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Dear Merel,

**Re: Proposal for the Publication of a Manuscript –  
*The ‘Civilian Plus’: How the Idea of Distinction Circulates  
in the Practices of International Actors***

Following our meeting in Oxford in November 2018, I am pleased to submit this proposal for the publication of a manuscript with Oxford University Press. In this proposal, I provide an overview of the manuscript and I outline the reasons for supporting its publication. The tentative title of the manuscript is: *The ‘Civilian Plus’: How the Idea of Distinction Circulates in the Practices of International Actors*. The proposed manuscript is a revised and re-structured version of my doctoral dissertation, which was entitled *The Humanitarian Actor as ‘Civilian Plus’: The Circulation of the Idea of Distinction in International Law*. The doctoral thesis was supervised by Professor Gerry Simpson and Assistant Professor Devika Hovell at the London School of Economics from 2014-2018. In October 2018, the dissertation was successfully defended in a *viva voce* examination. The examiners, Professor Mark Drumbl and Professor Sarah Nouwen, recommended that the dissertation be accepted with no corrections or revisions.

Thank you for considering this proposal. I would be pleased to forward any additional supporting documents that may assist Oxford University Press in its review.

Sincerely,

Rebecca Sutton

## Overview

*In South Sudan, international humanitarian actors working for the ICRC, UN humanitarian agencies and NGOs seek to distinguish themselves from individuals working for the UN peacekeeping mission (UNMISS). Humanitarian actors might emphasize the importance of maintaining separation from armed peacekeepers in particular, or profess a general need to keep their distance from the wider UN mission. Significantly, humanitarian actors also assert distinction from civilian actors working for UNMISS – as though the civilianness of the latter is tainted. One humanitarian actor elaborates on why he cannot be seen with UNMISS civilian actors: ‘[W]e have access to places because of our neutrality. We try to distinguish ourselves, by toning down our connections.’ He stresses that this dissociation enables humanitarians to serve war-affected populations: ‘it’s not out of purity, it’s to get access’. This forging of a line within the civilian category provokes vexed responses from some UNMISS civilian actors. They fear that humanitarian actors are nudging them closer to the combatant category, disregarding their own legitimate fears about being associated with UN peacekeeping forces. One UNMISS civilian actor recalls an incident in which she and her civilian colleagues were interviewing local war-affected populations in South Sudan. Unexpectedly, armed UN peacekeepers came up behind her with their weapons visible. While she acknowledges that ‘We’re not exactly humanitarians’, she is adamant that being seen with military forces troubled her in the same way that humanitarian actors profess it bothers them. Meanwhile, UNMISS peacekeeping actors can be found strategizing about how to close the distance between themselves and international humanitarian actors. A Military Liaison Officer who works for UNMISS proposes that the trick is to not act too much like a soldier. ‘You really have to adapt yourself and think of people’s interests and speak to who they are. When I’m talking to humanitarians, maybe I’ll say [here he switches to a much softer and high-pitched voice, adopting a mischievous look] ‘Is everything ok? Do you need help?’ Like, sympathetic.’ One UN peacekeeper goes further: ‘In our training, we get the impression that the humanitarians will not talk to us because we are military, but there are ways to make it happen. For example, I will wear civilian clothes to go visit [Medecins Sans Frontieres] in the north. I won’t carry a gun to go to Pibor.’*

What are these international actors doing with the idea of distinction? This is the puzzle the proposed manuscript sets out to solve. A central tenet of international humanitarian law (IHL), the principle of distinction is both a foundational rule and an incredibly fragile idea. This principle organizes actors according to a civilian-combatant binary, and its narrow function is to govern targeting in the conduct of hostilities. It has become routine for lawyers and legal scholars to lament that the line separating the civilian from the combatant is increasingly under strain in contemporary conflicts - that the civilian concept is being eroded as actors blur the civilian-combatant boundary and civilians come under deliberate attack. Underlying such claims is the belief that these developments destabilize an otherwise stable principle.

