VOLUME 18

Sudan – No Easy Ways Ahead

Alex de Waal Sudan's Choices: Scenarios Beyond the CPA **Atta El-Battahani** Sudan Votes: The 2010 Elections and Prospects for Democratic Transformation **John G. Nyuot Yoh** The Road Map Countdown – Dynamics and Implications of Possible Divorce

Marina Peter Blue Nile, Nuba Mountains and Abyei: Three Areas in Transition **Roland Marchal** The Regional Dimension of Sudanese Politics **Peter Schumann** International Actors in Sudan: The Politics of Implementing Comprehensive Peace

HEINRICH BÖLL STIFTUNG
DEMOCRACY

SUDAN – NO EASY WAYS AHEAD

HEINRICH BÖLL STIFTUNG
PUBLICATION SERIES ON DEMOCRACY

VOLUME 18

Sudan – No Easy Ways Ahead

Edited by the Heinrich Böll Foundation

Sudan – No Easy Ways Ahead
Volume 18 (English Edition) in the publication series on democracy

Edited by the Heinrich Böll Foundation
© Heinrich-Böll-Stiftung 2010
All rights reserved

Copy Editing: Robert Furlong, Bernd Herrmann

Graphic design: graphic syndicat, Michael Pickardt (according to designs by blotto Design)
Photos: Sven Torfinn/laif (Cover), Philip Dhill/dpa/epa (28), Rita Willaert (29), Feinstein International Center (30), Radio Nederland Wereldomroep (50), Internews Network (78), Axel Harneit-Sievers (97), Juan Michel / WCC (Marina Peter, 122), Université Total (Roland Marchal, 122), Torsten Hönig (Peter Schumann, 123)
Printing: agit-druck

ISBN 978-3-86928-030-1

Ordering address: Heinrich Böll Foundation, Schumannstr. 8, D-10117 Berlin, Germany
P +49 30 285340 **F** +49 30 28534109 **E** info@boell.de **W** www.boell.de

TABLE OF CONTENTS

Preface 7

Alex de Waal
Sudan's Choices: Scenarios Beyond the CPA 9

Atta El-Battahani
Sudan Votes: The 2010 Elections and Prospects for Democratic Transformation 31

John G. Nyuot Yoh
The Road Map Countdown – Dynamics and Implications of Possible Divorce 51

Info Box: Pieter Wezeman
Arms supplies to North and South Sudan 62

Marina Peter
Blue Nile, Nuba Mountains and Abyei: Three Areas in Transition 65

Roland Marchal
The Regional Dimension of Sudanese Politics 79

Info Box: Axel Harneit-Sievers
Oil in Sudan: Fueling Conflict – Fueling Development? 98

Peter Schumann
International Actors in Sudan: The Politics of Implementing Comprehensive Peace 102

Timeline 117

List of Acronyms 120

The Authors 122

Map No. 3707 Rev. 10 UNITED NATIONS
April 2007

Department of Peacekeeping Operations
Cartographic Section

Source: www.un.org

PREFACE

Towards the end of the six-year interim period defined in the Comprehensive Peace Agreement (CPA), Sudan is potentially sliding into yet another crisis. The general elections in April – the first in 24 years – represent a rare test of confidence for the country's incumbent elites. For many observers, however, the elections are merely a prelude to the referendum on the future status of South Sudan scheduled for early 2011.

Both the general elections and the referendum come at the end of a transitional period that has, in many ways, been more about stagnation than about transition. The implementation of the CPA has often been delayed and was marred by a lack of trust between its signatories: the Government of Sudan and the Sudan People's Liberation Movement (SPLM). As a consequence, the agreement has largely failed to realize democratic transformation and to make the unity of the country attractive. Instead, political tensions in the run-up to the elections indicate that older conflicts still persist, and that the referendum will only reconfigure challenges. The already fragile situation could easily trigger a new outbreak of violence.

It is therefore of the utmost urgency to prepare for the post-CPA period in Sudan. In discussions about the future of the country, and in the day-to-day business of diplomats and international observers, the perspective beyond 2011 has only recently started to receive attention. Not all events of the coming years are fully predictable, of course. Yet it is possible to delineate potential scenarios, and to identify the political options they open up for different actors.

The Heinrich Böll Foundation, which has been working both with civil society partners in Sudan and on Sudan-related issues in the German context, has put together this publication in order to reflect on such scenarios. We have been fortunate to bring together an exceptional and diverse group of authors to discuss political perspectives for the country. The chapters of this volume reflect the different backgrounds and perspectives of this group, but also their shared concern for a democratic and peaceful Sudan.

In the introductory chapter, Alex de Waal outlines the enduring features that underlie Sudanese politics, and develops scenarios for the future of the country after the end of the CPA. He particularly emphasizes that the current debate around unity vs. secession may easily obscure an equally important question: whether or not, after decades of conflict and institutional decay, Sudan will remain governable at all. Atta El-Battahani, one of the most respected advocates of democracy in Khartoum, continues from there. He traces Sudan's largely unsuccessful attempts at democratic transformation since independence, putting current efforts into historical perspective. El-Battahani then goes on to provide a concise and well-informed guide to the 2010 general elections: a

brief who's who of the Sudanese political scene, including all major parties, their internal dynamics, and electoral strategies.

