


## **The Moment of Decision for Darfur: Will humanitarian intervention truly offer civilian protection? March 21, 2005**

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Recent statements from UN human rights specialists, international policy organizations, human rights groups, and even the UN political leadership make clear there is now broad international consensus on the need for expanded humanitarian intervention in Darfur, with the primary task of civilian protection. What is far from clear is a willingness to provide adequate military resources for the various tasks entailed in protecting the extraordinarily vulnerable populations in Darfur, both in camps and less accessible rural areas. Nor is there evidence in recent statements of considered estimates of what is necessary to provide security for humanitarian workers and operations in Darfur, and to augment currently inadequate humanitarian capacity.

Certainly there should be no underestimating the difficulties of this very large undertaking. For having deferred a meaningful decision on humanitarian intervention for such an unforgivably long time, the international community now faces a far more challenging security environment than in previous months. This writer argued over a year ago (Washington Post, February 25, 2004):

"There can be no reasonable skepticism about Khartoum's use of these militias [the Janjaweed] to 'destroy, in whole or in part, ethnical or racial groups'---in short, to commit genocide. Khartoum has so far refused to rein in its Arab militias; has refused to enter into meaningful peace talks with the insurgency groups; and most disturbingly, refuses to grant unfettered humanitarian access. The international community has been slow to react to Darfur's catastrophe and has yet to move with sufficient urgency and commitment. A credible peace forum must rapidly be created. Immediate plans for humanitarian intervention should begin. The alternative is to allow tens of thousands of civilians to die in the weeks and months ahead in what will be continuing genocidal destruction."

Scandalously, this assessment remains fully accurate. Indeed, the threats to humanitarian aid delivery grow more perilous by the day: this writer has received from multiple, highly authoritative sources intelligence indicating that Khartoum has ambitious plans for accelerating the obstruction of humanitarian access by means of orchestrated violence and insecurity, including the use of targeted violence against humanitarian aid workers (see below). Along with increasing bureaucratic and legal obstructionism on Khartoum's part (highlighted recently by Kofi Annan), as well as rapidly accelerating military activity in West Darfur, these developments suggest there is very little that is truly "consensual" or "permissive" about current humanitarian deployment in Darfur.

Khartoum's inflammatory expressions of hostility toward international humanitarian presence are notorious, and received yet further expression in a preposterous claim reported yesterday by Agence France-Presse:

"Sudan has accused humanitarian agencies operating in the war-torn region of Darfur of using only a fraction of funds from donors on the crisis and retaining much of it for their own activities, the independent al-Sahafa daily reported Sunday. The paper quoted the governor of South Darfur state, Al-Hajj Atta al-Mannan, as saying that just over 10% of the total amount of financial assistance donated for the crisis in Darfur had reached the needy."

"He claimed that the majority of the money was used to fund activities not related directly to the plight of

the people of Darfur. 'The share of the people of Darfur from this fund was only 12% while the remainder was spent on administrative operations and workers of the international organisations in Darfur,' Mannan charged."

"The charges are the latest by Khartoum against international humanitarian organisations in the Darfur region. [ ] In October [2004], Sudanese President Omar el-Beshir launched an attack on aid agencies in the region, calling them enemies. 'Organizations operating in Darfur are the real enemies,' the president [said]. And earlier in May [2004], Sudanese Interior Minister Abdul Rahim Hussein accused a number of aid organizations of supporting ethnic minority rebels in the region, [claiming] that they 'used humanitarian operations as a cover for carrying out a hidden agenda and proved to have supported the rebellion in the past period.'" (AFP, March 20, 2005)

These comments, while transparently absurd to most of the world outside Sudan, are clearly designed to whip up domestic anger toward the international relief effort in Darfur; they are in short recruitment messages, and highly authoritative intelligence indicates they have already generated a very considerable threat of near-term violence against humanitarian workers and operations in Darfur.

It is critically important to recognize fully these threats to humanitarian organizations in assessing what will inevitably be an argument against intervention in some quarters, viz. that expanding international intervention to protect civilians imperils the current "consensual" or "permissive" environment for humanitarian actors. The notion of a "permissive" or "consensual" environment in Darfur is a transparent fiction, and to lay unqualified claim to such an environment by way of arguing against humanitarian intervention is disingenuous; it nonetheless must be expected and addressed.