In recent years, scholars have begun to interrogate the dominant paradigm of distinction and problematize the notion of a bright line binary rule. By excavating the history, theory and practice of distinction in new and critical ways, these scholarly accounts expose distinction’s inherent instability, indeterminacy and ambiguity. However, no one has yet considered how distinction is implicated in the practices of international actors who intervene in, and respond to, armed conflicts globally - such as humanitarian aid workers, human rights officials, NATO soldiers and UN peacekeepers. To fill this gap, the proposed manuscript pivots from traditional debates about the conduct of hostilities to examine the ways in which the idea of

distinction circulates in the practices, interactions and relationships of these international actors. Employing the techniques of multi-sited ethnography and drawing on original empirical fieldwork findings, this socio-legal study tracks the idea of distinction from South Sudan, to civil-military training spaces in Europe, and on to Geneva and The Hague.<sup>1</sup> As is shown, some of the things that international actors are doing with distinction render it unrecognizable as a civilian–combatant binary. Of particular note, international humanitarian actors are shattering IHL’s ostensibly unified civilian category: they envision a continuum of civilianness, and work to avoid contamination by those civilian actors they deem more combatant-like.

### **Central claims of the manuscript**

The manuscript advances four main claims. The first, conceptual, claim is about the existence in international practice of a ‘**civilian plus**’ figure and its corollaries - the ‘mere civilian’ and the ‘civilian minus’. As civilians, international humanitarian actors are protected from direct targeting under IHL. With reference to original empirical findings, I demonstrate that in routine practice a wide array of humanitarian actors—including humanitarian NGOs, who are not addressed in IHL—assert claims to ‘civilian plus’ status. Tacit support for treating (some) humanitarian actors differently from other civilians can be found in various global initiatives that single out humanitarian actors as subjects worthy of special protection.<sup>2</sup> As elucidated in the manuscript, the ‘civilian plus’ figure relies upon a concept of civilianness that is relative, contingent and aligned with an already-fragmented civilian category in IHL.

The second, empirical, claim—which anchors the conceptual claim above—is that **distinction is perpetually disrupted** through everyday practice. Chapters 2 and 3, which form the main empirical component of the manuscript, are based on interviews, surveys, focus group discussions and participant observation.<sup>3</sup> As is shown, the routine interactions that take place between international humanitarian actors and other kinds of international actors—both civilian and military—are shaped by contests over distinction. In the vision of distinction that animates these practices, the notion of static civilian and combatant entities is supplanted by more fluid qualities of ‘civianness’ and ‘combatantness’. It is as though these qualities float around in the air, potentially affixing to any individual at any given moment - depending upon one’s self-presentation, behaviour and the surrounding context. And so, we find different kinds of international civilian actors jostling for position on the civilianness continuum. Such

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<sup>1</sup> This approach illuminates the circulation of signs, symbols and metaphors relating to distinction, and attends to the relevant discourse and modes of thought. Drawing on George Marcus, “Ethnography in/of the world system: the emergence of multi-sited ethnography,” *Annual Review of Anthropology*, Vol. 24, October 1995, pp. 95-117, p.108.

<sup>2</sup> Some types of humanitarian actors, such as those working for the Red Cross, are accorded additional privileges and protections under IHL. In various UN Security Council Resolutions, in the public pronouncements of UN leaders, and in the text of the Rome Statute of the International Criminal Court, the figure of the humanitarian actor is treated differently from other civilians.

<sup>3</sup> Research on the operational context in South Sudan was carried out in 2015 in the states of Central Equatoria, Jonglei, and Unity. Across the fieldwork sites, 100 hours of participant observation were completed and 113 interviews were conducted; 55 of these interviews were with key informants and the rest took the form of focus group discussions. Fieldwork on civil-military trainings was carried out in 2016 in the three sites identified above. At the training grounds, over 200 hours of participant observation hours were logged. Furthermore, 38 interviews were conducted (mostly in the form of small focus group discussions) and 17 perception surveys were administered to trainees.

behaviour is not legible in the dominant account of distinction, with its unified civilian category.

