under whose jurisdiction they remained (Mamdani 2001). This shifted in 1966 when policies favoring the Banyarwanda

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100 The Rwandophone community is not a unified entity, though they are sometimes perceived as such by non-Kinyarwanda speakers. There are divisions between the Hutu and Tutsi communities and even within each of these two categories. I will use Rwandophone to refer to the entire population of Kinyarwanda speakers in the region. ‘Banyarwanda’ is generally used to refer to the Congolese Tutsis of North Kivu, the majority of the Tutsi population. The term ‘Banyamulenge’ refers to a sub-group of the Tutsi community that is concentrated in the high plateaus of South Kivu. However, during my interviews, people often used the term Banyamulenge to refer to any member of the Congolese Tutsi community, creating some confusion on which portion of the Congolese Tutsi community they were actually referring to.
elite were put into place as a result of the efforts of Barthelemay Bisengimana, a high ranking official in Mobutu’s regime (Chief of Presidential Office) who was a Tutsi from North Kivu (Prunier 2001: 148). The Nationality legislation of 1972 granted members of the Rwandophone community who had been present in Congolese territory before 1950 equal citizenship within the Zairean nation. But this relatively prosperous period for the community came to an end in 1981 with the passing of a law that severely restricted the ability of the Rwandophone community to claim citizenship (Ibid; Mamdani 2001).

The exclusion of the Rwandophone community paralleled the demise of Mobutu’s economic and political project through the 1970’s. An economic downturn so severe might have brought down many other political leaders, but Mobutu survived by adapting new political strategies. First, by expanding his reliance on patronage to control the east, Mobutu politicized the distribution of land in a region already experiencing high rates of growth, thereby increasing land scarcity (Tull 2004: 82). The impact of this was to escalate the importance of ethnic membership and to strengthen the cleavages between ethnic groups in the region, allowing Mobutu to reinforce his position as the premier source of patronage in the country. Second, he implemented a hyper-nationalist politico-cultural agenda predicated on his own idiosyncratic ideas about what constituted a Congolese/ Zairean person. By instilling in the population a strong sense of national identity through his “Zairois” or “authenticite” policies, Mobutu sought to unify the Zairean nation with himself at the head (Prunier 2001). As part of this process, the Rwandophone community was identified as alien, a move that allowed Mobutu to reinforce the idea of who qualified as Zairean by clearly demarcating who was not.
There were two implications of this. First, the presence of those considered non-indigenous in the Kivus became a continually contested issue, sometimes violently, by those interested in defending the benefits of indigeneity. If not for the overbearing presence of Mobutu’s coercive apparatus, large scale ethnic violence in the Congo may have emerged by the end of the 1980s (Autesserre 2006: 54). Second, in the words of one Congolese activist, “99% of Congolese want to remain one country” (Interview with Akpovo). This limited the viability of secessionist appeals, as most Congolese citizens, even today, commonly express their opinion that the country should remain indivisible (Weiss and Carayannis 2005).

Consequently, all of the insurgencies that emerged in the 1990’s framed their struggles as national in focus (Interview with Elaine Wamba; Englebert 2003).

These tendencies came to a head in 1990, triggered by the war between the Front Patriotique du Rwanda (Rwandan Patriotic Front or RPF) and the Government of Juvenal Habyarimana in neighboring Rwanda (Prunier 1997). During the war, the RPF, a force that originated amongst the vast Tutsi diaspora in Uganda, made use of diasporic networks in North Kivu, where it established a rear base. Mobutu, fearing the emergence of an antagonistic military power to his East, supported Habyarimana, encouraging him to foster divisions between Hutu and Tutsi within the Zairean Rwandophone community. Although divided, the Hutu and Tutsi communities in Zaire had never been characterized by the same degree of antagonism as their neighbors in Rwanda and Burundi, where the two communities engaged in cycles of extreme violence (Newbury 1993). Seeing an opportunity to improve their situation by tying their fortunes to the RPF, many Tutsi in the East supported the rebels, up to the point of even joining the fighting (Longman 2002). Some of their Hutu counterparts also joined the RPF, but other Hutus used the opportunity to differentiate themselves by
claiming indigeneity, a position grudgingly accepted by many local traditional authorities. As tensions rose, violent conflict broke out in 1993 between the Rwandophone community and the so called autochthonous groups in the region claiming 14,000 lives and displacing over 200,000 (Tull 2004: 104).

Following the genocide and subsequent victory of the RPF in 1994, over one million (mainly Hutu) Rwandan refugees arrived in eastern Zaire, fleeing persecution by the new Tutsi government. Amongst this refugee population were significant numbers of fighters from the former government forces, the Forces Armées Rwandaises (Rwandan Armed Forces or FAR), as well as members of the Hutu militia known as the Interahamwé. The fleeing Hutu genocidaires set up bases in UNHCR camps in North and South Kivu, from where they operated with impunity, launching attacks against Kigali’s victorious Tutsi regime. Working with soldiers from the national government and other local strongmen in eastern Congo, they also began to attack the local Tutsi population, forcing many from the community to seek shelter in neighboring Rwanda, where, according to one Congolese Tutsi leader, they appealed to the government in Kigali for support (Interview with Rwasamanzi).

The new refugees joined with the earlier wave of Zairean Tutsi fighters who had joined the RPF during the Rwandan war, forming a formidable force. In 1996, this group returned to South Kivu escalating local skirmishes into all out combat. Rwanda, unhappy with the continuing insecurity to its west, aligned with members of the Zairean Tutsi

\footnote{Autochthonous is a contentious word that roughly translates from the Greek as “from the soil itself,” and means something close to indigenous. In this context, it is used to refer to Congolese groups that claim and are recognized as indigenous by the state and other authorities. See Jackson (2006) and the special issue of \textit{African Studies Review} (Vol. 49, No. 2) dedicated to the subject.}

\footnote{Up to 20,000 fighters in Bukavu and 30,000 to 40,000 around Goma according to Mamdani (2001: 254)}
community both out of a sense of ethnic kinship and a desire to put an end to their regional problems. The Rwandan presence in the region, however, cemented the perception amongst the autochthonous Congolese groups—themselves a contentious bunch—that the Rwandophone population of Congo had sided with a foreign invader (Jackson 2006).

Emergence of Africa’s First Continental War

Concerned with the instability to their west, Rwanda, with support from Uganda, which was fighting its own set of insurgencies based in the Kivus, invaded the Congo in 1996. Seeing an opportunity to end the constant source of trouble that Mobutu’s Zaire had become, a number of leaders from neighboring countries including Burundi, Uganda, and Angola also entered their armies into the fray. From the beginning then, the conflict in the DRC has been constitutively transnational in nature. Mobutu’s demise came at the hands of the Alliance des forces democratique pour la liberation du Congo (Alliance of Democratic Forces for Liberation or AFDL), a coalition of disparate anti-Mobutuist forces including the remnants of Kabila’s PDP, the Alliance Democratique des Peuple (ADP)—a primarily Congolese Tutsi group led by Deogratias Bugera—as well as, the Mouvement Revolutionnaire pour la Liberation du Zaire (MRLZ), the Councel National de Resistance pour la Democratie (CNRD), and a faction of the Mai-Mai103 (Kayunga 2000). Combined with deserters from Mobutu’s army and local recruits, the Rwandan government brought together these factions to mount the most serious threat to Mobutu’s existence since the Mulele rebellion. Looking for a Congolese veneer to legitimize the rebellion, Kabila was plucked from his comfortable life in Kampala and Dar es Salaam by Museveni and Kagame to lead

103 Mai Mai refers to a plethora of ethnically defined militias that (usually) claim autochthony and have operated in the country since the 1960s on all sides of the political axis. The term means water and refers to a belief in magical powers that protect fighters from enemy bullets.
the movement. The two neighboring countries provided the bulk of the military force to the insurgents who marched all the way to Kinshasa from their bases in eastern Congo in less than seven months in 1996 (Dunn 2002).

At first, Kabila’s government, with the direct involvement of Rwandan personnel, was welcomed by the weary Congolese populace. The AFDL was viewed as an efficient and disciplined force, a fact that many attributed to the influence of the Rwandan forces within the group (Interview with Ingezayo). But Kabila eventually chafed at the perception that he was a Rwandan lackey. Rwandan involvement was indeed extensive—for example, Kabila’s Army Chief of Staff was a Rwandan Tutsi officer named James Kabarebe, and many other high ranking positions in the army were held by Rwandans. In fact, it was Kabila’s decision to remove Kabarebe from his position and send him back to Rwanda that precipitated the second war. These internal conflicts over who would rule the newly named Democratic Republic of Congo combined with Kabila’s increasingly autocratic tendencies, made the regime turn to foreign backers (both state sponsors and transnational capital), becoming remarkably reminiscent of its Mobutuist predecessor in its reliance on foreign patrons for survival (Dunn 2002). Kabila’s regime was unable to meet the needs of both the Congolese population and its original sponsors in Kigali and Kampala, which were concerned about the worsening situation on their Western flanks—the motivation for their initial desire to intervene. Furthermore, each of the AFDL’s other constituent groups had joined the coalition for different reasons and Kabila consistently failed to appease these factions, even going as far as refusing to meet with the other leaders (Interview with Wamba Kagame’s willingness to openly claim credit for the war which was initially viewed as a positive step in the international community certainly did not help. In a 1997 interview with the Washington Post, he admitted that he was the mastermind of the war which was fought primarily to support Rwanda’s interest, and that Kabila’s involvement was meant to provide a Zairean veneer for the operation (cited in Dunn 2002: 56).
Kabila’s break with Rwanda was never going to be easy, but the fact that he also began using vitriolic anti-Tutsi rhetoric and expelling Tutsi (both Rwandan and Congolese) from the national army, was viewed as purposely provocative by Kagame (Dunn 2002).