John Yoh adds a Southern perspective to this picture. His contribution critically assesses the SPLM's five years as a "liberation movement in power," and it stresses the urgency for Southerners to think beyond the 2011 referendum. Yoh's analysis of Southern Sudan is complemented by Marina Peter's chapter on the future of the "three areas." People in Blue Nile, the Nuba Mountains, and Abyei – three regions that challenge the clear-cut North-South divide in Sudan – are increasingly concerned that the SPLM's support for independence might leave them high and dry. Informed by her long-time work with Sudanese civil society, Peter argues for an inclusive political process that gives the population of the "three areas" a real say in their future.

The last two chapters focus on the external dimension of Sudanese politics and conflicts. Roland Marchal disentangles the complex web of interests, rivalries, alliances, and dependencies that links Sudan to its neighbors in the region. He then develops scenarios on how the possible secession of Southern Sudan could affect this precarious regional order. Finally, Peter Schumann shows how an initially local conflict became the concern of a variety of international actors, and outlines the sometimes conflicting interests of key players. Drawing on his experience with the United Nations Mission in Sudan (UNMIS), Schumann argues that a successful international engagement in Sudan does not necessarily require an increase in means, but rather a clear political mandate and an end to the deliberate use of ambiguity among the main stakeholders.

This publication has been made to challenge the reader to look beyond the fragmentation of Sudan. There is an urgent need for political perspectives for the country as a whole, irrespective of the results of the 2011 referendum. The independence of Southern Sudan may answer some questions, but it leaves many fundamental problems unaddressed and creates a number of new ones – from the issue of citizenship to the distribution of oil revenues. None of these problems can be solved unilaterally; they all require the readiness for compromise and cooperation across borders.

The international community, including Germany, can play a constructive role in facilitating workable post-CPA arrangements. The upcoming elections and the 2011 referendum usher in a time of choices for Sudan: imperfect choices perhaps, but crucial ones nevertheless. The contributions to this volume concur that none of the ways ahead is easy and straightforward, and that the risk of a return to open conflict is very acute. But they also give an impression of how the decisions taken now may be a first step away from the problems that have plagued Sudan for decades.

Berlin, March 2010

Kirsten Maas-Albert
Head of Africa Department
Heinrich Böll Foundation

Toni Weis
Project Manager
Heinrich Böll Foundation

ALEX DE WAAL

Sudan's Choices: Scenarios Beyond the CPA

Introduction

As the interim period of the Comprehensive Peace Agreement (CPA) draws to a close during 2010–11, Sudan faces two critical tests of its nationhood: the general elections and the referendum on self-determination for Southern Sudan. Instead of a dynamic partnership between the two former adversaries, fashioning unity out of diversity, Sudan is dominated by two mutually distrustful, defensive, and exhausted parties that playing a game of zero-sum politics. Conditions are not propitious for a peaceful transition to a post-CPA Sudan.

This chapter outlines enduring features of Sudan's political life, which then form a framework for identifying flashpoints for the coming year and scenarios for Sudan after 2011.

One abiding feature of Sudan is the lack of a consensus on national identity, including the ambiguity of key national events such as independence in 1956 and the CPA in 2005. A second is a zero-sum political game, in which successive governments try to fit all constituencies into a common vision or constitutional framework, and invariably fail. Sudan's political space is not big enough for its political actors. To the extent that the country is held together, it is possible through an ongoing process of dialogue and bargaining under a framework of persisting impermanence. The third element is the gradual but relentless erosion of both governmental institutions and the socio-political mores that maintained cohesive patrimonial networks, and their replacement by monetized, internationalized, and factionalized patronage systems.

The chapter then examines scenarios for 2011 and beyond. Two questions have preoccupied most scenarios up to now, namely unity versus Southern secession and the question of whether this will lead to a new war. A vote for secession is a foregone conclusion – given overwhelming Southern popular sentiment – but the time remaining to ensure that the process is orderly, legitimate, and consensual is desperately short. The potential flashpoints for a new war are many. Any new armed conflict runs the risk of becoming rapidly regionalized and difficult to contain, let alone resolve.

Two other neglected aspects of the crisis also loom. One of these is the question of whether Sudan will become ungovernable, especially in the event that the rulers in Khartoum and Juba find themselves unable to meet the financial demands of their respective patronage networks. A second is whether Southern secession will set in motion a process of territorial fragmentation across Sudan as others begin to demand self-determination.