The third, methodological, claim is about **the everyday life of international law**. Collapsing the doctrine-practice divide, the manuscript makes the case that law can be found in very different kinds of settings, and that it is being constituted and re-constituted on a daily basis by those we might not tend to think of as legal actors. The manuscript does not assert the claim that these actors are enacting positive law in the conventional sense, but rather that they are producing law's meaning through their everyday practices.<sup>4</sup> Noting that doctrinal and normative approaches have had an outsized influence in the scholarship on law and humanitarianism, the manuscript charts an alternative path by taking a more critical and socio-legal approach.<sup>5</sup> It is important to emphasize that this is not a study of IHL compliance, and this is for two reasons. First, a compliance focus potentially obscures significant aspects of actual practice because it assumes that the civilian-combatant distinction is in fact the distinction of greatest significance. Second, in a compliance study those practices that depart from the dominant paradigm of IHL's principle of distinction would be regarded as violations of the law - or perhaps as extra-legal and therefore irrelevant. Such accounts treat the IHL rule as both stable and valuable, obfuscating distinction's more troubling aspects. Adopting a different tack, the manuscript uncovers the messiness of distinction at every level.

The fourth, normative, claim has to do with how we are to think about this perpetual disruption of the distinction. I ultimately argue that **the 'civilian plus' is a dangerous figure**. While a special status for international humanitarian actors responds to their security anxieties and incentivizes the tasks they perform in war, it also splinters IHL's civilian category and sets up some civilians as relatively better off than others. I articulate the concern that the 'civilian plus' serves to further entrench humanitarian exceptionalism, giving legal imprimatur to the differential treatment of the lives of humanitarian actors and those of other civilians – including local war-affected populations.<sup>6</sup> Ultimately, the 'civilian plus' presents a paradox. The power of a special civilian figure derives from the notion that lesser civilians exist, and this serves to weaken the general norm of civilian protection. The more beleaguered or undermined the civilian ideal becomes, however, the more desirable the prospect of a special civilian status appears.

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<sup>4</sup> This brings an IHL focus to the growing literature on the everyday life of international law. See, e.g. Luis Eslava, *Local Space, Global Life: The Everyday Operation of International Law and Development* (Cambridge University Press, 2015).

<sup>5</sup> A precedent for this style of inquiry can be found in Sarah Nouwen's multi-sited investigation: *Complementarity in the Line of Fire: The Catalysing Effect of the International Criminal Court in Uganda and Sudan* (Cambridge University Press, 2013).

<sup>6</sup> Building on Didier Fassin, 'Inequality of Lives, Hierarchies of Humanity: Moral Commitments and Ethical Dilemmas of Humanitarianism', in Ilana Feldman and Miriam Ticktin (Eds.), *In the Name of Humanity* (Duke University Press, 2010), pp. 239–255.

## Structure of the Manuscript

This multi-sited study interrogates the idea of distinction across three domains: the Kinetic, where distinction is in motion in the operational context (South Sudan); the Pedagogical, where distinction is taught in a classroom setting (civil-military trainings in Sweden, Germany and Italy); the Intellectual, where lawyers, judges and academics adjudicate and theorize distinction (Geneva and the Hague). As the idea of distinction is followed across these three realms, the civilian–combatant distinction is broken up. Other, unfamiliar, distinctions are also introduced and subsequently shattered – such as that between the ‘civilian plus’ and the ‘mere civilian’. As the discussion progresses from South Sudan towards The Hague, it moves away from unconventional sites towards settings that are more commonly thought of as legal spaces. This bottom-up trajectory uncovers the manner in which grounded practices disturb, disrupt and reshape the notion of a bright line civilian-combatant binary.