This triggered a second rebellion a little over a year later comprised of a fractured assortment of rebel forces variously drawn from former members of the AFDL coalition, disgruntled Congolese soldiers and dissidents, as well as the Ugandan and Rwandan armies (Nzongola-Ntalaja 2002: 224). Also present in significant numbers in the new rebellion were Congolese Tutsi, many of whom had participated in the first rebellion with hopes of resolving the citizenship question, and who thus felt betrayed by Kabila’s anti-Tutsi turn. In May 1998, Kabila began conducting house-to-house searches in Bukavu (South Kivu) which the Banyamulenge (a subset of Congolese Tutsi) viewed as a move to disarm them (Kayunga 2000). Unlike the first rebellion, during which Kagame and Museveni attempted to mask their involvement by recruiting Congolese into the insurgency, their involvement in the new conflict was more open. The 1998 conflict began when two units of the Armée National Congolaise (Congolese National Army or ANC) in Goma and Bukavu deserted. The Rwandan government launched a massive support effort for the mutineers, hoping for another quick victory (Afoaku 2002: 115). It initially appeared that the second insurgency would be as successful as the AFDL, but following his break with Rwanda and Uganda, Kabila had persuaded the leaders of Angola and Zimbabwe\textsuperscript{105} to support his regime. The intervention by these reputed armies produced a stalemate in the conflict that would last for eight years, and for which the new insurgency, having banked on a quick victory, was ill-

\textsuperscript{105} On the involvement of foreign countries in the Congo War, see the excellent contributions to Clark 2002a.
prepared, devoid as it was of a coherent political leadership.

**Origins of the RCD-Goma**

Two weeks after the start of fighting in August 1998, the political wing of the anti-Kabila forces was formed in Goma, taking the title *Rassemblement Congolais pour la Démocratie* (RCD) (Afoaku 2002). Initially unified under the exiled Congolese Marxist intellectual, Ernest Wamba dia Wamba, at the helm, the RCD, like the AFDL, was comprised of at least three different factions (Kayunga 2000; Majavu 2003). Wamba dia Wamba represented a group of academics and exiles that became involved in the political wing. They were supported by the Ugandan president who hoped to mold the nascent group in the form of his own insurgent force, the National Resistance Army. A second group included leaders who participated in the struggle against Mobutu, but had been marginalized by Kabila, including Bugera of the MRLZ, Emile Ilunga, a political activist with a long history of participating in insurgencies in the mineral rich Katanga province, and Bizima Karaha, a Munyamulenge with close ties to Kagame and the Rwandan government. Finally, a third group was comprised of former cabinet ministers and army officers from the Mobutu regime who were anxious to return to power.

Knowledgeable commentators disagree on the extent of Congolese Tutsi involvement in the group, with seminal figures like Crawford Young arguing that the RCD was “contaminated” by the “large Tutsi element in its leadership” (Young 2006: 307), while others like Simba Kayunga, a Congolese professor at Makerere University, argue that,

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106 Munyamulenge is the term for a single Banyamulenge (Congolese Tutsi from South Kivu).

107 Even within the Congolese Tutsi population there was no consensus on how to treat the new rebel group. Some members of the community felt that they would never be accepted in the region by other Congolese ethnic communities and looked to Rwanda to provide security. Others felt that by tying the fortunes of the Congolese Rwandophone community to Rwanda would undermine their claims to belonging in the region, and hence sought to distance themselves from Kigali (Romkema 2001).
“Unlike the common perception that the rebellion was ‘Tutsi’ led, the leadership of RCD was drawn from a wide spectrum of the Congolese community” (Kayunga 2000: 5).  

To accommodate the diversity of interests represented by its constituent factions and to prevent the emergence of a dominant figure—in the way that Kabila came to dominate the AFDL—the RCD was organized with a consensus-based collective leadership. A complex political structure including a Presidency, General Assembly, Political Council, and an Executive Council was established with close to 200 members split between the various organs. According to Kayunga, this arrangement led to internal disputes between the different structures and undermined Wamba dia Wamba’s command over the RCD, eventually leading to the formation of multiple power centers within the organization (Kayunga 2000). The entry of Angola and Zimbabwe into the conflict led to a stalemate in the fighting that brought the internal divisions plaguing the RCD to the fore. Uganda and Rwanda preferred to deal with different factions within the RCD leadership, leading to a split early in the life of the rebellion. Museveni supported Wamba dia Wamba’s attempts to push for a political solution to the crisis in Congo, up to the point of negotiating with Kabila. While Kagame supported a military solution based around the quick capture of Kinshasa, throwing its support behind RCD Vice Presidents Moise Nyarugabo, Jean Pierre Ondekane, and the former AFDL fighter and RCD Minister of Health, Dr. Emile Ilunga.

Although commentators viewed Wamba dia Wamba as just the legitimizing face for a foreign invasion, it is not so easy to dismiss his position as he had sympathizers amongst a certain segment of the RCD leadership, and was also supported by Uganda. Museveni, the

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108 The presence of Wamba dia Wamba and other prominent academics in the movement undermines the objectivity of many academic observers as their opinions are clearly shaped by their relationships to the leaders of the RCD. Personally, I also studied with Ernest Wamba dia Wamba and was close to members of his family.
regional kingpin, respected Wamba’s intellectual acuity and hoped that he would be able to provide the nascent insurgency with a viable ideological underpinning (Tull 2004). Wamba dia Wamba was acutely aware of the need for local support and with different coauthors including his wife Elaine Wamba (nee Brown) and Jacques Depelchin (another Congolese intellectual), released several lengthy documents outlining their approach to carrying out the insurgency. In these documents and in a series of interviews given to different media outlets about his agenda, Wamba dia Wamba explained his views on dealing with civilians in the areas the RCD came to control, “People must be empowered so that they can participate in improving their own lives, but also making sure that the institutions which are put in place reflect their aspirations” (Ayebare 1998). He expanded on the question of governance in a 2000 interview soon after he was deposed as president of the RCD in favor of Ilunga:

Administration is very difficult, very complicated, especially in wartime. Figuring out how to link administration to political values while you are still in the bush is a very serious matter. Recently the other faction of the RCD accused me of trying to introduce democracy into the movement. Imagine that! “Democracy will come later,” they said. But we need to make sure that we aren’t really preparing ourselves to be a one-party state.” (Vasquez 2000: 152).

Following the split in May of 1999, Wamba dia Wamba and his supporters formed a faction of the RCD in Kisangani, coming to be known variously as the RCD-Wamba, the RCD-Kisangani, and eventually, the RCD-Mouvement pour la liberation. With the RCD self-imploding in the East, Jean-Pierre Bemba, a millionaire businessman with connections to former figures within the Mobutu regime as well as to Museveni, launched the Mouvement pour la liberation du Congo (MLC), quickly gaining control of Equateur province in the north of the country. Museveni, fearing Kagame’s strengthening position within the RCD, began to support Bemba even before the crisis in the RCD leadership came to a head. Cut off
from the majority of the RCD including the bulk of its military force, Wamba was forced to align his movement with Bemba’s, a position that satisfied Museveni, but closed the door for a reconciliation between the two factions of the RCD, despite attempts by key figures to bring the two sides together (Clark 2002b). In 2001, the MLC claimed to have merged with the RCD-ML to form the Front de Liberation du Congo (FLC), but for the rest of the conflict, their presence in the Kivus was minimal, as Bemba preferred to focus on controlling Equateur province and raising his national profile (Afoaku 2002: 119; Lemarchand 2003).

Figure 7.2: Map of rebel-controlled areas (Source: BBC News)

The RCD-Goma in the Second Congo War 1999-2003

In July of 1999, representatives of each rebel group and the government traveled to Lusaka, Zambia to sign a ceasefire agreement. But tensions between the different combatants prevented the accords from having any consequential impact on the conflict. By this point, the majority of the RCD had aligned with the Rwandans, remaining in Goma with Ilunga as the new President and Nyarugabo and Ondekane serving as his deputies (IRIN 1999). Having shed its academic wing, the renamed RCD-Goma now consisted of former members of the AFDL coalition with substantial representation from the Banyamulenge population, as well
as the former Mobutuists, both of which supported the Rwandan backed militaristic strategy focused on a quick capture of Kigali (Afoaku 2002). At its peak, the renamed RCD-Goma had a force of close to 20,000\(^{109}\) fighters and came to control an expansive territory in the East of the country including most of North and South Kivu, the northern part of Katanga, Maniema and a portion of Kasai Orientale (See Figure 7.2) (Clark 2002b: 156). Despite the size of its territory, the group’s control of the area was never uniform. According to Autesserre, the area in the East credited to the group, “was in fact a mosaic of enclaves under the control of competing armed bands. The RCD-G controlled the main towns (such as Goma, Uvira, Bukavu), while the Mai Mai – now mostly allied with Kabila – the Interahamwés, Burundian rebel military groups, and other military or paramilitary groups controlled parts and pieces of the countryside in an ever changing pattern” (2006: 67).

Despite the failure of the Lusaka accords, in February 2000, The United Nations passed Resolution 1291 authorizing a mission in Congo known as *Mission de l' Organisation des Nations Unies en République démocratique du Congo*, or more commonly by its acronym, MONUC. The force of slightly more than 5000 troops was authorized to monitor the largely non-existent ceasefire in the country, a task it was largely incapable of performing. Faced with a weak military position, MONUC reached out to the RCD-G command to shore up its precarious position in the East. MONUC’s willingness to work with the RCD-G led many in the region to perceive that the UN force was not an impartial intervener in the war (Interview with Maindo). More sympathetic observers viewed MONUC

\(^{109}\) The UN Panel of Inquiry (2001a: 28) gives a slightly lower figure of 12,000 to 15,000 fighters.
as too weak to make a difference, and throughout the Kivus, people referred to the force derogatorily as Monique, a play on the French pronunciation of the acronym.