Enduring Features of Sudanese Political Life

The failed search for national identity

Acclaiming the CPA in January 2005, President Omar al-Bashir called it 'the birth of Sudan's second independence." This much-repeated phrase was a decidedly double-edged compliment. Sudan's national independence, achieved on January 1, 1956, meant very different things to different people. Prime Minister Ismail al Azhari led the National Unionist Party, which officially acclaimed independence as an intermediate step toward unity with Egypt. Secular nationalists thought otherwise, whereas the leaders of the Umma Party saw it as restoring Sudan's "first independence" under the Mahdist state (1885–98). On the even of independence, Southern soldiers were already in revolt, whereas Southern political leaders reluctantly agreed to support the parliamentary vote for independence based on a promise – later dishonored – that there would be a federal constitution (Alier 1992).

Independence was an irrevocable step and an incomplete compromise, and failed to resolve the ambiguities of Sudan's identity. Unsurprisingly, it was the harbinger of recurrent political crises as Sudanese struggled to resolve the paradoxes of their nation. Born with an interim constitution, Sudan has been under provisional governments or emergency rule for most of the last 54 years (Woodward 1990; Abdel Salam 2001).

The Sudanese have spent more than half a century arguing about what it means to be Sudanese (Al-Effendi 1991; Deng 1995). The main axes of debate have been whether Sudan counts as an Arab or an African nation, and whether it should be ruled by Islamic or secular laws. The North-South polarity has obscured an equally important divergence within the North, brought belatedly to light by the still unresolved Darfur war of 2003/04 (de Waal 2005). Despite these bitter and bloody contests over Sudanese collective identity, Sudanese society has been remarkably inclusive over the question of which people are entitled to count themselves as Sudanese.

Two revolutionary regimes tried to enforce a permanent order on Sudan – Nimeiri from the secular left and Turabi and Bashir from the Islamist right. Both regimes failed, and their failures exacted a high cost on the country's institutions and socio-political mores. Both regimes ended up using cash as the currency for political allegiance – a process of injecting corruption into the bloodstream of national politics.

The CPA, signed in Nairobi on January 9, 2005, was, potentially, the most significant political agreement in modern Sudan. As with independence, however, it also means different things to different people, and is another interim arrangement – this time with a specified six-year time frame. The CPA postponed rather than resolved the ambiguities of Sudan's identity. Most importantly, it set a deadline for settling the question of whether Sudan was one nation or two with the referendum of January 9, 2011.

The ambiguities of the CPA begin with its Arabic translation: *ittafag al salam al shamil*. The term *shamil* (comprehensive) was intended to imply that it addressed all the key national issues, and was an opening to an *inclusive* democratic future. (And indeed the CPA is a remarkably far-ranging document.) However, *shamil* derives from the same root as *shumuliya* (totalitarianism), and variants of the term have been used by Nimeiri (to refer to his one party state) and Turabi ('The Comprehensive Call to God'). In the context of the CPA, the term *shamil* implies an agreement *exclusively* between the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) jointly to monopolize power.

From the viewpoint of the NCP, the CPA represented the best deal for the South and the last and best chance for unity. According to the NCP leadership, the "one country two systems" formula gave the Southerners privileged status: The SPLM not only controlled the South but also had a major stake in the North, including veto power over key aspects of national political life. The Southerners, they anticipated, could want nothing better. For the ruling party and security elites, "making unity attractive" entailed implementing the wealth-sharing and power-sharing formulae of the CPA, enabling the SPLM to govern the South, while also offering material inducements to the Southern elites to encourage them to believe that their financial interests lay in continued union.

Among the SPLM and its constituencies, mostly in the South, views about the CPA diverged. John Garang and his closest followers genuinely supported the agenda of the "New Sudan," which aimed to overturn the historical legacy of minority rule and enable the majority of Sudan's people, who are both marginalized and do not identify themselves as Arab, to be fully represented at the center of state power. Garang saw the CPA as opening up the prospects for a radical transformation of the Sudanese polity. He argued that, in due course, the NCP would have no option but to submit to unstoppable political forces of change. For him, "making unity attractive" meant building the New Sudan, which would convince Southerners that they need not confine themselves to ruling the South, but should also enjoy the right to rule the North as part of a larger coalition.

By contrast, most Southerners saw the CPA as the waiting room for independence, with the formal commitment to unity no more than a ruse to ensure that the deal was acceptable to the international community, including the African governments that have been strongly averse to tampering with colonial borders. Throughout the 22 years of war, most of the SPLM rank and file had regarded

Garang's "New Sudan" philosophy as expedient, assuring themselves that "for what we are fighting, we know."

The SPLM constituencies within Northern Sudan – including non-Arab minorities such as the Nuba and Blue Nile people – endorsed Garang's vision of a united and secular Sudan. But most failed to understand precisely what the CPA entailed for them. The protocol on the "Three Areas" included a provision for special status for South Kordofan and Blue Nile states during the interim period, with a "Popular Consultation" to be conducted among the elected state assemblies on whether this status should continue. However, many SPLM supporters in these areas expected that they would be allowed to vote in the Southern referendum, joining their areas to a future Southern Sudan. According to the CPA, this is the case for the people of Abyei only.