But in assessing the consequences for humanitarian operations of robust international intervention, we must first survey honestly the consequences of the shameful belatedness that will define even the most urgent action that might presently be undertaken. For the human consequences of delayed response are already unforgivably great. Perhaps 200,000 people have died since the moral imperative of humanitarian intervention became clear for all to see (cf. most recent mortality assessment by this writer [March 11, 2005] at

<http://www.sudanreeves.org/modules.php?op=modload&name=News&file=article&sid=44&mode=thread&order=0&thold=0>). The current UN estimate of 130,000 deaths during the period between February 2004 (a time of particularly violent civilian destruction) and the present is certainly low, particularly in assessing violent mortality; but even accepted at face value, it provides what should be a traumatizing sense of the cost of our belatedness.

We must also accept honestly that there has been no meaningful progress in the peace process under AU auspices, nor even a clear date set for resumption of talks. Indeed, as political and military divisions deepen within the increasingly fractured insurgency movements, as command-and-control issues multiply and desperation for provisions grows, a political way forward seems increasingly unlikely in Abuja (Nigeria).

Further, despite the explicit "demand" of UN Security Council resolution 1556 (July 30, 2004) that Khartoum disarm the Janjaweed and bring its leaders to justice, the Janjaweed continue to pose the greatest threat to civilian populations and humanitarian relief in Darfur. There has been no progress whatsoever on this essential issue, and will not be until a robust military force has been introduced into Darfur with a mandate that permits aggressive response to all Janjaweed threats to civilians and humanitarian operations.

For seeing a complete absence of consequences for failing to respond to this singular UN Security Council "demand"---eight months after it was issued---Khartoum has continued to deploy the Janjaweed as the primary instrument of genocidal destruction, and for many months has also incorporated elements of the Janjaweed into police forces, the paramilitary Popular Defense Forces, and increasingly the Border

Intelligence Guard (see excellent discussion of this transformation of the Janjaweed in "Darfur: The Failure to Protect," International Crisis Group, March 8, 2005, page 8: <http://www.crisisgroup.org/home/index.cfm?l=1&id=3314>).

Finally, the scale of the humanitarian crisis has grown dramatically over the past year, and humanitarian needs now (and in near prospect) far outstrip humanitarian capacity. Insecurity is attenuating humanitarian access and delivery at precisely the moment they should be expanded; transport and logistical capacity are stretched to the breaking point. At the same time, there is no prospect of a spring agricultural planting in Darfur (and thus no likelihood of significant fall harvest); nor are there resources adequate for responding to the "hunger gap" (May/June through September). And the heaviest months of the rainy season---late July through the end of September---will again create what the UN described last year as a "logistical nightmare."

More than 3 million people already need humanitarian assistance in the greater Darfur humanitarian theater, and present capacity is only approximately half this, despite tendentious claims by the UN World Food Program. This number of desperately needy civilians could grow to exceed 4 million, according to a recent estimate from UN Under-Secretary for Humanitarian Affairs Jan Egeland (UN News Center, February 18, 2005).

Thus despite a recent decline in mortality rates within the accessible camps for displaced persons in Darfur, hundreds of thousands of people face death in the coming months and years because of the failures to date to intervene in this massive, engineered crisis. All that can mitigate vast human destruction is militarily supported humanitarian intervention that assesses fully and honestly the security, food, water, and medical needs of vulnerable civilians.

Such intervention requires a force of 25,000 to 60,000 military personnel, with the ability for rapid, staged deployment and fully adequate transport/logistics; such a force must have a fully explicit mandate to protect threatened civilian populations, and to confront directly any military force---regular, militia, or paramilitary---threatening civilians; it must have a fully credible means of deterring Khartoum's use of aerial military assets; and it must introduce augmented humanitarian transport capacity into and throughout the humanitarian theater during the upcoming rainy season. Such an intervention clearly requires that the present AU force be very substantially augmented by non-AU personnel, resources, and equipment.

Deployment of such a task-defined intervening force faces many difficult obstacles: inertia and political calculation on the part of the UN political leadership and other international actors; glib sloganeering by AU countries such as Nigeria and Libya ("African solutions for African problems"); AU and UN rivalry over a Darfur response (see "Darfur: The Failure to Protect," International Crisis Group, March 8, 2005, pages 6-7); expedient accommodation of Khartoum's inevitable assertion of "national sovereignty"; and a claimed poverty of resources. If the international community allows these obstacles to block or compromise meaningful intervention, we will only compound the already shameful moral failure to date. We will be acquiescing yet further in genocidal destruction.