For the RCD-G leadership, this early international recognition of its control over the Kivus was both a boon and a burden. On one hand, recognition from the UN allowed the RCD-G to combine its limited empirical control over the East with a degree of international sanction, thus claiming important aspects of state sovereignty (Krasner 1999). This opened up significant economic opportunities, helping the RCD-G, early in its existence, to establish financial independence from its Rwandan and Ugandan patrons through its control over the exploitation of natural resources, and to a lesser degree, the forcible imposition of taxes on the population (United Nations 2001a). Over time, Rwanda and Uganda began to look at the war in Congo less as a security issue and more as a financial opportunity—as demonstrated by the violent fighting between the two former allies over the rebel controlled city of Kisangani in 1999 and again in 2000 (Clark 2002b). In 1999, the UN estimated that fully 20% of Rwanda’s GDP or 320 million dollars was derived from their commercial ventures in Congo (United Nations 2002: 15). On the other hand, international recognition undermined the credibility of the rebel group amongst the majority of the local population in the Kivus. Already viewed as a foreign creation, the RCD-G’s reliance on external markets as a source of financial revenue contributed to the image that the group was more a tool of transnational interests than a representative of local concerns (Young 2002: 27). As I discuss below, with a foreign revenue source readily available, the RCD-G command had little

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110 The RCD cultivated international support from the very beginning, sending high ranking delegations to Europe to garner support for the insurgency.
motivation to mobilize popular support through the provision of services, preferring instead to focus its resources on military engagements.

Foreign enterprises were quick to make deals with the RCD-G leadership, which laid claim to a region filled with many lucrative natural resources including cobalt, palm oil, elephant tusks, gold, timber and diamonds (Montague 2002; Nzongola-Ntalaja 2002: 235-240). In fact, at the peak of the war, according to the UN, as many as 85 multinational companies were profiting off of the conflict in some way, many working directly with the RCD-G in the East (BBC 2003). For example, the group was able to extract significant financial resources during the Coltan\(^{111}\) boom by levying licensing fees and collecting taxes from MNCs engaged in the trade (United Nations 2001a; International Crisis Group 2003b: 23). RCD leaders were known to work closely with Coltan dealers in an efficient transnational network that moved the mineral from hundreds of individually dug shallow pits, many created with forced labor, through Kigali and Kampala, to manufacturers in Asia and Europe, from where they ended up in cell phones for consumers from Boston to Bombay and across Africa (Montague 2002; Romkema and Vlassenroot 2002; United Nations 2002).

Ilunga’s control of the group was short lived as his reign was characterized by even further fragmentation of the command, and in 2000, he was replaced by Adolphe Onusumba, the former foreign affairs representative for the rebels (BBC 2000). Finally, in 2002, Azarias Ruberwa, a Munyamulenge from the Kivus with close ties to the Rwandan government became the leader of the RCD-Goma. Also a former member of Kabila’s AFDL, Ruberwa was a professor of law in eastern Congo and Rwanda before the war (Asuman 2006).

\(^{111}\) Coltan is short for Columbite-tantalite, a metallic ore comprising Niobium and Tantalum. Eastern Congo is a major supplier of Coltan which is used worldwide to make capacitors for electronic equipment like cell phones.
Ruberwa’s ascendancy completed the transformation of the RCD-Goma from a loose multi-ethnic coalition to an overtly Congolese Tutsi organization (Interview with Ingezayo family). By this point it was impossible for the RCD-G to combat perceptions that it was little more than a lackey of the Rwandan President Kagame. The leadership did attempt to recruit leaders from other communities to shore up support for the coming election and to combat the widespread anti-Tutsi/Rwandan prejudice that had swept the Kivus by this point, but with little luck (Interview with Maindo).

In April of 2002, soon after Ruberwa’s ascendance, an agreement was formalized in Sun City, South Africa that called for democratic elections, that would (hopefully) lead to a unified, multiparty government. A flawed document that left many contentious issues unresolved, including the difficult task of creating a unified army, the accords were able to get representatives of the major combatants to agree to a framework for ending the war. The Sun City Accords provided for a two-year transitional government to be led by Joseph Kabila to prepare the country for elections in 2005, the first in 40 years. The agreement also made Vice Presidents out of the combatants including Bemba of the MLC and Ruberwa of the RCD-Goma. Despite the signing of the accord, low-level conflict persisted throughout the eastern part of the country until 2006, when elections actually took place. While the Kivus continued to be occupied by rebel armies, life in the rest of the country was unaffected by these post-Sun City conflicts and the region was essentially abandoned in the Congolese and global consciousness to MONUC and other various militias.

Following the accords, the UN mandated MONUC to work with the Government of National Unity including the RCD-G, entrenching the international recognition of the group as the main political authority in the East (UN Security Council 2003). However, fed up by
the brutality associated with an insurgency generally perceived to be a foreign invasion, locals continued to violently reject attempts by the RCD-G to exercise dominion over the Kivus. The Mai-Mai, a loose group of ethnic militias in the East, mounted the most serious violent challenge to the RCD-Goma’s control, but their presence was limited to the rural areas (Lemarchand 2003: 31). In addition, Kagame’s decision to withdraw troops in accordance with the 2002 peace deal empowered Hutu militias that challenged the authority of the Rwandan-backed RCD-Goma (Reuters 2004). In the cities, the RCD-Goma’s control was challenged most seriously by government forces, which eventually retook Bukavu from the RCD-G, in direct violation of the prohibitions against the use of force provided for in the Sun City Accords.

**The RCD-Goma Civil Administration**

From the outset of the rebellion in 1998, the RCD leaders were ill-prepared to handle the demands of establishing a governmental system over the areas they came to control. Their own attempts to portray the group as a government-in-waiting, did not gel with the harsh environment that rebel leaders had to deal with following the interventions of Angola and Zimbabwe. Instead, the ensuing stalemate forced the leadership to realize that they were little more than a localized insurgency with limited territory and extremely difficult relationships with its own public (Interview with Weiss). In the words of the RCD Vice-President Arthur Zahidi Ngoma, “We hadn’t realized that we would have to set up what is more or less a government so fast, but it’s an obligation now” (BBC Monitoring 1998, cited in Tull 2004: 133). After the split within the movement, these inadequacies became even more exposed, as those figures who had thought the most about questions of governance
went with Wamba dia Wamba and the RCD-Kisangani.

Perceptions and reality concerning the RCD-Goma diverge around the contentious subject of how the group treated the local civilian population during the conflict. Horrendous violence was the norm for the conflict, and rough estimates for the number of deaths caused by the conflict range between two and four million, a strikingly high number considering the relatively short duration of the conflict. It is impossible to place an exact number of the RCD-G’s share of these deaths, but according to humanitarian sources, in the two provinces of North and South Kivu that the RCD-G controlled, one million civilians were displaced. Throughout the country, 2.3 million Congolese were internally displaced, and over 400,000 were refugees in neighboring countries (Autesserre 2006: 71). Although a startling indictment of the violence perpetrated by combatants, these figures also represent the culmination of a gradual process of decline and disorder that began much earlier. Rather than representing a fundamental disjuncture, RCD-G control over the Kivus reflects a degree of continuity between the degraded pre-conflict state institutions and forms of political order that emerged in the absence of the state. This is encapsulated in the work of Denis Tull who spent a considerable amount of time in the Kivus during the war:

To some extent, the political arena is remarkably structured, not least because institutions, modalities, logics and practices dating back to the pre-war period have not been radically swept away. Rather, they reveal an astounding persistence while, at the same time, being subjected to modification and change. As such, we do not witness a radically altered or altogether novel configuration, but a rupture that intersects with elements of continuity. Violent transformation is structured by older institutions and practices that continue to shape and inform the agency of local actors (Tull 2004: 8).

As regards rebel governance, RCD-G leaders, under the direction of their Rwandan patrons, sought to impose order over its territory through a variety of strategies, none of
which succeeded. This was due both to the xenophobic reactions to the leadership’s perceived Rwandophone orientation as well as its own failure to develop popular support for the insurgency (Longman 2002). Thus, it may be unfair to view the RCD-G command solely through the warlord lens, despite what may appear to be similarities between the stereotypical roving bandit and the insurgency (Reno 1998; Young 2002). Failure to implement political order is different than promoting disorder, and while the RCD-G certainly contributed to the chaos in the East, its minimalist approach to governance did comprise two discernable goals inline with the leadership’s own agenda. First, they sought to limit violent challenges to their rule and reduce other sources of disorder within the territory they controlled. And second, they sought to co-opt pre-existing administrative institutions that operated in the Kivus, either by replacing local administrators with RCD-G sympathizers, or inducing, through coercion or material benefits, local actors to support their agenda.

The diminution of the state and the emergence of an alternate political order in the Kivus prior to the war required the rebel leadership to develop relationships with very different types of local political actors, including the remnants of the state as well as civil society actors like churches, traditional authorities and NGOs. Initially, like the AFDL, its precursor, the RCD attempted to take charge of the pre-existing bureaucratic institutions still operating in the east. Higher ranking positions including provincial governorships were generally given to RCD loyalists, often drawn from members of the Congolese Tutsi community, hence reinforcing the perception that the RCD-G was a foreign backed militia of
the Rwandophone community in the Kivus (Prunier 2001: 157). More often, local administrative positions were left in the hands of the same bureaucrats who manned those positions prior to RCD-G rule, as long as they did not challenge the agenda of the insurgents (Tull 2004: 134). Interviews conducted with NGO personnel who had witnessed both the Mobutu era and the RCD’s rule testified that in the initial months after the invasion, the RCD sought to reinvigorate the state institutions and use them as a basis for the RCD’s own civil administration, with some success.

Eventually, the RCD-G leadership came to realize that these institutions had been hollowed out many years before, serving only as sources of patronage for local elites. They were beyond the pale, incapable of being resuscitated. Thus, as with the situation prior to the war, bureaucrats operating in the RCD-G controlled Kivus were left to their own devices to raise revenue, essentially through extraction from the local population. ^112 Recognizing the inadequacy of relying on these former state institutions, the RCD-G leadership sought to expand its governance project by co-opting the real sources of political order in the region.