Among the non-NCP Northern Sudanese, the CPA meant something different again. For the opposition political parties, the provision that counted more than all others was the "mid-term" elections, heralded as the first free and fair multiparty elections since 1986. Having been unable to challenge Khartoum militarily, these parties saw their best chance in electoral politics. Their misgivings about the CPA were muted by the fact that they had no alternative but to support it – in the hope that the elections would work in their favor – and that they would be able to command the votes of constituents who had supported them 20 years previously.

For the Darfurians, however, already in rebellion as the last stages of the negotiations progressed, the CPA meant little. The leaders of the Sudan Liberation Movement (SLM) and Justice and Equality Movement (JEM) were sympathetic to Garang's New Sudan vision. Their political philosophies saw Darfur as a victim of a dominant center – in much the same way as the South – and identified the solution as a transformation of politics at the center. Darfurians placed much faith in Garang as an individual, and consequently lost confidence when he died. The Abuja negotiations that led to the abortive Darfur Peace Agreement (DPA) were designed as a buttress to the CPA as a means of allowing the Darfurians to participate in national political transformation. When the final round of Abuja talks was underway (November 2005–May 2006), it was expected that the elections would be held in 2008 or early 2009, implying that all power-sharing provisions in the DPA would last for three years at most, and should therefore be seen as short-term interim arrangements pending the vote. In fact, none of the parties in the talks saw the issue in those terms. Despite the clear language of the CPA, they all treated the power-sharing issues as though they were a permanent settlement. Rather than seeing the Darfur crisis as "the Sudanese crisis in Darfur" (African Union Panel on Darfur 2009) they became introverted and focused on the specifics of Darfur itself. Instead of the CPA serving as an open door to democratization, it was treated as an arbitrary ceiling on the Darfurians' demands. These may have become self-fulfilling expectations. The lack of special provisions for Darfur – even while Darfurians were subject to continuing violence

and forced displacement – made a mockery of the inclusiveness implicit in the English word "comprehensive."

Southern separatists hope that secession will definitively resolve the clash of identities in Sudan. However, that is optimistic. The borders are arbitrary and the identities in the transitional zone on either side are not settled. South and North have a long common history that will be hard to disentangle. The partitioning of Sudan will not resolve the debate over Sudanese national identity, whether Northern, Southern, or combined. Rather, it will reconfigure that debate.

Zero-sum politics

The successes of the CPA lie in the fact that its arrangements are uniformly interim – that it consigns everyone to the same provisional status. The central challenge of CPA implementation has been how to manage incommensurate aspirations. Success is possible only with a sense of optimism that expands the size of the national political and economic space. Unfortunately, under most circumstances, Sudan's political culture is a zero-sum game in which any gains by one side are necessarily seen as a loss by the other. Today, the two principal parties are on the defensive, mutually sizing each other up, testing one another, and assuming the worst of one another.

The history of independent Sudan is a succession of efforts to reconfigure the country's political geometry, privileging some groups at the expense of others. Usually, those who are excluded are the Southerners and other marginalized peoples, though in the mid-1970s it was the Northern sectarian parties and Islamists that were squeezed out. At some points, governments have tried to liquidate their opponents physically, for example when Nimeiri crushed the Ansar and the Communists in 1970–71, and when the National Islamic Front crushed the civil opposition in 1989–91, and tried to destroy the identities of the Nuba and other marginalized people in 1992–93. Southerners have suffered from violent suppression more than others. More common has been simple exclusion from power and reward.

However, the only constituency that has been politically eliminated in Sudan is the Communists, and even that remains, albeit in vestigial form. The rest are simply too resilient. The 1986 elections reproduced the results of 20 years earlier, mocking Nimeiri's revolutionary ambitions. Free and fair elections today might well show that the sectarian parties have declined in influence, but they will surely remain important national actors.

One of the features of the turbulent Sudanese political process is that everything is constantly open for renegotiation. This is a source of endless frustration to external mediators, who tend to look for a renegotiation-proof legally binding document. There is no higher power that can guarantee or enforce any agreement, and the Sudanese know this well. An inspirational Sudanese leader can turn this indeterminacy into an advantage by selectively postponing the most divisive issues and instead focusing on building a consensus on a cross-cutting

political platform, anticipating that there will be a new reality in place when the divisive issues re-emerge.

The most inclusionary moments in Sudanese politics have coincided with economic booms, which allow the government to dispense patronage liberally, bringing formerly excluded groups into the ruling coalition without sacrificing those already in power. This was the case in the 1950s, again during the borrowing-fueled expansion of the mid-1970s, and above all during the mid-2000s oil boom. The national budget, which was less than $1 billion in 1999, increased at a vertiginous rate after oil exports began at the end of that year, reaching $11.8 billion in 2007 (World Bank 2007). The SPLM leadership, having passed over the chance to block oil extraction in the late 1990s, now realized that it faced a much better-funded enemy while it also had the chance of enjoying its own share of the money. The NCP could afford to bring the SPLM into government, and thereby open up more oilfields and (it was promised) obtain US refining technology, without a net loss of income. The CPA was made possible by the oil boom and the positive-sum political calculus that it opened up.