#### VOICES DEMANDING INTERVENTION

Nine leading human rights groups and organizations working on issues of international peace and security released an extraordinary open letter to the UN Secretary-General and Security Council members on March 9, 2005, signed in eight instances by the chief executive officers of these distinguished organizations. The document begins bluntly:

"After reviewing the most recent draft of the proposed Security Council resolution on Sudan, we unanimously urge members to reject this resolution on the grounds that another weak resolution will exacerbate rather than ameliorate the situation in Darfur. The current draft resolution sends precisely the

wrong signal after one year of unfulfilled promises and continued attacks, further emboldening the Government of Sudan. Council members should instead adopt a strong resolution that aims to end the crisis.”

(March 9, 2005. Signatories: International Crisis Group, Security and Peace Institute, Physicians for Human Rights, Open Society Institute, Africa Action, Citizens for Global Solutions, Human Rights Watch, Coalition for International Justice, Center for American Progress)

These organizations also rightly insist that it is “unconscionable to repeat the same stale rhetorical demands with little hope of enforcement,” and that Security Council “responsibility and authority to protect international peace and security [ ] requires bold and effective measures.”

But there is, unfortunately, not nearly enough in this letter that speaks to the specific security demands in Darfur, the actual “bold and effective measures” required. There is here (and in many quarters) over-reliance on a “no-fly zone” that presents currently insoluble problems in basing the required AWACS and fighter aircraft. Chad is the only realistic basing option, and neither the French (who have a military presence in Chad) nor President Idriss Deby gives the slightest sign of being willing to accept the required US or UK aerial combat forces.

Moreover, little attention has been given to the almost impossible difficulties of patrolling for helicopter gunships flying low to the ground over an area the size of France. Additionally, the Antonov aircraft that are implicated in civilian bombing attacks are the same aircraft (and indistinguishable from the air) used for humanitarian transport purposes and frequently carry civilians. A conventionally conceived “no-fly zone” is impracticable in any timely fashion, faces strong (if silent) opposition from within the US Defense Department, and is of only limited relevance to the key security issues in Darfur.

The threat of sanctions seems similarly tangential to the essential issues of human security in Darfur. However fully justified robust, targeted sanctions against the Khartoum regime may be, they will have little immediate impact on the ground. Moreover, such sanctions seem to have no chance of political success in the Security Council, given the clear opposition of veto-wielding Russia and China. Referral of Khartoum’s genocidaires and other war criminals to the International Criminal Court will have equally little impact in addressing either the immediate protection needs of vulnerable civilian populations or the humanitarian shortfalls that are now growing rapidly, especially outside the camps.

The key phrase lying insufficiently articulated in this rhetorically powerful letter is the demand for a resolution that “provides enforceable mechanisms to protect the people of Darfur.” What mechanisms are being referred to here? And precisely how will they “protect the people of Darfur”---now?

The letter rightly acknowledges that the AU monitoring mission is “laboring alone in Darfur with a near impossible burden.” But such acknowledgement does nothing to suggest how the UN “can provide the AU with the backing needed”---or how such backing will “send a clear, enforceable message to Khartoum that [the UN] intends to hold the government to its promises and treaty commitments.” The AU force is transparently incapable of sending such a message on its own: deployment has only now (after half a year) crept past 2,000 personnel. Moreover, there is no acknowledgement here of the political resistance within the AU to seek UN, European, or other international assistance.

Equally strong in its hortatory language is a statement of March 16, 2005 from fifteen distinguished UN human rights experts:

“We are gravely concerned about the ongoing violations of human rights and humanitarian law in the Darfur region of Sudan [and] call upon the international community to take effective measures to end the violations on a basis of utmost urgency. [ ] Despite efforts by the international community to commit troops and assistance to the region, the violence continues virtually unabated in a context of wholesale impunity, and the threat of famine is looming.”