In the Kivus, this meant reaching out to civil society actors including the churches, NGOs engaged in human rights and developmental work, traditional authorities ^113, and unions. Mobutu’s reign had created opportunities for these non-state actors to emerge as significant players in the region’s social, political and economic life, a position bolstered in 1994 following the Rwandan genocide when huge amounts of international money flowed into the region to alleviate the refugee crisis (Romkema 2001: 36). As with most things in the

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^112 The same approach was used to compensate soldiers within the RCD-G who did not receive paychecks but relied on extracting resources from civilians.

^113 Some may question considering traditional authorities as part of civil society due to their exclusionary nature, but many of the functions performed by traditional authorities warrant their inclusion in this section.
Kivus, ethnicity came to play an increasingly important role in the realm of civil society following the outbreak of conflict in the region in 1993. Thus, in Goma where the Rwandophone community constituted a much higher percentage of the overall population than Bukavu, the RCD-G was better able to integrate their civil administration with local civil society actors who were generally sympathetic to the struggle of the Hutu and Tutsi communities. While in South Kivu, where the Banyamulenge were a relatively small portion of the population, civil society was dominated by other ethnic communities that vacillated between recognition of the struggle of the Banyamulenge and viewing them as interlopers in the province’s politics (Ibid 2001). In Bukavu, civil society tended to resist efforts by the RCD-G to support their political program, and often actively challenged the group’s control of the region (Interview with Wakenge). Civil society groups aligned against the RCD-G often portrayed the group as a tool of Tutsi domination in the region, expressing harsh, stereotypical views about the Tutsi community, despite their stated agendas to work as peace builders in the region (Ibid; Interview with Stauss; Longman 2002; Wolters 2004).

The various civil society actors in the Kivus did not operate within discreet categories; rather, organizations often embraced multiple roles. For example, while some NGOs did attempt to pursue secular and non-ethnic agendas, many others explicitly affiliated with religious or ‘tribal’ interests. Still, it is possible to delineate different modalities in the relationships between various civil society actors and the rebel civil administration.

Premiere amongst all civil society actors active in the Kivus were the various churches, especially the Catholic Church. The Catholic Church’s prominence in eastern Congo has roots in the colonial era when the Church was a favored partner of the Belgian colonial regime. Under Mobutu, especially following the authenticite campaigns initiated in
1971, the relationship between Church leaders and the government was often contentious. Despite this, the Church emerged as a powerful social and economic\textsuperscript{114} force in many parts of the country providing public goods such as health, education and other developmental services. Often organized into technical departments, churches filled in for the absence of state authority, especially in the neglected Kivus (Prunier 2001: 156).

Recognizing that the church in the region was a potential rival center of power, the RCD-G initially hoped to co-opt the church leadership into its civil administration (Human Rights Watch 2000). The fact that several prominent church leaders (Monsignors) in and around Goma were of Rwandophone descent gave the movement some initial success and led many to question the loyalties of the church (Romkema 2001: 44). However, the church itself was a divided institution,\textsuperscript{115} and other Monsignors were viewed as being more supportive of autochthonous groups, including the powerful leaders of the Church in Bukavu (ibid). In fact, the ethnic sympathies of Church leaders often came to the fore when discussing their opinion of the rebel group, and several prominent leaders including the powerful Monsignor Monsengwo of Kisangani openly attacked the insurgency. In a 2001 interview, Monsengwo, a leading figure of the anti-Mobutu opposition, expressed overtly racialist viewpoints against the Congolese Tutsi, and by proxy, the RCD-G (Interview with Monsengwo).

In 2000, the Church in Bukavu, under Monsignor Kataliko, and several NGOs, organized a one week strike against what they claimed was a foreign occupation. Faced with a direct challenge to its authority, the RCD-G arrested Kataliko, who they blamed for the strike, placing him under house arrest for seven months. Kataliko had been a source of

\textsuperscript{114}Churches from all denominations in the East were also the most important employer in the region. According to Tull (2004: 253), each provincial office often hired hundreds or thousands of salaried employees.

\textsuperscript{115}As discussed earlier, the fact that South Kivu’s Rwandophone population was much smaller than North Kivu’s meant that few members of South Kivu’s Catholic Church had any interest in working with the RCD-G.
considerable opposition to the RCD-G, but the group overreached when they targeted him for arrest. The Catholic Church as well as the Protestant and Kimbanguist churches expanded the strike, closing schools and suspending mass (Human Rights Watch 2000). He died immediately after his release, forcing the Tutsi leader of the National Episcopal Conference to condemn the move, permanently breaking the few remaining ties between the Church and the RCD-G leadership (Prunier 2001: 159). Not only did they fail to co-opt church institutions into their civil administration, but the behavior of the RCD-G command only served to increase resentment from the civilian population. In response, the RCD-G extricated itself from interference in the affairs of the Church, returning the Church to the position it occupied prior to the conflict, that is, a source of social and economic stability with an antagonistic relationship to the local political authority, in this case, the RCD-G.

The RCD-G had more success with their attempts at co-opting ‘tribal’ authorities in the East. As discussed earlier, ‘Bami’ were empowered throughout Congo’s history by state authorities seeking to project their dominion across the length of the country. Bami were thus habituated to accommodating a wide variety of political regimes that came to power in Kinshasa, and in regional capitals like Goma and Bukavu, often finding ways to manipulate the political authority to bring greater material benefits to their constituents. The RCD-G adopted the Mobutuist strategy of inducing cooperation amongst the traditional authorities through a mix of coercion and material incentives. Bami served a number of functions for the RCD-G leadership, including raising material support and recruits for the rebels, and helping the group extend its authority into remote rural areas. They also helped collect information on other armed groups operating in the Kivus (Tull 2004: 145-147).

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116 Bami is the plural form of Mwami, or Chief in English.
Thus, claiming their support was an important strategy for the insurgent leaders. To this end, in September 2001, the RCD-G held an Inter-Kivutien Dialogue with an agenda of forcing traditional leaders to recognize the Rwandophone community. During this meeting, a number of Bami were forcibly recruited into the RCD (Interview with Rwasamanzi; Englebert 2003). In some cases, the insurgents would interfere in chiefly succession disputes with the intention of installing more sympathetic leaders. Unlike the Church, which could always call on transnational networks to publicize any harassment by the rebel army, traditional authorities only had two options for refusing the rebel’s overtures—they could either flee the area or resist violently. Many chose the latter option, especially those representing autochthonous group, often forming alliances with the Mai Mai militias in the region to challenge rebel rule, commonly with some success.

Despite the widespread belief that the RCD-G was a Tutsi front, its patron in Kigali took a more pragmatic approach when forming local alignments with traditional leaders. In practice, what this meant is that the RCD-G often aligned itself with non-Tutsi Bami, if it would bring greater rewards in the short term. Thus, despite its presumed affiliation with the Congolese Tutsi community, the leaders of the RCD-G began to solicit support from other ethnic communities, including among the Congolese Hutus and other autochthonous ethnic communities with histories of antagonism against the Congolese Tutsi. This vacillation by the RCD-G left many Tutsi leaders feeling as if the insurgency, long associated with the Congolese Rwandophones, had actually done more long-term damage to the interests of their community (Longman 2002: 132). Accounts from the region confirmed that before the conflict, the Tutsi community faced significantly less antagonism from its ethnic neighbors than it did after Rwanda exported its ethnic crisis to the region. Towards the end of the
conflict, the Tutsi community began to agitate against the RCD-G rule. But without support from the Rwandan authorities, or from any other local political power, the community had few options, becoming highly marginalized from participation in social and political life in the region (Interview with Rwasamanzi). In fact, when I visited Bukavu in March of 2005, shortly after the RCD-G had been removed from power for the last time, people from all sectors of society referred to the town by the Swahili phrase “Mji Safi” or “Clean Town” in reference to the expulsion of the bulk of the Tutsi population.

The RCD-G’s strategy of forcibly co-opting traditional authorities extended to the ethnicized realm of NGOs in the Kivus. The RCD-G early on saw the value of bringing in members of the Kivus’ dynamic NGOs into their fold in order to piggyback off their significant influence in the urban areas. In both North and South Kivu, the RCD-G relied on a familiar mix of sticks and carrots to induce NGO support, or at the least, to limit their challenge. It is important to distinguish between two types of NGOs operating in the Kivus. On one hand were humanitarian and relief NGOs such as World Vision or Doctors Without Borders, branches of international organizations, whose presence escalated following the migration of Rwandan Hutus to the region. On the other hand were advocacy NGOs such as the Pole Institute in Goma or Heritiers de la Justice and the Initiative Congolaise pour la Justice et la Paix in Bukavu that had engaged in peace and democracy work in the region prior to the outbreak of conflict, and were mainly staffed by local

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117 I prefer not to use the categories of ‘International Non-Governmental Organization (INGOs)’ versus ‘Community Based Organizations (CBOs)’ as it implies that one type of group is a local entity while the other is international. Leaving aside the fact that both types are often transnational in terms of their audience and funding sources, I don’t think it is an accurate binary for conceptualizing these types of actors. Rather than focusing on their origins, I think the relevant distinction is based on their specific agendas, thus I would categorize a transnational organization like Human Rights Watch alongside a local organization like the Pole Institute as they both engage in documentation and advocacy work.
Congolese personnel. Generally, NGOs that engaged in relief and development work had a more congenial relationship with the RCD-G than groups advocating democracy, which were often targeted for harassment.

Personnel from relief and development NGOs described their relationship with the RCD-G as cordial, though they were aware of the politicized nature of the interaction, and were accustomed to paying off the group with cash or other material items\(^\text{118}\) (Interviews with Bulambo, Martinez, and Ulrich; United Nations 2002b: 6). The RCD-G leadership recognized the benefits of attracting developmental NGOs to their territory in a way reminiscent of the SPLM/A in South Sudan described in Chapter 5. For example, in a 2001 interview, the RCD-G Minister for Territorial Administration,\(^\text{119}\) Joseph Mudumbi, proclaimed, “In our area, humanitarian agencies have always been free to work… We are doing what we can to facilitate the agencies because our people need help” (Gough 2001). NGOs were expected to provide details to the rebels about the work they intended to do so that the civil administration could regulate their behavior (Human Rights Watch 2000). NGO workers related to me the ways in which the RCD-G sought to channel aid to populations sympathetic to the rebel group, granting operating permission to the NGO only if it was willing to direct aid to these areas (Interview with Bulambo). The administration did not hesitate to restrict access to NGOs operating in areas sympathetic to their competitors, such as those under the control of various Mai Mai militias (Interview with Bayunda and Hangi). However, in order to avoid accusations of favoritism and maintain the façade that the civil administration was pro-development, the RCD-G would not restrict NGOs openly. Rather,

\(^{118}\) Tull claims that in 2002, charities paid a 5% customs tax to the RCD-G to import equipment and medicine, as well as a vehicle license tax of $80 to $120 (2004: 172).