The CPA was also possible because its two architects were determined to use the power of the collegial presidency to lead from the front, making the elections and referendum a plebiscite on the future, not on the record of the past. At the time when the CPA was negotiated, the revenue projections made socio-economic transformation within six years a real possibility.

A mechanical "implementation" of the main provisions of the Agreement can only work if it is ancillary to a dynamic partnership between the NCP and SPLM. The relationship between the two parties was certain to be troubled. But the mutual respect between the two vice presidents, John Garang and Ali Osman Taha, along with their common approach to overcoming problems by thinking structurally and thinking ahead, meant that it stood a chance. With Garang dead and Ali Osman weakened, the CPA was reduced to a formula, requiring constant mediation by third parties, especially the United States.

The CPA is an extraordinarily complex agreement involving multiple transitions, from war to peace, from dictatorship to democracy, and from centralized rule to federalism and potential partitioning. Under any circumstances, implementation would have been a major challenge, requiring goodwill and coordination between the parties along with international stewardship and resources – in the event these conditions did not exist. Four events since the signing of the CPA sapped the spirit of the agreement, and turned CPA implementation into little more than an exercise in ticking boxes and marking time.

The first and biggest blow to the CPA was the untimely death of Garang in a helicopter crash on 31 July 2005, just 21 days after he assumed the post of First Vice President. No other Southerner could make a convincing case for unity, and his successor, Salva Kiir, has made no secret of his secessionist sympathies. The central institution of the CPA, the collegial presidency, failed to function thereafter: the engine of transformation stalled. As a consequence, the Government of

National Unity (GoNU) has staggered from crisis to crisis, rarely functioning as a cohesive unit, with each party blaming the other for bad faith.

The second blow was the failure to resolve the Darfur crisis. This reinforced the mutual suspicions of many in the NCP and SPLM, with each accusing the other of betrayal. Critically, Darfur diverted diplomatic attention and aid resources, and slowed down and halted the prospects of normalization of relations between Khartoum and Washington. The issue of an international military force for Darfur resurrected the specter of regime change and contributed to a mutual distrust that fed the paranoia of Khartoum's security chiefs, which in turn fueled Washington's distrust. Sudan sees any concession to the United States as giving something for nothing, while any step by a US Special Envoy that appears to be of benefit to Khartoum is immediately criticized by the advocacy and Congressional lobbies as a compromise with evil. Once this particular relationship was configured in zero-sum terms, any US contribution to making the CPA into a transformative instrument faded away.

The Abyei dispute showed precisely how the zero-sum political calculus operated, with neither party ready to explore creative options, and each defining success as disadvantaging the other. International efforts to mediate the Abyei dispute, led by the United States, were premised on a view that a legal agreement, whether reached by negotiation or arbitration, would represent a final resolution. In Sudan, no agreement is permanent. As with any complex border issue, one or other party can find a reason why what appears to be a final, non-appealable settlement is incomplete. The Abyei case shows that the content of a formal agreement is less important than the bargaining process, and that international guarantees need to be heavily discounted.

The fourth development that damaged any positive-sum potential of the CPA was the decision of the Prosecutor of the International Criminal Court (ICC) to seek an arrest warrant against President Omar al-Bashir in July 2008, and the arrest warrant issued by the Court in March 2009. The logic of legal accountability for crimes committed ran counter to the political logic of negotiating the transformation of Sudanese politics. For the president as an individual, and for his closest supporters, the overriding political objective became personal survival. Bashir feared that once stripped of the security that comes with wielding power, he would be vulnerable to a successor regime handing him over to The Hague, just as had happened to the former Yugoslav president, Slobodan Milosevic. The possibility of a government, whether a signatory to the Rome Statute or not, executing the arrest warrant was sufficiently real to influence government thinking and planning. The ICC issue consumed the majority of the political energies of the NCP from July 2008 for a year, and gave the ruling party every reason to delay reform of the security laws. Most importantly, the ICC challenge turned the NCP toward a desperate search for legitimacy, and it located the legitimacy it seeks in the reelection of Pres. Bashir. The "mid-term" elections, which had initially been envisaged as a mechanism for creating an inclusive and democratic government, became instead an instrument for keeping the presi-

dent in office. The NCP sees this as an important card to play vis-à-vis the SPLM and the secessionist demand. If the SPLM disputes the legitimacy of Bashir's reelection, we can expect the NCP to dispute the legitimacy of the referendum.

As the national economy has swung from boom to sharp contraction, the economic space has narrowed too. Conditions are inauspicious for making irrevocable political choices.

The political marketplace

At independence, Sudan was governed modestly. Khartoum, the Gezira, and the adjoining areas paid for themselves and for a renowned professional civil service, and the rest of the country was run cheaply using the "native administration" system. This is one manifestation of the profound disparity between the center and periphery – also marked by profound inequalities of wealth – which has determined Sudanese politics for the subsequent half century. A web of social norms regulated political life, giving Sudan a remarkable elite civility despite the recurrence of extreme violence, mostly in the remoter rural areas.