	<b>Title</b>	<b>Chapter contents</b>
1	<i>Introduction</i> : On the trail of the ‘Civilian Plus’	1.1 Background: IHL and the protection of international humanitarian actors in war 1.2 Introducing the principle of distinction 1.3 Central arguments of the study 1.4 Defining the international humanitarian actor 1.5 Methodology: socio-legal approaches and empirical methods 1.6 Overview of the structure of the manuscript
2	The Kinetic Life of Distinction	2.1 Introducing the Kinetic realm 2.2 How the idea of distinction circulates in South Sudan
3	The Pedagogical Life of Distinction	3.1 Introducing The Pedagogical realm 3.2 How the idea of distinction circulates in civil-military training spaces
4	The Intellectual Life of Distinction	4.1 Introducing the Intellectual realm 4.2 How the idea of distinction circulates in Geneva and the Hague 4.3 The everyday life of IHL: distinction across the three domains
5	<i>Conclusion</i> : Distinction as a perpetually disrupted idea	5.1 The desirability of a ‘civilian plus’ status for humanitarian actors 5.2 Implications of the ‘civilian plus’ for IHL 5.3 Avenues for further inquiry

## Chapter Abstracts

### *Chapter 1 – Introduction: On the Trail of the ‘Civilian Plus’*

The manuscript opens with an overview of IHL and the protection of international humanitarian actors in armed conflicts. IHL’s principle of distinction is described, with an introduction of key debates regarding why, and the extent to which, this body of law is under strain in contemporary armed conflicts. The four central claims of the manuscript are then

introduced (*i.e.* the conceptual, empirical, methodological and normative claims outlined above), and the discussion attends to key definitional matters - such as delineating the category of ‘international humanitarian actor’.

### ***Chapter 2 – The Kinetic Life of Distinction***

This chapter provides a fine-grained examination of the everyday distinction practices that humanitarian actors engage in within the operational context. In the Kinetic realm, official policies and normative debates are brought into contact with the mundaneness of daily decision-making, revealing the nuances of what international actors actually do. South Sudan is a global site where international humanitarian actors struggle with distinction in the context of an integrated UN mission with a robust Protection of Civilians mandate. Civilianness is shown to be a historically beleaguered concept in South Sudan, with international humanitarian actors wanting to do everything they can to claim the highest degree of civilianness available. South Sudan’s Protection of Civilians (PoC) sites constitute an exceptional protection measure that enlists UN peacekeepers in the physical protection of internally displaced persons (IDPs). Those international humanitarian actors who live and work inside the Protection of Civilians sites must navigate daily encounters with civilian UNMISS staff as well as armed peacekeepers. The distinctions humanitarian actors enact *vis a vis* other civilians ground the manuscript’s central argument about the existence of the ‘civilian plus’.

### ***Chapter 3 – The Pedagogical Life of Distinction***

This chapter follows the idea of distinction to three training sites: a Civil–Military Cooperation (CIMIC) training by NATO, in Italy; a Civil–Military Relations (CMR) training by the Swedish Armed Forces, in Sweden; a Comprehensive Approaches to Multi-Dimensional Peace Operations (CAMPO) training by the German Center for International Peace Operations (Zif), in Germany. The Pedagogical realm is a middle zone that lies in between the conflict zone and the legal text - a space between theory and practice. The value of studying these trainings is three-fold: overt attempts are made in these spaces to disseminate international rules and norms and to shape the behavioural ideals of international actors; the study of trainings enriches and complements the investigation of civil-military interaction in the operational context; the artificial aspects of the trainings showcase facets of distinction that are often hidden from view. For example, simulation exercises—such as a Virtual Reality exercise observed in Sweden—afford an opportunity to observe complex patterns of interaction as if in slow motion. The findings from the trainings provide further support for the claim that humanitarian actors are longing for a special civilian status, and it is shown that these distinction practices engender resentment and hostility on the part of other international actors. Crucially, the dynamics at the trainings establish that distinction is disrupted well before frontline practitioners deploy to the field. In the classroom and during role play exercises, training participants—instructors and students alike—can be found fragmenting the civilian category, blurring civilian-combatant lines, and questioning distinction’s validity.