"The violations in Darfur have been staggering in scale and harrowing in nature. [ ] If the vow that the international community will 'Never Again' stand idly by while crimes against humanity are being perpetrated is to have any meaning, now is the time for decisive action." (UN Human Rights Experts Call for Urgent, Effective Action on Darfur," UN Information Service [Geneva], March 16, 2005)

But in calling on the international community to "take effective measures to end the violations on a basis of utmost urgency," these experts provide no specific guidance. Certainly "now is the time for decisive action"; and what is termed a "robust international solution" is indeed "urgently needed." But we are offered no suggestion as to what these experts believe this solution consists in, and this creates a dangerous policy vacuum.

[Notably, the International Crisis Group has taken the first tentative steps in identifying the nature of an intervening force ("Darfur: The Failure to Protect," pages ii-iii:

"Recommends that the UN Security Council pass a resolution that:

[f] calls for close cooperation between the AU and UN missions in Sudan and encourages the use of UN assets to support a strengthened AU mission;

[g] recognizes that a force with fewer than 10,000 troops is likely to be inadequate given Darfur's size, the ongoing violence, and the largely non-cooperative attitude of the Government of Sudan;

[h] calls on member states (African and non-African) to contribute troops and other support to such a strengthened AU mission, and on NATO to begin planning to assist the mission;

[i] calls on the EU, the UN, and AU to work together to augment the civilian police capacity in Darfur."

"Recommends that the African Union Peace and Security Council:

[14] work with the UN Security Council to facilitate inclusion and assistance of non-African forces to supplement the mission's force levels and capabilities.

[15] Elaborate in conjunction with the UN Security Council and the Secretary-General a strategy for neutralisation of the Janjaweed militias in the absence of Government of Sudan cooperation."

Unfortunately, a number of significant issues are unaddressed here: [1] the appropriate size of the intervening force (the implied "at least 10,000" skirts the issue, since an appropriate size is certainly more than double this number; [2] the nature of intervention in the event that Khartoum works more aggressively to create a non-permissive environment for additional deployments; [3] a strategy for pressuring the AU to accept non-AU forces; [4] rules of engagement in confronting the Janjaweed.]

#### PROPOSALS FOR AN INTERVENING FORCE

Because there has been no comprehensive discussion of civilian and humanitarian protection requirements, the character of an expanded "humanitarian intervention" in Darfur is already sinking toward a lowest common political denominator, governed more by expedient estimates and a sense of the politically practicable than by clearly articulated security tasks.

Recent press reports suggest three different versions of a constrained intervening force, coming from the AU, from Kofi Annan's special envoy for Sudan, Jan Pronk, and from UN Under-Secretary for Humanitarian Affairs Jan Egeland. All build on the premise that personnel in the force will come virtually entirely from the AU, thereby severely limiting the possible increase in force levels.

The African Union:

Reuters reports several key statements by AU leaders, political and military:

"The AU is seeking to double its forces in Darfur to about 6,000 troops, a number that could stabilize Sudan's troubled western region, Rwanda's foreign minister said. With security rapidly deteriorating, the AU troop commander in Darfur has told Rwandan officials that a 6,000-strong force would be able to secure all major refugee camps and roads, Rwanda's Foreign Minister Charles Murigande said. 'They have asked us if we are willing to increase our participation, and we have promised that we are willing,' Murigande told Reuters in an interview during a visit to Singapore."

"The Nigerian commander of the AU's force in Darfur, Festus Okonkwo, told Rwandan President Paul Kagame that 6,000 troops would be enough to 'bring the level of violence to probably what would be acceptable,' Murigande said." (Reuters, March 18, 2005)

But it is transparently clear that 6,000 AU troops are not nearly enough to address the security issues in Darfur, though this may be an intervention force that can secure the major camps for displaced persons. This is certainly not a force able to "bring the level of violence to probably what would be acceptable." The Nigerian provenance of this disingenuous assessment should be seen in light of Nigerian President Obasanjo's recent remarks on the Darfur crisis: "Things are greatly better in Darfur" (Agence France-Presse, February 28, 2005). Obasanjo, also chair of the African Union, offers this outrageous mendacity out of pure political expediency and a desire to forestall non-AU participation in humanitarian intervention for Darfur.

For Obasanjo has already declared---with the Presidents of Egypt, Libya, Chad, and Sudan---that Darfur is an "Africa only" problem:

"In a joint statement issued after the overnight meeting [in Tripoli] the regional leaders stressed their 'rejection of all foreign intervention in this purely African question'" (Agence France-Presse, October 18, 2004).