Today, Sudan is still ruled by a hybrid of institutions and patronage systems, but the patronage systems have become dominant, as successive regimes have either dismantled or neglected institutions and social norms. They have appropriated all financial means – including state budgets and international borrowing – to fund gargantuan patrimonies. Nationalist, socialist, and Islamist revolutions failed to build new and robust political allegiances, but did succeed in undermining old affinities. Increasingly, governments used cash to purchase loyalty, monetizing the patronage system and turning some of the country's marginal areas, notably Darfur, into a "political marketplace" in which local leaders auction their allegiance to the highest bidder (de Waal 2007).

Having alienated or destroyed most political parties in Northern Sudan, Nimeiri used the funds available from international creditors following the 1973 oil boom to buy off political competition. In the early 1980s he opened the door for the army to enter the marketplace, setting up military-commercial joint ventures. As the bills mounted and the economy shrank, Nimeiri appealed to Washington for bailouts, and when his financiers finally baulked at the cost, and demanded austerity measures, his government collapsed. Fifteen years of austerity followed, in which state finances shriveled, and successive governments sought ever more creative ways to pay the army and build a political base, including calling upon Islamist financial systems (Brown 1992).

The period of Islamist retrenchment accelerated the informalization of governance. The institutions that formerly administered state power have shrunk and been replaced by a porous system of multiple parallel governing institutions run on a patronage basis. For example, the national army is no longer the only significant military power, but is rivaled by security agencies that have sectarian loyalties. Islamic banks and party organizations have bypassed the state. Large amounts of the money available to the ruling group do not pass through any

form of official budgetary scrutiny, but are dispensed directly through party and security structures (African Rights 1997). The main pillars of the early post-colonial state have all been dismantled: the Gezira Board, Sudan Railways, and the civil service. This has contributed to the decline of trust in government and the failure of governments to attain legitimacy in the eyes of the populace.

Sudan's emergence as an oil producer allowed for new claimants to be added to the patronage systems without shortchanging those already receiving largesse. It allowed for the creation of state governments across Sudan, putting tens of thousands more on the public payroll. Under the austerity programs of the 1990s, government expenditures were less than 10% of GDP, but rose quickly after 2003 to reach 23% in 2006, at a time when GDP was growing from 6 to 10% annually (World Bank 2007).

Although the economy has grown hugely, the benefits have been distributed very unequally. Khartoum is a middle-income enclave, while places such as the Red Sea Hills remain among the poorest on the planet. The allocation of services, employment, and development projects in Sudan does not follow the logic of need, but the logic of political weight. In the early 2000s, almost 90% of infrastructure spending occurred in Khartoum state, in response to the political leverage of the urban constituency and the profits to be made from contracting. In the CPA period, about 60% of development spending has been on five major projects, all of them within the central "triangle" in the North, notably the Merowe Dam (World Bank 2007).

Reflecting this imbalance is a significant strand of thinking within the NCP that argues that the central "triangle" of Sudan can survive without the South and the West of Sudan, and that in some ways this region would be better off without its troublesome peripheries. Publicly associated with the name of the former finance minister, Abdel Rahim Hamdi, this political tendency is Northern-separatist and Islamist. It has deep roots: In the nineteenth century, Sudan was divided between central "metropolitan" and outlying "military" provinces; in the early twentieth century, the British designated the latter as "closed districts," investing almost exclusively in the former. The location of the country's biggest capital investments, such as the new Nile dams within the "Hamdi Triangle," can be seen both as an economically rational focus on where the returns are greatest, but also as an insurance strategy against the possibility of the breakup of the country. Currently, the Sudanese ruling group extends its influence across its borders through the cash dispensed by its security officers. Should Khartoum be compelled to redraw its inherited borders, it would continue to exercise this influence across its contracted borders in much the same way.

While Sudanese are unable to agree on the fundamental political issues facing their country, the money available to the NCP and security financiers has made it possible for the ruling group to remain in power, by dint of patronage alone.

This governing system is highly sensitive to cash flow. When the budget is expanding, the ruling party can increase its support base by allowing more members of the elite to benefit, either directly or through dispensing patronage

to them. When there has been a financial squeeze, turmoil has followed. A clear case is the fall of Nimeiri, but the eruption of inter-ethnic clashes across Southern Sudan that followed the dramatic contraction of the Government of South Sudan (GoSS) budget in 2008/09 is another example.

Central to the CPA was financial reform to create a federal system that would guarantee every state sufficient funds to run its own affairs, including its own capital budget. This has not worked as planned, especially after changes in the leadership of the Ministry of Finance and National Economy, and the Fiscal and Financial Monitoring and Allocation Commission in 2008. The great majority of the available revenue comes from oil and is centrally allocated, rather than collected directly by the states themselves. In this context, federalism serves more as a payroll and disbursement mechanism and less as a genuine delegation of authority to the states. A combination of oil revenues and internationally financed reconstruction in the South was envisaged as "making unity attractive" so that Southerners would be ready to vote for unity in 2011. While oil revenues met expectations, overseas development assistance was disappointing despite pledges made at the post-CPA Oslo donors conference. US sanctions remained in place, setting up huge obstacles to Western companies doing business in Sudan. Although US sanctions were supposed to exempt the South, in practice the sanctions have served as a deterrent to any American or European companies operating anywhere in the country.