## *Chapter 4 – The Intellectual Life of Distinction*

The Intellectual realm encompasses a collection of sites traditionally associated with lawmaking, focusing on the legal rules encoded in the Geneva Conventions and decision-making at the International Criminal Tribunal for the Former Yugoslavia (ICTY). After setting out the dominant vision of distinction in IHL, the discussion outlines the ways in which this vision is disrupted historically, doctrinally and in practice. The concept of direct participation in hostilities, for example, undermines the notion of a fixed civilian-combatant distinction. Also, in the case of *Martić*, the ICTY Appeals Chamber collapses the distinction by finding that especially vulnerable soldiers might be treated like civilians.<sup>7</sup> Drawing attention to the figure of the international humanitarian actor, I argue that IHL has a Red Cross fantasy that renders actors who are not (or do not resemble) the Red Cross, illegible to international law. This is significant because the empirical findings explored earlier in the manuscript show that many non-Red Cross humanitarian actors—such as those working for UN agencies and NGOs—desire a special legal status. The chapter closes by reflecting on how we might understand the relationship between IHL’s principle of distinction and the everyday practices uncovered in this manuscript. I suggest that international actors are, through their practices, re-shaping the meaning of distinction in everyday life.

## *Chapter 5 – Conclusion: Distinction as a Perpetually Disrupted Idea*

This final chapter sets up a debate between two composite perspectives on the desirability of a special status for international humanitarian actors: the ‘help the helpers’ view (in favour of a special status for humanitarian actors) and the ‘against humanitarian exceptionalism’ view (wary of a special status). Siding with the latter outlook, I argue that caution is merited in the face of proposals to give humanitarian actors something more than civilian status. Emphasizing the relational nature of distinction, I ask whether further fragmentation of IHL’s civilian category might adversely impact all those civilians not singled out for special treatment. The manuscript closes by reflecting on the paradox of the ‘civilian plus’, as outlined earlier in this proposal. After contemplating the implications of the manuscript’s findings for a range of relevant fields—including humanitarian practice, civil-military relations and international intervention in war—the manuscript ends with a reflection on potential avenues for further inquiry.

### Situating the manuscript in the relevant literature

I am not aware of any other published works that are similar to the proposed manuscript. The manuscript is situated in numerous bodies of scholarship and makes a number of important contributions to a wide range of literatures. The main feature that sets the text apart from other IHL scholarship is its deep engagement with original empirical material.

There is a burgeoning literature that engages with **IHL’s principle of distinction** and the civilian category. None of this scholarship addresses the status of international humanitarian actors, however, and the manuscript fills this gap. Examples of relevant works include: Helen Kinsella, *The Image Before the Weapon: A Critical History of the Distinction between Combatant and*

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<sup>7</sup> *Prosecutor v. Milan Martić*, Case No. IT-95-II-A, Appeal Judgment, ICTY, 8 October 2008.

*Civilian* (Ithaca, NY and London: Cornell University Press, 2011); Claire Garbett, *The Concept of the Civilian: Legal Recognition, Adjudication and the Trials of International Criminal Justice* (Oxford: Routledge, 2015); Amanda Alexander, 'The Genesis of the Civilian', *Leiden Journal of International Law*, Vol. 20, 2007, pp. 359–376; Emily Crawford, *Identifying the Enemy: Civilian Participation in Armed Conflict* (Oxford: Oxford University Press, 2015); Anicee van Engeland, *Civilian or Combatant? A Challenge for the 21st Century* (Oxford University Press, 2011).

There is not yet an authoritative book-length text on **IHL and humanitarian practice in armed conflict**. A significant contribution of the proposed manuscript is to initiate a more critical, socio-legal conversation on this theme. The closest text geared towards a law audience is arguably Andrew J. Zwitter et al. (Eds.), *Humanitarian Action: Global, Regional and Domestic Legal Responses* (Cambridge: Cambridge University Press, 2014). A number of shorter academic articles address the legal regulation of humanitarian practice, such as: Kate Mackintosh, 'Beyond the Red Cross: The Protection of Independent Humanitarian Organizations and their Staff in International Humanitarian Law', *International Review of the Red Cross*, Vol. 89, No. 865, March 2007, pp. 113–130; Felix Schwendimann, 'The Legal Framework of Humanitarian Access in Armed Conflict', *International Review of the Red Cross*, Vol. 93, No. 884, 2011, pp. 993–1008, 995–996. A socio-legal approach can be found in: Kjersti Lohne and Kristin Bergtora Sandvik, 'Bringing Law into the Political Sociology of Humanitarianism', *Oslo Law Review*, Vol. 4, No. 1, 2017, pp. 4–27.