\(^{119}\) Mudumbi also occupied other positions within the RCD-G including Minister of Foreign Affairs.
they would target recalcitrant NGOs with strategic checkpoints designed to impede mobility to certain areas, or engage in anonymous raids that could not be traced back to the rebel group (Interview with Bulambo).

The leadership of the RCD-G was acutely aware of the importance of pro-democracy NGOs in shaping opinions about the group in the international arena (Ibid). Therefore, within areas clearly under their control, the group often sought to restrict the activities of these organizations (Interview with Wakenge). The RCD-G put into place travel restrictions on personnel from local civil society organizations in order to limit their interaction with colleagues in the West. This limited their fundraising and advocacy activities, both locally and abroad (Human Rights Watch 2000). Most of these advocacy NGOs were actively tied into transnational human rights networks that sought to document the behavior of the RCD-G in ways the leadership accurately assessed to be detrimental to the insurgency (Romkema 2001). As a result, the RCD-G shied away from perpetrating violence openly in the urban areas under their control, preferring instead to use coercive methods away from the international spotlight, mostly in rural areas where civil society figures, both local and international, were less likely to go (Interview with Stauss).

As with all things in the Kivus, the NGO world was divided, and certain organizations did overtly align with the RCD. This was more common in North Kivu where the demographic strength of the Rwandophone community meant that Tutsis commonly played a role within various civil society organizations. In South Kivu, the demographic weakness of the Banyamulenge community allowed hostile civil society organizations to largely exclude the rebel group from making inroads into the Bukavu NGO world.
One prominent example of collaboration between the rebels and an NGO demonstrates the shifting nature of relationships between actors involved in the politics of the region. *Tous pour la Paix et le Development* (Everyone for Peace and Development or TPD) was an NGO founded in Goma in October 1998, barely two months after the start of the second war, by a group of Hutu and Tutsi Congolese Rwandophone from North Kivu (Mararo 2004). Initially, TPD was closely aligned with the reigning RCD, working on jointly defined goals in a fashion similar to the TRO in Sri Lanka or the SRRC in Sudan. It was created to engage in the resettlement of Hutu refugees to the sensitive Masisi area of eastern Congo. For this purpose, the TPD was able to draw on impressive external resources, including money from the Rwandan government and international agencies including UNHCR. Under the leadership of Eugene Serufuli, a Congolese Hutu, TPD also engaged in some technical service provision. Though these services were primarily cosmetic, Serufuli often took credit for projects completed by other groups, such as the restoration of the University of Goma with World Bank funds, or actions by other, smaller NGOs operating in the region (Interview with Bulambo). Civilians in North Kivu generally viewed the TPD primarily as a revenue-generating device for the RCD-G and the Rwandan authorities through its systematic collection of taxes (Pole Institute 2003).

Over time, TPD eventually emerged as the de facto political authority in Goma. This process was formalized when Serufuli was appointed as Governor of North Kivu, fusing TPD into the administrative structure of the province. But Serufuli was not content with even this

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120 Serufuli had a long history in North Kivu having been a part of the quasi Hutu ethnic militia (Mutuelle Agricole des Virunga or MAGRIVI) that had been active during the violence in North Kivu in the early 1990s. See the history of TPD provided by Mararo (2004).

121 I witnessed this myself during my two visits to Goma. In 2004, workers from TPD were actively engaged in sprucing up the town center by planting flowers.
level of responsibility, and remade the TPD again, this time into his own personal militia (Local interviews). After the signing of the Sun City Accords and the shift of major RCD-G personnel to Kinshasa, including rebel leader, Azarias Ruberwa—the new President of the RCD political party—TPD became its own regional power, successfully usurping the RCD-G’s authority in the region, apparently with the support of the regime in Kigali (Interview with Stauss; Pole Institute 2003; Wolter 2004). The alignment of the primarily Hutu community in North Kivu with the Tutsi regime in Kigali through the machinations of TPD is just one example of the shifts in ethnic loyalties that the conflict produced. This transition also strengthened perceptions amongst many Tutsi in the region that their interests were no longer relevant.

**The Provision of Services in Eastern D.R. Congo**

Considering the complex nature of the RCD-G’s attempts to develop governance discussed above, it is hard to draw clear lines between the group and the provision of even minimal services in the Kivus during the war. From the advent of the RCD in the Kivus to the official end of the war in 2003, when control of several non-strategic public services passed back to Kinshasa, the RCD-G did manage a civil administration divided between specific departments of education, health, social affairs and so on (Autesserre 2006: 123). Other departments such as taxation, security, and immigration remained under RCD-G control even after the 2003 agreement, in much the same way that service provision in the NorthEast of Sri Lanka is divided between the Government and the LTTE. To regulate service provision in the Kivus, in 2001, the Department of Territorial Administration of the RCD-G set up Provincial Assemblies within the areas under their control (Pole Institute 2003). The assemblies were designed to allocate funds provided from the provincial budgets,
though even the president of the North Kivu Assembly admitted its lack of utility in an interview. In my brief description below of the provision of health, education and the judicial system, I will focus instead on the actual providers of these services and their relationship to the RCD-G Civil Administration. In general, the RCD-G deserves little credit in all three sectors as other non-state actors retained their role as the source of social and political order in the Kivus, despite rebel leaders frequent efforts to intercede in these institutions and processes.

*The Security System*

Upon assuming power in the Kivus, the RCD left much of the Mobutu-era Congolese legal codes, administrative structures and even personnel in office. As with the pre-conflict situation, the civil administration provided few funds for salaries for security personnel. From magistrates to prison guards, workers involved with the security system viewed their official positions as sources of income by demanding bribes from the civilian population (Interview with Bulambo). Thus, there was a widespread feeling amongst civilian informants that the security system in RCD territory was primarily a tool for extraction. Justice between civilian disputants was viewed to be solely a function of who could pay more (Human Rights Watch 1999). Furthermore, unlike the LTTE and SPLM/A, both of which imposed strict codes on the behavior of their cadres, especially in regards to civilian interactions, RCD personnel rejected any challenges to their authority, behaving with relative impunity in the region under their immediate control.

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122 See the interview with Faustin Buunda Ndyanabo conducted by Leopold Rutinigirwa and Onesphore Sematumba of the Pole Institute in Goma, December 2002. (Pole Institute 2003).
The judicial system did serve an instrumental purpose for the group, by allowing it to control challenges to its rule by civil society actors (Human Rights Watch 1999). By detaining contentious voices through their reading of Congolese legal codes, the RCD was able to accomplish two things. First, by relying on detentions instead of more harsh measures, the rebels were able to avoid international condemnation of their behavior, while effectively silencing internal critics. And second, since civil society institutions in the Kivus were often the only source of paying jobs (Romkema 2001: 36), detaining workers from these institutions was a way for the RCD to provide the judicial system with a steady supply of civilians capable of paying bribes to the prison authorities.

In rural areas, most disputes were left to Bami and other ‘tribal’ leaders, though their rulings were often ignored due to the war induced breakdown in traditional authority. Furthermore, violence in many rural areas forced Bami to migrate to the relative security of the urban areas, away from the traditional areas (Interview with Bulambo). North Kivu did have a multi-ethnic conflict resolution institution known as the Barza Intercommunautaire (Council of Elders) which was created in Goma in 1998. Comprised of 24 members drawn equally from North Kivu’s eight ethnic communities and designed to replicate a traditional village council, the Barza sought to informally resolve disputes between civilians in a mutually acceptable manner (Tull 2004: 223-224). While the precise relationship between the Barza and the RCD-G is hard to delineate, several leaders of the Barza were tied to the rebel authority, and hence were viewed with some suspicion by other civil society members (Romkema 44-45). Still, according to Tull (2004: 223-224), the Barza was able to resolve a significant number of disputes in North Kivu, especially land conflicts, which were especially common in the region for reasons explained above.
In addition, several civil society actors played a role in resolving disputes within the Kivus during the conflict. Through the *Commission Justice et Paix* (CJP) of Caritas, a Catholic relief NGO, the church was able to use its historical position as a caretaker of the rural and other underserved populations to play an important role in providing a modicum of order during the conflict (Interview with Monsengwo). The CJP engaged in a wide variety of conflicts including land disputes, rape, and theft through the training of local intermediaries (known as *Para-Juristes*) to serve as conflict mediators. If the dispute remained unresolved, the parties could request a hearing from the *Conseil de Sages* (Council of Elders) which was a committee comprised of representatives from each of the community’s ethnic groups. Above this level, the *Comite Paroissal Justice et Paix* (Parish Committee for Justice and Peace) was the highest conflict mediation body within the Church (Tull 2004: 226-227). At each level, hearings were open to the public and emphasis was placed on determining individual guilt in order to prevent disputes from taking on broader ethnic overtones. Solutions were crafted based on broad interpretations of Congolese law in order to avoid perceptions that the institutions were biased towards any specific community (Ibid). Local NGOs with support from the international community also played an important role in resolving interethnic disputes throughout the Kivus through both ad hoc mediation of disputes as well as longer-term campaigns to promote the peaceful coexistence of ethnic communities (Ibid: 226).