Current expenditure has risen far faster than capital expenditure in the CPA period (World Bank 2007). This is particularly the case for chapter one spending, on salaries. The public sector payroll has expanded hugely. Part of the reason for this is that the CPA itself places major financial obligations on the parties, especially for salaries, on account of new institutions and new levels of government. Federalism is a major expense. The "peace dividend" for many Sudanese has come in the form of public sector salaries. However, in the context of political competition between the NCP and SPLM, with the parties preparing for the eventuality of a new armed conflict, this spending has taken on a different character. It also functions as the widespread purchase of loyalty, through keeping large numbers on military and public sector payrolls, along with off-budget spending to seek the allegiance of elites. In both North and South, official defense and security spending has also risen sharply.

On taking over the administration of South Sudan in 2005, the SPLM inherited weak institutions and possessed no strong administrative or political structures itself. It preferred to dismantle the pre-existing NCP security structures and build anew. It was aided by enormous international goodwill, an established infrastructure of humanitarian agencies, a Multi-Donor Trust Fund, and oil revenues that climbed to provide the GoSS with $1.5–2 billion a year. However, the new GoSS was constrained by a scarcity of trained personnel and a near complete absence of its own institutions, or experience in running a government, at any level. Before the CPA, the SPLM Secretariat for Finance managed funds of just $100,000 per year (World Bank 2007: 67). The sheer volume of money available and the many

and varied demands from foreign partners and the local populace added up to an overwhelming challenge. In addition, the first priority of the GoSS under Salva Kiir was to repair the deep rifts that had occurred among the Southern population and leadership during the war. The Juba Agreement of January 2006, which brought militia formerly aligned with Khartoum into the GoSS and SPLM, was an achievement of equal significance for the South and the CPA itself. It signaled the resolution of a potential internal civil war within the South. The price of this was that the SPLA payroll expanded enormously. Many of the 200,000 or more soldiers were "salary parade," paid only in order to keep their communities and their commanders loyal. The real fighting strength of the SPLA was considerably lower, but the price of peace was an inflated payroll. Patronage also served as a means of securing the North-South transitional area, where the SPLA recruited among the Arab tribes. This strategy depended on skill in running a patronage system and on a continuing high price of oil, given that oil revenues provided more than 90% of the GoSS budget. Neither could be assured, and when the oil price plunged and corruption scandals came to light, the credibility and effectiveness of the GoSS suffered.

The peace agreement has therefore had the ironic unintended consequence of distorting public spending, entrenching a patronage-based system of governance, and undermining the growth of institutions while also drawing spending away from development.

Intensified political competition – for the elections and even more so for the referendum on self-determination – has the effect of drawing more and more resources into the contending patronage systems. The ruling party – worried to the point of paranoia that its political hegemony is in jeopardy – will spend ever larger sums on purchasing loyalties, or at least renting them for the critical period, while its adversaries, especially the SPLM, will try to compete. The NCP has decades of expertise on its side and deep pockets, but people are apt to blame the party and its leaders, with justification, for most of the setbacks of the last quarter century. The opposition has popular sentiment on its side, although it must contend with growing disillusion with the SPLM performance in government in Juba and the historical record of the sectarian parties, which is disappointing to say the least.

The political marketplace in Sudan is not only monetized but internationalized. Neighboring countries – notably Libya, Egypt, Chad, and Eritrea – have entered the market as buyers, or renters, of allegiance. The international community, especially the United States, has played a significant role, extending funds and recognition to the SPLM and the Darfur rebel groups. Coming on top of the domestic political competition – with rival patronage systems based in Khartoum and Juba funded by oil revenues – the result has been price inflation in loyalty, to the extent that it is unclear whether the country can afford the bill. Should either or both governments find themselves unable to meet basic patronage obligations, Sudan is likely to tip over into becoming ungovernable.

Prospects for Peace

The Government of National Unity

Many Sudanese and international observers fear that the Government of National Unity – constituting the NCP and SPLM as the major partners under the CPA and Interim National Constitution – will not survive until the January 2011 referendum. There are a number of potential major pitfalls during 2010 that could result in the collapse of the GoNU (Clingendael Institute 2009; US Institute of Peace 2009).

The first challenge is the general elections, postponed from 2008/09 and scheduled for April 2010. Some have advocated further delay until after the rainy season (International Crisis Group 2009), but this would mean that a new government is unlikely to be fully constituted in time for the January 2011 referendum. Simplification of the elections may be an option, for example making the legislative elections into a straightforward constituency-based first-past-the-post contest, abandoning the proportional representation lists.