The manuscript speaks to existing scholarship on the **politics of humanitarianism in war and humanitarian security practices**. As most of the relevant literature is situated in the disciplines of political science and sociology, the manuscript stands apart by offering a sustained engagement with IHL. Relevant contributions include: Michael Barnett, *Empire of Humanity: A History of Humanitarianism* (Ithaca, NY: Cornell University Press, 2011); Hugo Slim, *Humanitarian Ethics: A Guide to the Morality of Aid in War and Disaster* (Oxford University Press, 2015); Larissa Fast, *Aid in Danger: The Perils and Promise of Humanitarianism* (University of Pennsylvania Press, 2014); Kai Koddenbrock, *The Practice of Humanitarian Intervention: Aid Workers, Agencies, and Institutions in the Democratic Republic of the Congo* (Routledge, 2016); Miriam Bradley, *Protecting Civilians in War: The ICRC, UNHCR, and their Limitations in Internal Armed Conflicts* (Oxford University Press, 2016). This latter text by Bradley does engage in a more thorough manner with international legal rules and norms.

There is a small but dedicated body of literature on **humanitarian civil-military relations**. Once again, what sets the manuscript apart from existing scholarship is the more explicitly legal nature of its analysis. Relevant scholarship includes: Peter Hoffman and Thomas Weiss, *Sword and Salve: Confronting New Wars and Humanitarian Crises* (Rowman and Littlefield Publishers, 2006); Sarah Kenyon Lischer, 'Military Intervention and the Humanitarian "Force Multiplier"', *Global Governance*, Vol. 13, No. 1, 2007, pp. 98–118; Gerard Lucius and Sebastiaan Rietjens (Eds.), *Effective Civil–Military Interaction in Peace Operations: Theory and Practice* (Springer, 2016); Michael Pugh, 'Civil–Military Relations in Peace Support Operations: Hegemony or Emancipation?', *Overseas Development Institute Seminar on Aid and Politics*, February 2001.



## **Audience**

A particular selling point for the proposed manuscript is that it intervenes in—and offers a fresh perspective on—heated debates about how international humanitarian actors can best be protected from harm. The exposure of international humanitarian actors to intentional violence in contemporary warfare has galvanized an impassioned global response. Social media campaigns such as #NotATarget have captured the public’s imagination, drawing attention to the vulnerability of humanitarian actors and highlighting the ways in which threats of violence impede their efforts to assist war-affected populations. Perceptions that humanitarian actors are ever more at risk have generated calls for more laws—or better compliance with existing laws—to secure their protection. Against this backdrop, the proposed manuscript provokes a conversation about whether assigning special protections to humanitarian actors undermines the civilian protection norm by (further) fragmenting IHL’s civilian category.

Beyond this, the proposed manuscript has multiple audiences: it crosses disciplinary divides and is addressed not only to academics, but also to lawyers, policymakers and practitioners. The manuscript will be interesting for scholars of international law, political science, international relations, and legal anthropology engaging with IHL rules, the regulation of the conduct of hostilities, humanitarian practice, the protection of civilians, international intervention, peacekeeping and civil-military relations. Scholars of international intervention—particularly in the context of armed conflict—will be intrigued by this effort to peer inside international missions to understand the positions and identities of all the diverse actors from an IHL perspective. Methodologically, the manuscript will attract the attention of any scholar interested in using qualitative empirical material and/or multi-sited ethnography to explore the everyday life of international legal rules and ideas. Scholars interested in legal training and pedagogy will be curious about the delineation of, and empirical findings from, the civil-military training spaces as well. The manuscript will also generate interest from scholars and practitioners concerned with the relationship between law and perceptions. Furthermore, practitioners and policymakers working in the field of peace and conflict will be keen to read the manuscript to examine how real-world practices are scrutinized at the micro-level.

Aimed at a bright undergraduate or graduate student audience, the manuscript will also be useful for academics to include on course reading lists. Chapters from the manuscript would fit particularly well with international law and international relations courses addressing humanitarian aid, peacekeeping, intervention in armed conflict, civil-military relations, civilian protection, socio-legal methodology, and IHL.