*The Education System*

Like most rebel authorities, the RCD’s civil administration was more focused on the establishment of a judicial mechanism that also served as a tool for resource extraction than
providing other types of services to its population. Thus, during the war, the education and health systems were run in much the same manner they had been during the war. According to Tull, in 1990, only 2% of state expenditures were spent on education and health services (2004: 217). Prior to the war, for the academic year 1997/1998, government schools enrolled only 15 percent of the students in primary and secondary schools, while close to 80 percent were enrolled in Protestant and Catholic schools, with the remaining enrolled in private institutions and other religious schools (Ibid: 213). During the war, education continued to be left to the initiative of the Churches and NGOs who drew fees from the community. Occasionally, groups of concerned parents even banded together to form their own informal educational systems (Interviews with Bayunda, Hangi and Maindo). According to one administrator who worked with the RCD-G civil administration, since the schools had long operated independently of the political authority, there was little interest amongst the leadership to get involved with the educational system (Interview with RCD-G Administrator).

Surprisingly, instead of a dramatic reduction in facilities, the educational system in eastern Congo remained impressively vibrant, increasing enrollment for the entire period from 1993 when the first skirmishes began through 2003, a fact attributed to the Congolese faith in education as a tool for personal advancement (Ibid; Tull 2004: 213). Unlike the SPLM/A which adopted foreign curricula for their schools, overtly disavowing Khartoum’s educational agenda, Congolese schools within RCD-Goma territory continued to operate

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123 The LTTE land courts are one such example discussed in Chapter 6.
124 Tull (2004) points out that in 1974, government schools enrolled a significantly higher proportion of secondary school students (35.3), but these number dropped dramatically alongside the deflation of the state.
using the central government’s curricula in both primary and secondary education. The focus for the educational system was to prepare students to take the centrally controlled final high school exams that determine access to Congolese universities. In fact, during the war, MONUC aircraft would transport the exams to the Ministry of Education in Kinshasa for evaluation (Tull 2004: 216).

The Health System

On issues of health, the RCD initially seemed interested in taking a more proactive role, sending Dr. Emile Ilunga, the RCD Minister of Health, to Europe in October 1998 to encourage international NGOs to set up shop in the Kivus. The strategy did see some initial success as the Belgian government, amongst others, sent large sums of money for humanitarian purposes to areas under RCD control (Ibid: 125). Upon taking control of the Health Ministry in the Kivus, the RCD did assume responsibility for the functioning of the ministry, which was limited to playing an oversight role (Interviews with Ulrich and Martinez). As with the educational system, the bulk of health services prior to the war were provided by civil society actors, especially the churches and NGOs. Even as early as 1972, fully 75% of health services in rural areas were provided by the churches (Tull 2004: 217).

The RCD Ministry of Health was happy to outsource the actual provision of health services to civil society, and primarily worked to oversee the health related activities of the churches and international NGOs. They provided registration papers for NGOs, limited tax exemptions, and helped groups bring personnel and medicines across the border. In order to regulate the behavior of NGOs within their territory, the RCD relied on Memoranda of

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125 As I discuss in Chapter 5, the focus for educational institutions in SPLM/A territory was to prepare students to attend schools in neighboring Kenya and Uganda. Hence the usage of foreign curricula.
Understanding that specified the agenda of the projects the NGO would engage in. Though NGOs were generally allowed to select the types of projects they wanted to implement, the RCD occasionally asked NGOs to engage in specific health related projects or to focus their efforts in specific areas—requests that most NGOs were willing to oblige knowing too well the consequences of challenging the RCD’s edicts. Although the bulk of health services provided in the Kivus were a result of civil society initiatives, this did not prevent the RCD from taking credit for many of the health efforts in their territory.126 Health NGOs were acutely aware of the benefits they provided to any political authority; a recognition that allowed them to operate with a greater degree of latitude in the Kivus than any other societal actors. In the words of one NGO informant, “Health care as a commodity is always positively perceived” (Interview with Ulrich).

This piecemeal approach to providing health care in the Kivus was effective even during the conflict. NGOs and churches, in essence, maintained a tiered health care system in which most villages had access to minimalist health posts, and urban areas were served by a mix of health centers, for basic problems, and hospitals for more serious concerns (Interview with local medical personnel, Goma). Smaller community organizations also engaged in campaigns to promote awareness about HIV/AIDS, Malaria and other illnesses. The funds for all these activities came from a mix of modest user fees, donations from religious institutions, and funds provided by the international donor community. The conflict did provide new transnational sources of revenue to both church institutions and NGOs that were savvy enough to tap into international donor networks. Several churches were even able to

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126 The RCD-G would often tout their initiatives on TV and other media. Speeches by the political leadership (especially Serufili) were often broadcast on TV Goma. The RCD leaders would intersperse speeches with popular music to attract audiences.
use the influx of funds to modernize hospitals in both Bukavu and Goma (Tull 2004: 218). Personnel shortages were endemic to almost all health provision institutions, though the available Congolese staff operating within the system was generally well trained, a counterintuitive outcome of their having trained and practiced in areas long abandoned by the state. According to one foreign NGO worker, this was true even when comparing Congolese personnel to those available in neighboring countries (Interview with Martinez).

According to the staff of Medecins Sans Frontiers (MSF) in Goma,\textsuperscript{127} interactions with the RCD-G were characterized by good lines of communication. In the words of one foreign informant, “The RCD was always very supportive of MSF’s health initiatives; they [the RCD Civil Administration] have a strong will to create a sense of predictability” (Interview with Ulrich). Generally, this assessment of the RCD-G held throughout my conversations with people involved in the health care sector. There was a general sense that while the RCD-G devoted minimal resources to improving health care, they did take seriously the task of administering the plethora of NGOs dealing with health issues. In fact, following the signing of the Sun City Peace agreement in 2003, new protocols required registration and other administrative tasks to go through Kinshasa instead of Goma, a shift decried as inefficient by several informants in the region. This is not to say that there was a coherent agenda amongst the different groups operating in the region, or that the RCD-G was even capable of orchestrating such a program. Rather, it is a testament to the will of societal actors to prevent the utter collapse of the health care system in eastern Congo, a role they had been well prepared for after the withdrawal of the state from the health sector under Mobutu.

\textsuperscript{127} MSF is an international NGO that has operated in the Kivus since 1992 providing primary and secondary care including support for hospitals. MSF emphasizes its neutrality and hence is able to work with government and rebel forces in many different conflict zones. Assuming a minimal level of security can be achieved, it has a policy of collaborating with the authorities that control a specific piece of ground regardless of the politics.
Conclusion

The failure of the RCD-G command to establish effective governance resulted from their inability to adequately deal with several important factors that affect rebel groups more generally. There are three main reasons that I have tried to highlight in the preceding discussion. First, from the beginning, the leadership was riven by internal factions that had differing visions of the internal agenda for the group, specifically whether they should engage in local institution building or focus on capturing Kinshasa. Second, prior to the war, the state had largely withdrawn from the region they came to control, abandoning the area to multiple actors engaged in state-like activities that the rebel leaders failed to co-opt into their governance project. And third, despite operating in a multi-ethnic region, the insurgents were never able to shake the perception that they were a mono-ethnic organization sponsored by a foreign patron.

The split of the command, and the subsequent affiliation of the RCD-G leaders with the Rwandan government structured its fundamental objective, i.e. capture of Kinshasa. During the short-lived reign of Wamba dia Wamba, the RCD sought to orchestrate a broader political transformation of the Kivus, which they hoped to export to the rest of the country. However, the RCD-G, controlled from the onset by the more militaristic components of the original force, never developed a viable political agenda in the East (Afoaku 2002: 119). The task for any rebel group operating in the Kivus was not to replace a pre-existing political authority (as in Sri Lanka), nor to construct order where it had never existed before (as in Sudan). Instead, rebel leaders needed to find a way to navigate between a disparate set of political actors that had parcellized elements of state sovereignty between them. Not in a
neat, cohesive manner, but rather, with competing modalities of control. This was a task that the RCD leadership failed to accomplish.

Furthermore, the split between the two factions of the RCD diluted the ability of the RCD-G to present itself as a multi-ethnic, indigenous revolution. Instead, following the split, the new RCD-G leaders became even more closely aligned with the agenda of the Tutsi regime in Kigali, a political sin that haunted the group till its death in the 2006 election, when the newly created RCD political party could only muster 2% of the vote for the former guerrilla leader and RCD candidate for president, Azarias Ruberwa. The alignment with Rwanda provided the group with economic opportunities that detached it from developing a local base of support. It was this lack of local support that led to consistent challenges to rebel rule by local violent actors—most prominently, the Mai Mai militias—undermining the ability of the group to establish governance in those areas where its rule was contested. Their approach did not represent a fundamental disjuncture from previous modes of financing pursued by earlier political authorities. Instead, the RCD’s reliance on external state patrons and transnational capital, represent a remarkable degree of continuity with the Mobutu regime’s revenue accumulation model, and hence, reinforced the same patterns of state/society relations, ultimately rendering the group’s governance project a failure.
Chapter 8

Conclusion

In the preceding chapters, I have put forth a framework for understanding the assumption of sovereign functions by rebel groups. Contrary to Hobbesian and even Weberian assumptions about the nature of a society with contested sovereignty, I argue that the existence of multiple sovereigns producing order within a single territory is not just a historical fact, but a contemporary reality as well. Still, the normative assumption that the state is the sole purveyor of political and social order is indeed a powerful one, and one that I hope to bring into question with this project. It is true that forms of non-state order have been recognized by an increasing number of analysts, who have examined the assumption of sovereignty by a wide selection of actors including NGOs, international agencies, MNCs, religious institutions, and traditional authorities. However, few have expanded these insights to consider the behavior of anti-state actors such as rebel groups. While sharing certain functional similarities to the behavior of non-state actors, rebel leaders face distinct challenges in their attempts to provide a modicum of social and political order through the development of civil administrations. Thus, I view the processes and modalities that determine rebel behavior as being similar to, though distinct from other types of non-state actors that do not violently challenge the state authority, even if they maybe unconcerned with or even contemptuous of state power.