Nigerian Commander Festus Okonkwo offers not a serious assessment of military requirements but simply the upper range of what Obasanjo thinks the AU might plausibly claim. So, too, AU envoy (and former Nigerian foreign minister) Baba Gana Kingibe. Though Kingibe is a skilled diplomat, with significant political stature, he has already proved himself capable of disingenuous commentary. While acknowledging that the security situation in Darfur has continued to deteriorate seriously, he declares to Reuters that, "more troops [are] not the answer." "They can do with a little strengthening (but)...even if you put 50,000 you will still say its not enough,' he said, pointing out that Darfur was the size of France" (Reuters, March 18, 2005).

Who is the "you" invoked here as declaring that 50,000 troops are insufficient? Kingibe offers no answer because he can't. Nor does he explain why significantly more troops are not part of the answer to the critical security issues in Darfur. It is indeed a region the "size of France," and this makes the task very difficult. But how then can the present AU deployment of 2,000 personnel be in need of only "a little strengthening"? Why aren't the size of Darfur and difficulty of the operation precisely arguments for a very substantially augmented force? Kingibe isn't even bothering with consistency in attempting to take non-AU participation off the table.

Jan Pronk:

Jan Pronk, whose ill-fated August 2004 "Plan of Action" has figured prominently in much of the violence of the past half year (see "Darfur: The Failure to Protect," International Crisis Group, March 8, 2005,

page 6-7, <http://www.crisisgroup.org/home/index.cfm?!=1&id=3314>), has recently argued for limited humanitarian intervention:

"A force of 8,000 peacekeepers is needed in Darfur for the nearly 2 million people displaced from the western part of Sudan to feel safe enough to return home, the chief UN envoy to Sudan said Thursday. 'I have made it very clear to the [UN] mission [in Sudan] that we need a robust force, I mean 8,000 military, for a duration of about four years...so that people can return to their areas,' Pronk told a news conference afterward." (Associated Press [Khartoum], March 17, 2005)

That this is still an AU force, however, is made clear from a dispatch from the UN Integrated Regional Information Networks:

"Jan Pronk [the UN Secretary-General's Special Representative for the Sudan] felt that, for the AU to strengthen its role in Darfur, it would need to expand its capacity to 8,000 troops and adopt a mandate with a stronger focus on protection,' [said UN spokeswoman] Radhia Achouri." (IRIN, March 18, 2005)

Such reliance on the AU, which has taken six months to deploy 2,000 under-equipped and insufficiently supported personnel, is a substitute for actions that will truly have meaning in the current environment. Pronk is guided by political considerations, not speaking about the intervention necessary to protect civilians and humanitarian operations. He is certainly not speaking of a force that can oversee the return of displaced persons or provide them with adequate security away from the camps.

Jan Egeland:

In assessing the need for forces on the ground in Darfur, Egeland, like Pronk, is constrained politically by what is judged within the UN to be practicable, and this presently excludes non-AU forces. Egeland is pleading for a force of very approximately 10,000---a figure arrived at not through any military calculation, or assessment of the security situation or the capabilities of the AU, but an understandably desperate desire to increase in any fashion the security presence on the ground. In the end he is content with the mere serendipity of one soldier for every humanitarian worker (this numerical relationship is of course completely unrelated to any meaningful assessment of security issues involving hundreds of thousands of extremely vulnerable Darfuri civilians):

"Jan Egeland, the humanitarian relief coordinator currently touring Sudan, said the African Union needed 10,000 troops in Darfur. 'There should be as many AU forces as there are humanitarian workers in Darfur,' he [said]. 'The world is only putting an expensive humanitarian plaster on the open wound in Darfur.'" (Reuters, March 7, 2005)

If we judge by the public comments of AU and UN officials, it is clear that there has been no serious attempt to define the "bold and effective measures" that human rights groups and UN human rights specialists have called for. There is nothing contemplated that "provides enforceable mechanisms to protect the people of Darfur." Nor is there a proposal for the "robust international solution"---declared to be "urgently needed"---to "stop further death and suffering in Darfur."