## **Reviewers and endorsements**

As mentioned, the two examiners for the PhD viva recommended that the dissertation be accepted without corrections. In his report, Professor Drumbl states: ‘This is an excellent, thoughtful and beautifully written text’, and Professor Nouwen writes ‘...the candidate noticed something in practice that the literature had not shown any awareness of. The result is a thesis that makes significant conceptual contributions...’ Professor Nouwen further states that ‘...The candidate has shown considerable originality by the discovery of new facts: the thesis is extremely rich in newly generated empirical material, the value of which goes far beyond the arguments made in the thesis...’ The full examiners reports are enclosed with this proposal.

### **Existing publications**

None of the chapters, as they will ultimately be presented in the proposed manuscript, have yet been published. However, earlier versions of parts of the texts have been published or are under consideration for publication. Some of the empirical material gathered from the civil-military trainings is discussed and theorized in: ‘A Hidden Fault-Line: How International Actors Engage with IHL’s Principle of Distinction’, chapter in Deland, M., et al (Eds.), *International Humanitarian Law and Justice: Historical and Sociological Perspectives* (Routledge, 2018). Findings about military asset use by humanitarian actors in South Sudan are presented in ‘The Operational Reality of IHL’s Principle of Distinction: The Case of International Actors in South Sudan’, chapter in Killingsworth, M. et al (Eds.), *Who do the Laws of War Protect? Civility, Barbarity and IHL*. This collection is forthcoming with Cambridge University Press. An examination of local perceptions of distinction is developed for a non-law audience in the following piece: “The ‘Phantom Local’ and the Everyday Distinction Practices of Humanitarian Actors in War: A Socio-Legal Perspective”, in Lisa Richey and Lilie Chouliaraki (Eds.), *New Political Science, Special Issue: Everyday Humanitarianism: Ethics, Affects and Practices*, October 2018, pp.640-657. The presentation and dissemination of the above articles internationally has generated significant interest amongst scholars and practitioners in the publication of a book-length text.

### **Practical information: length and timelines**

I expect that I will be able to prepare a completed manuscript by the end of 2019. The anticipated total word count for the proposed manuscript, including footnotes, is approximately **85,000** words.

### **Author biography**

Rebecca Sutton is a Teaching Fellow in Human Rights and Conflict Resolution at the University of Edinburgh Law School. Rebecca is a Research Associate at the Institute for Ethics, Law and Armed Conflict at the University of Oxford, and a Post-Doctoral Researcher at the Faculty of Law at McGill University. She holds a PhD in International Law from the London School of Economics, a JD from the University of Toronto and an MSc in Violence, Conflict and Development from SOAS. Rebecca is a licensed Barrister and Solicitor in Canada, having been called to the Ontario Bar in 2014. Prior to training as a lawyer, she worked in the humanitarian field; she was based in Darfur as Sudan Country Director for War Child Canada from 2009-2011. Rebecca has contributed to edited collections on immigration detention, the sociology of IHL, and the conceptualization of humanitarian practice. Her research on international humanitarian law, human rights and conflict has appeared in publications such as *Citizenship Studies*, *Refuge*, *Criminal Law Quarterly*, *New Political Science*, *Anthropology Southern Africa*, and *the Journal of Peace and Conflict Studies*.

### Overview of sample chapters

Please find attached draft versions of two chapters:

- Chapter A: ‘The Pedagogical Life of Distinction: How the Idea of Distinction Circulates in Civil-Military Training Spaces’ (this will be Chapter 3 in the manuscript).
- Chapter B: ‘The Kinetic Life of Distinction: How the Idea of Distinction Circulates in South Sudan’ (this will be Chapter 2 in the manuscript).

These two sample chapters form the bulk of the original empirical material that will be included in the proposed manuscript. In the published manuscript, these chapters will be arranged in reverse order (from how they were presented in the original PhD dissertation) so as to allow a bottom-up narrative that begins in the operational context of South Sudan.