Unlike most non-state actors (the exception maybe religious institutions), which rarely claim the right to govern populations while constructing institutions that essentially perform that purpose, anti-state actors in control of territory establish governmental
structures specifically to buttress their claims to represent a targeted population.\textsuperscript{128} Thus, it is important to view the provision of governance as a strategic decision by rebel leaders to garner support from amongst the civilian population for their broader military and political agenda.

Different insurgencies produce different strategies, and in many cases, groups may decide to establish their base areas in friendly neighboring countries, as with the African National Congress, or not to take territory at all, as with the Lord’s Resistance Army, both situations which this project says little about. However, since many civil wars are innately concerned with the control of territory, many other groups deem it strategic to capture and manage vast territories during a conflict. In these cases, generating internal consent from the civilian population is integral to the rebel project. Therefore, in this project, I focus attention on the behavior of rebel leaders who \textit{a priori} have decided that controlling territory is an essential step in pursuit of their broader goals. Having decided that it is strategically expedient to take territory, this category of rebel leaders face a variety of constraints on their behavior from different locations including from below, as civilians challenge their control, and from above, as transnational actors involve themselves in life in contemporary conflict zones.

Amongst those who follow contemporary rebel behavior in the academy, the policy community, and within civil society organizations like Human Rights Watch and Amnesty International, a strong tendency has been to view civilians as merely victims or accomplices

\textsuperscript{128} For example, MNCs that perform governance functions usually assume these duties in pursuit of the profit imperative. While NGOs that do the same are beholden to their sources of revenue rather than the needs of a specific constituency as I discuss in Chapter 2. International agencies, of course, are beholden to the whims of the donor nations, specifically the great powers, which maintain a disproportionate influence over the workings of UN agencies, the World Bank, International Monetary Fund and other such agencies.
to rebel violence. However, it is hoped that this project provides a more nuanced understanding of the political possibilities available to civilians in such moments of crises. As I show, civilians retain a number of strategies for challenging rebel rule through which they can articulate specific demands on the rebel command, often forcing rebel leaders to address the question of governance, or risk losing support from the civilian population. Whether adopting the exit option by fleeing a rebel controlled area, or engaging in violent or non-violent challenges to the rebel political authority, civilians have considerabe latitude in determining their relationship with an insurgent group. Indeed, they are rarely passive observers of political life in contemporary conflict zones. Thus, this dissertation has sought to center civilian behavior as a key factor that determines the nature of rebel service provision.

The task then has been to identify why it is that certain populations are more likely to make demands upon the rebel political authority than others, and relatedly, why certain rebel leaderships are more willing and better able to respond to these demands. Civilian agency can impact rebel behavior in two situations, both of which produce greater rebel reliance on civilian support, producing more effective governmental institutions. First, civilians habituated to making demands on a political authority as in the case of Sri Lanka, are more likely to be aware of their own power to challenge the political authority on questions of governance. Hence, rebel leaders operating in such areas are likely to take seriously the task of constructing a governance apparatus that can help them avoid challenges to their control from below. Second, where a group relies on the support of a targeted ethnic, regional or national population, civilians are empowered to force the group to provide governance, at least when compared to groups that seek to capture power at the center. I found support for
these propositions both in my detailed case studies, which spell out the mechanisms involved, as well as in the broader sample of cases.

Though I emphasize the ways in which civilians can affect the behavior of a rebel leadership, it would be naïve to argue that civilian agency is the primary determinant of life in contemporary warzones. As global forces increasingly penetrate contemporary warzones, many rebel leaders have made a realistic assessment of transnational actors as both burden and boon, and are willing to alter their political projects accordingly. However, not all rebel leaderships are the same. Thus, in the case studies, I showed how different rebel leaders have responded to the international community by recounting specific instances of transnational actors acting as supporters, competitors or witnesses.

Differences in leadership styles can extend throughout the organization. Some rebel groups are led by charismatic or ruthless leaders able to impose discipline throughout the organization. These efficiencies in the organizational structure allow certain groups to better handle the political environment that contemporary rebel groups must navigate. This includes dealing with the various demands made upon the group from above and below in regards to their treatment of the civilian population. Other groups have divided commands with little control over the organization. These groups tend to have little ability to orchestrate the complex task of constructing civilian governance structures as I showed with the case of the RCD-G in the D.R. Congo.

Even the most efficient rebel leaderships may not be able to construct effective governance structures as they face vastly differing conflict situations. It is obviously unfair to compare groups whose control over a territory is constantly challenged by the state with a group where the state has effectively ceded control to the rebel groups. However, it is also
impossible to categorize the nature of the state’s challenge across cases, as almost all rebel groups face a shifting terrain on the battlefield characterized by periods of intense pressure from the state or its allies, followed by periods of relative calm, as the state retrenches following setbacks in the battlefield. As I show in the case studies of the LTTE and the SPLM/A, the only general claim I can make with any certainty is that rebel leaders will devote greater attention to questions of governance during periods of relative calm, and that these structures are likely to be institutionalized to the point that they persist even after the fighting reinitiates.

It is important to understand rebel governance attempts for what they may tell us about the behavior of insurgent leaders post-conflict. Though yet to be proven conclusively, recent analyses have put forth the plausible claim that local institutions developed during conflict, including those built by rebel groups, are likely to persist even after the end of fighting (de Zeeuw 2006; Manor 2006). Rebels transitioning from camouflage wearing guerrilla fighters to suited bureaucrats are unlikely to simply abandon the institutions and practices developed during times of war. For rebel leaders, this is especially true if they are successful in earning a share of power at the center, or if they actually take control of the government altogether (de Zeeuw 2006).

Thus, it is no surprise that the leadership of the EPLF in Eritrea, for example, sought to retain the institutions developed during wartime, as they had developed a highly functional civil administration during the conflict that they believed could serve as the basis for the bureaucratic infrastructure of the post-conflict state (Pool 2001). The relationship established with civilians during the conflict also carried over to their interactions with civilians post-conflict, and once in power, the EPLF promoted a militarized ethos amongst the newly
independent Eritrean population. In the same way, the LTTE has called for the institutions of the *Atasialthurai* to be the basis for any independent or autonomous state that emerges in the North and East province, if the war is ever to reach a final settlement. On the other hand, the RCD-Goma leadership cared little about maintaining the failed institutions and practices they developed during the conflict in eastern Congo, rushing off to Kinshasa to assume positions in the transition government at the earliest opportunity. And though the SPLM/A claimed to have a clear agenda for post-conflict governance (see Branch and Mampilly 2005), its failure to entrench civil administrative institutions during the conflict allowed international actors and the Sudanese state to usurp the provision of public welfare in a way that marginalized the SPLM/A in the process.

**Significance of Study**

The findings in this study contribute to several debates currently ongoing within political science and sociology. Most directly, the project engages with the contemporary literature on civil war, shifting focus away from the economic factors that drive rebellion, to a consideration of the political landscape that contemporary rebel leaders must navigate. In this way, I am primarily concerned with examining both the microfoundations of insurgency and the interplay of local belligerents with the international community, an approach that has recently received increasing attention with the appearance of several strong dissertations that utilize a similar methodology (Weinstein 2003; Tull 2004; Autesserre 2006; Branch 2007). In each of these projects, a strong desire to apply theoretical concepts to extensive field experience has driven the researcher, producing powerful insights into the evolving nature of rebel behavior within the contemporary world order.
A secondary debate that my project addresses regards the nature of political order outside of the state. Though it has been challenged before, most prominently during the protracted discussion on civil society commenced during the waning days of the Cold War, most social scientists and policy analysts continue to accept the norm that centers the state as the sole purveyor of political and social order. A significant exception to this trend are globalization and transnationalism scholars who have examined both how the state’s authority has been diluted by other actors within the international system and how transnational flows of money, people and resources help produce and destroy new forms of political, social and economic order. My project seeks to extend these insights to understand how the international community affects the behavior of rebel leaders in regards to the building of political institutions to regulate the civilian population. As this project has shown, anti-state actors can produce forms of order that demand the attention of contemporary scholars, particularly as such actors emerge as wildcards within an international system struggling to adequately acknowledge their existence and impact.

Currently, several different paradigms have been proposed for dealing with anti-state actors in both academic and policy circles. Arguably, the dominant approach views rebel groups, at the minimum, as illegal actors, which of course they are within the current confines of international law, predicated as it is on the consent of recognized nation states. While certain groups such as Falintil in East Timor or the PLO in the Palestinian territories have been able to transcend this assumption and achieve a degree of official international recognition, these cases remain the exception. Furthermore, the advantages accrued by this reluctant recognition of certain anti-state actors falls far short of the significant benefits on offer to even the most despotic tyrant at the head of an internationally recognized state
authority. Analysts have pointed out that despite the origins of many Third World political systems and boundaries as the arbitrary byproducts of colonial era imperatives, current international norms continue to evidence a strong resistance to legitimizing challenges to a recognized sovereign, for fear of eviscerating state legitimacy more generally (Herbst 2000; Nadarajah and Srikandarajah 2005). This is true even where a regime has clearly broken the boundaries of international law, up to and including orchestrating genocide against a portion of its population. Thus, prevailing international norms about the legitimacy of confronting the authority of the state with violence affect the nature of life in conflict zones in constitutive ways, as any such challenger is deemed illegitimate by the international community, and hence, worthy of only contempt.

A harsher variant of this approach views rebel groups as not only illegal, but as irrational actors. The designation of 36 insurgent groups under the catchall “terrorist” label by the US State Department following the events of 9/11, has significantly restricted our ability to neutrally assess the behavior of what are, in effect, vastly different organizations. According to the State Department, labeling a group as a “Foreign Terrorist Organization” (FTO) “Stigmatizes and isolates designated terrorist organizations internationally,” and “Deters donations or contributions to and economic transactions with named organizations” (State Department 2003). The effect is to render all interactions with such marked groups legally suspect, regardless of whether the raison d’être for the group is understandable, or even justifiable. Thus, the whole subset of humanitarian transnational actors that may engage with so called “terrorists” in conflict zones face prosecution, the freezing of assets, and even expulsion from the US and its allies for engaging with such anti-state actors.
Furthermore, labeling groups as irrational closes the door on finding a non-coercive basis for negotiation. If an actor is viewed as irrational, there is generally no reason to negotiate with it, as the only language that such actors understand is force. This type of thinking has driven U.S. support for the government of Colombia where the FARC sits on the FTO list, as well America’s recent engagement with the government of Sri Lanka, where military expertise and arms have been sent to help brutally suppress the threat posed by the LTTE. In the same vein, Russian president Vladimir Putin has relied on the assumption of Chechen irrationality to crush resistance in that volatile region.