Are these mere words? Do these powerful phrases connote a willingness to support commensurate military actions and deployment? We must hope so, but absent a much fuller and more honest articulation of the security issues in Darfur, skepticism must remain high.

#### MILITARY ASSESSMENTS OF A HUMANITARIAN INTERVENTION

Two public military assessments of the crisis have come from individuals with first-hand experience in confronting genocide in Africa. They comport very well with analyses that have come confidentially to this writer from military experts.

Lt. General Romeo Dallaire, UN force commander during the Rwandan genocide, has argued for half a year now that what is required is an intervening force of 44,000 troops of NATO-quality, with a robust civilian protection mandate that includes disarmament of the Janjaweed. General Dallaire most recently affirmed this force assessment during a tour of South Africa, insisting that "44,000 troops are needed to bring peace to the Darfur region of Sudan rather than the 3,340 the AU intends sending to the region, [Dallaire said]" (Business Day [Johannesburg], February 25, 2005). Darfur, Dallaire argued at the Institute for Security Studies in Pretoria, is a "perfect example" of a "lack of political will to prevent crises developing:

"Dallaire said the AU mandate [in Darfur]---which is similar to a UN Chapter VI-type 'observe and monitor' mission---was far too weak and would result in its being ineffectual. He said the mandate should be more robust and allow for the protection of civilians and the disarmament of militias." (Business Day, February 25, 2005)

Another military assessment comes from (Ret.) Marine Captain Brian Steidle, who served for several months as a military observer in Darfur, attached to the AU monitoring mission. He has recently spoken out in a number of news venues and before the US Congress. His primary recommendations are for a vastly increased force and a "no-fly zone":

"This success story of the African Union [creating a presence in Muhajeryia, South Darfur, which deterred Khartoum's extension of its December 2004 offensive against civilians] can be replicated throughout Darfur, but only if they see their numbers increase. Right now there are fewer than 4,000 troops there. To repeat this kind of success all over Darfur, they need 25,000 to 50,000 troops." [ ]

Steidle reiterates this force assessment:

"Most importantly, we need to increase our support for the AU mission in Darfur on all levels. We need to multiply the existing AU mission there manifold and support a more robust force of 25,000 to 50,000. Further, the international community needs to expand their mandate to allow them to protect civilians and open up roads between the villages for humanitarian access." (American Prospect, March 17, 2005)

Both Dallaire and Steidle have made their assessments on the basis of a survey of the requisite security tasks to be undertaken by any intervening force. It is worth rehearsing these, if only because this is only basis on which to calculate force requirements:

[1] Provision of security to the camps for displaced persons, with adequate security perimeters that allow for the collection of firewood, food, and animal fodder;

[2] Securing all humanitarian corridors to and within Darfur, both by means of active patrols and accompanying security details for all convoys requesting protection;

[3] The opening of safe passage routes from rural areas currently beyond the reach of humanitarian operations, thereby allowing the free movement of people who have depleted all food reserves;

[4] The dismantling of checkpoints on key road arteries, many of which are now maintained by bandits and other lawless elements;

[5] Provision of safe passage and protection to civilians who wish to return to their villages, or the sites of their former villages, in order to resume agriculturally productive lives.

Other key military tasks include: mechanically disabling or destroying any military aircraft implicated in violations of international law, in particular attacks on civilian targets. (Alternatively, Khartoum must be



given an ultimatum: "Remove all military aircraft from the Darfur region or they will be destroyed on the ground by unmanned aerial military assets.") And most importantly, cantonment and eventual disarmament of the Janjaweed (per the terms of UN Security Resolution 1556).

It is clear that no configuration or deployment of AU forces can possibly undertake these various tasks. It is thus incumbent on those insisting that the AU be the only international security presence in Darfur to explain which of these tasks can be abandoned or ignored, and why this is morally acceptable.

At the same time, it is also incumbent upon those calling for humanitarian intervention to declare how resistance by Khartoum to the deployment of intervening forces will be overcome. By some military estimates, such resistance could double the number of forces required for the security tasks articulated above.

In addition to the recommendations from the International Crisis Group, the US House of Representatives' "Darfur Genocide Accountability Act of 2005" offers a series of important recommendations for military intervention in Darfur. It deserves close analysis and urgent legislative and grass-roots support.

[This is Part 1 of a two-part analysis that will be extended in the week of March 28, 2005.]

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