The counter approach is to valorize rebel groups as freedom fighters, revolutionaries, liberation movements and so on—a tendency most commonly associated with the Transnational Activist Networks (TANs) that actively engage with rebel groups, occasionally rallying on their behalf and providing a global support network to a variety of violent actors (Bob 2006). Though the “terrorist” approach continues to derive significant support from state actors, the “freedom fighter” approach tends to draw support from other actors in the international community, who commonly excise the more negative aspects of what are by definition violent actors. For example, the impressively broad “Free Darfur” coalition tends to ignore some of the more reprehensible aspects of the Darfuri rebel groups, which continue to engage in horrendous internecine warfare, resulting in the death of countless civilians in western Sudan. By forcing attention away from local dynamics so as to avoid undermining the broader cause that the TAN seeks to advocate on behalf of, such networks can help rebels avoid the condemnation that their behavior may warrant. Both

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129 Think of the cliché adopted by many governments in many different times, “We don’t negotiate with terrorists.”
approaches rely on a willful ignorance of either the negative or positive dimensions of rebel behavior, and base their treatment of rebel groups accordingly.

However, though they may appear to be in opposition, both approaches share the tendency to view rebel behavior through the prism of the use of violence. In this way, they reveal more about each side’s position on the legitimacy of a non-state actor using violence in pursuit of a political goal. On one side, perceiving rebel groups as terrorists emerges from the notion that any violent challenge to the state is illegitimate, and hence, any group engaging in such activities deserves to be suppressed. On the other side, viewing rebel groups as freedom fighters is derived from the Fanonian proposition that violence is not only politically productive but personally liberating, and hence, worthy of, at least, grudging respect, or even outright support. It is not my intention to argue against the tendency to center violence in discussions of rebel behavior—instead, I am hoping to shift focus slightly and de-prioritize violence in our analysis of the subject. The goal is not to remove violence from the pinnacle of conversations about rebel behavior, but rather, since our perspective on the legitimacy of violent struggles is usually fully formed before we consider any specific rebel group, it necessarily masks the differences that exist between violent groups, particularly in terms of their treatment of civilians. Yes, all rebel groups are violent actors, but no, they are not all the same when it comes to the treatment of civilians, and no, violence is not the only means that rebels avail when dealing with their civilian populations. And it is precisely this variation that this project brings in to focus.

Policy Recommendations

130 In his own words, “At the level of individuals, violence is a cleansing force. It frees the native from his inferiority complex and from his despair and inaction; it makes him fearless and restores his self-respect.” (Fanon 1968: 94).
Understandably, policymakers exhibit restraint when engaging with anti-state actors, fearing the perception that their interactions with rebel leaders may be viewed as legitimizing a direct challenge to state sovereignty by an unpredictable and potentially unconstrainable actor. The goal of this project is to develop a framework for comparing rebel groups on the question of governance, allowing policy makers to differentiate between rebel groups based on their treatment of civilians. As Lauchlan Munro aptly notes, “The fact that UN agencies are accustomed to—or even designed to—work primarily with de jure national governments does not preclude them from working within—and with [rebel civil administrations]” (Munro 2004:131). The framework provided above will allow policy makers to engage with certain rebel groups who have developed clear mechanisms for ensuring the provision of humanitarian aid and other basic services within their territory, while putting pressure on other groups that have taken over territory, to take more seriously the task of establishing a governmental apparatus.

To this end, there are a number of options for the international community to avail in their dealings with contemporary rebel groups that take control of territory and populations. However, too often, the assumption that rebel groups engaging in service provision represent an existential challenge to the contemporary nation-state system has constrained the emergence of genuinely novel approaches for dealing with rebel political institutions, despite the widespread recognition of their importance. For example, William Zartman has called for strengthening the current state system rather than providing support to incipient challengers to the established political order (Zartman 1995). Others have argued that the international community must engage with such actors, but only in limited circumstances. For example, when dealing with cases where sovereignty is parcellized between multiple and competing
entities, Kingston and Spears (2004: 191) recommend that recognition of rebel civil administrations be reserved only as a final option for the international community.

While the notion that recognition can be used as leverage for promoting the development of better rebel governance is well established, these approaches commonly reflect the unnecessary anxiety present when engaging with rebel civil administrations caused by the teleological assumption regarding the trajectory of such rebel controlled areas, i.e. that such entities threaten the nation-state system. In this view, international recognition is thought to be a tremendous boost for the legitimacy of a direct challenger to the state system, specifically, rebel political authorities. However, there are two reasons to assuage this fear. First, this approach implies that the international community is a unitary actor operating in concert, when in reality, transnational actors are already engaged with rebel leaders in every conflict zone across the world. As such, the question should not be if the international community should recognize rebel political authorities, but rather, in what way can the international community leverage its engagement to foster better conditions for civilians in contemporary war zones?

And second, as I argue in Chapter 3, it is uncertain whether engaging rebel civil administrations genuinely represents an existential challenge to the state system, as some authors tend to imply. The desire to analogize state formation to rebel behavior tends to aggrandize the threat such actors pose, obscuring a more clear vision of their behavior. Instead, such anti-state political institutions have long co-existed alongside the Westphalian nation-state system, and engaging with such actors does not pose an automatic threat to the state system. One only needs to consider the Sicilian Mafia, which has always competed directly with the Italian state in the provision of protection, long considered to be the
quintessential prerogative of the Weberian state (Gambetta 1993). In fact, despite its long history and the direct challenge it poses to the recognized political authority, the existence of the Mafia has never been viewed as the harbinger of a new international system of plural sovereigns. I remain agnostic on the long-term survival of the state system, but the desire of rebel leaders to either enter the comity of nations as an equal member or to be recognized as the legitimate ruler of a pre-existing state authority, renders their threat to the state system fairly negligible, and one that should not dictate our approach to interacting with such actors.

A more nuanced approach recognizes the penetration of transnational forces within all contemporary conflict zones and argues for restrictions on the behavior of such actors. Weinstein, for example, offers a less alarmist method that focuses on altering the behavior of rebel leaders through the usage of material incentives, “In particular, stories of violence… suggest a transparent and actionable conclusion for policy makers: civil war will be less costly for civilian populations if war can be made more expensive and more difficult for insurgent groups to initiate” (2006: 523). To this end, he discusses two basic approaches that have been proffered for making rebellion more costly for potential rebel leaders. First, cut off the flow of external aid to rebel groups from other states, which, by providing rebel leaders with an easy source of finance, too often allows them to avoid investing in developing political institutions that provide for civilian welfare. Second, using sanctions and certification regimes, stem the flow of natural resources from rebel controlled areas to international markets, which has emerged as a lucrative source of revenue for rebel coffers, hence producing a similar effect as funding from other states (Ibid: 524-526).

Though Weinstein is concerned less with the provision of services by rebel groups and more with the recruitment of soldiers and the utilization of violence, his prescription falls
inline with the thinking favored by the US State Department which has sought to restrict the flow of resources to rebel controlled areas, out of a legitimate concern of rebel appropriation of such funds. Unfortunately, though this approach has some merit, it is still too blunt of an instrument, and can have the adverse impact of restricting funds to organizations genuinely engaged in humanitarian activities, despite the clear (if indirect) support these organizations may provide to rebel groups.

Two other approaches seek to constrain rebel behavior through the implementation of constraints through the international community. First, extend the practice of “Naming and Shaming” dictators and other autocratic leaders to improve their treatment of civilians to rebel leaders. And second, utilize international trials and tribunals to scare rebel leaders into improving their standards of civilian treatment (Ibid). In my view, “Naming and Shaming” rebel leaders into providing better governance for civilians does have some value, but generally only when attempting to turn groups with partially effective governance into groups with more effective governance. As I discuss above, not all rebel leaders are concerned with the perception of their group within the international community, while others remain acutely aware of the benefits of international recognition. Rebel leaders interested in international approval are susceptible to what I termed the witness function that transnational actors can play in contemporary conflict zones, and are likely to adjust their behavior accordingly. However, where the group is unconcerned about their image within the international community, the practice of “Naming and Shaming” has little value.

I would not extend this to the use of international tribunals and trials, however. Too often, such institutions tend to overwhelm local political dynamics initiated by civilian groups on the ground, undermining local efforts to constrain rebel behavior. Operating within
the yet to be proven structure of international law, legal experts descending from Geneva, London and Washington unfortunately come across as more interested in promoting the merit of international law, than as a genuine effort to promote civilian welfare within contemporary conflict zones (Branch 2004, 2007).

What I have sought to do with this project is provide a transferable framework for comparing rebel groups based on their treatment of civilians, through an examination of their governance provision. Such an approach will allow policy makers to intervene selectively with rebel groups, distinguishing those that may be susceptible to international influence from those unlikely to be affected, and adjusting their involvement accordingly. In regards to groups unlikely to be swayed by the carrots on offer from transnational actors, it may be time to consider rebel treatment of civilians as a pre-condition for participation in internationally sanctioned peace talks. While the principle of force will continue to be the primary determinant of who gets invited (Tull and Mehler 2005), letting rebel leaders know that the international community takes seriously the treatment of civilians in conflict zones, can establish a new international norm that at least some insurgent leaders are likely to take seriously. Ultimately, it is civilian welfare that deserves to take center stage in our policy discussions on contemporary civil conflict, and it is hoped that this project begins to move the discussion in this direction.
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