The mid-term elections were included in the CPA for several reasons. One was concern that an agreement that excluded the other political forces in Sudan would be unstable and ultimately illegitimate. An unfortunate precedent was the 1976 "National Reconciliation," which undermined the 1972 Addis Ababa Agreement, because the parties newly brought into government refused to recognize the special status of the South, not having been party to the negotiations. Specifically, the NCP and SPLM were persuaded that the historic decision on unity or secession would be legitimate only if it were presided over by a democratically elected government. Underpinning this was a principled commitment to democratization – the idea that an election could be a transformative exercise.

The logic has now changed to a zero-sum exercise. The collegial presidency and the de facto North-South confederation mean that it is not a "winner take all" contest, and the continuation of the GoNU in some form is close to a foregone conclusion. However, it may be a "loser loses all" contest. Should President Bashir lose office, he may face trial in The Hague. Consequently, the implicit bargain offered by the NCP to the SPLM is that the SPLM should recognize the legitimacy of Bashir's reelection, in return for which the NCP will recognize the legitimacy of the Southern referendum.

The difficulty with such a bargain is that neither party is in a position to deliver on its own. The SPLM cannot provide a definitive seal of approval to the election of Bashir, because there are so many other parties ready and willing to withhold legitimacy. Nor can the NCP legitimize the Southern referendum on its own, even if it could adopt a common position to do so. The SPLM will also, quite reasonably, fear that the NCP will renege on any promises in the months between the election and the referendum.

What could make the process manageable is that the two principal parties need each other – constitutionally and economically. Each needs the other for

legitimacy, and the mutual financial dependency on oil extracted from the South and exported through the North requires that they cooperate to a minimum degree.

During 2009, the SPLM acted as government in the South but increasingly as an opposition party in the North, despite its senior positions in the GoNU. It speaks much about the oddities of Sudanese political life that such a paradoxical position is not only tolerated but widely understood. However, it is sustainable only insofar as the CPA formula for power-sharing remains intact, and insofar as the internal political balance within the NCP and SPLM remains indeterminate. If the elections disturb any of those balances, then the bargaining over the formation of a new GoNU could become fractious and even paralyzed.

Two other events in the final months of the CPA Interim Period could also provide flashpoints. One of these is the two "Popular Consultations" to be held in South Kordofan and Blue Nile, in which the newly elected members of the two state assemblies will decide whether or not to continue with the autonomous status that they enjoy under the CPA. For many of the SPLM supporters in the two states, this is certain to be a disappointment, as the prospects of a "New Sudan" have faded and the option of becoming part of the South is not on offer. There are serious tensions, particularly in the Nuba Mountains, which could witness renewed violence. The second is the vote of the people of Abyei as to whether they should join the South. Abyei has already been a major contention, and the details of who is eligible to vote in this local referendum could become a significant stumbling block.

Unity or secession

The referendum date of January 2011 is a watershed. Any government in Khartoum or Juba that presides over a cancellation or significant delay in the referendum will face a legitimacy deficit that is probably irredeemable. However, implementing the outcome of the referendum will be extraordinarily difficult.

There is no doubt that the majority of Southerners favor secession and will vote that way given the chance. Insofar as any referendum is a verdict – not just on the CPA but on the entire 55 years of independence and indeed the preceding century of North-South relations – any other result is inconceivable. Only a visionary leader able to turn the vote into a plebiscite on the *future* would be able to change that logic, especially if he were campaigning as a Southerner who had managed to win the national presidency. Since the death of Garang, that is not a prospect.

Secession is unstoppable. It could be slowed down or suspended by a variety of mechanisms, none of which command popular support among the Southerners. Postponing the referendum itself would be possible only with the active support of the SPLM leadership, which is not currently contemplating any such proposal, and which would suffer a legitimacy deficit if it were to take this step. A more realistic option is to extend the post-referendum interim period. The vote

is for secession – a process – not independence, an outcome. The CPA treats the secession process only as an afterthought, specifying a six-month period, after which the South would emerge as an independent state. There is, however, a vast agenda of business to be completed if separation is to be an orderly process. Among the key issues are the demarcation of the border, the citizenship status of Southerners in the North and Northerners in the South, the division of national assets and debts, the status of the SPLM in the North and the NCP in the South, a formula for dividing oil revenue, the position of the South on the Nile waters agreement, and arrangements for pastoralist groups that migrate across the internal boundary and share resources on both sides. Under optimal circumstances, resolving these questions would require several years of negotiation. It is most improbable that agreement can be reached by July 2011. Under these circumstances, a second interim period in which these issues are negotiated may be an option. The Referendum Act of December 2009 contains a provision for the parties to talk about post-referendum relations – an important opening to deal with this agenda.

The SPLM will face a challenge with the referendum. The movement contains powerful unionist constituencies, most of them from the groups in Northern Sudan that supported the SPLM during the war, such as the Nuba and Blue Nile people. In the case of a partitioning that is anything other than fully consensual, these groups – along with the SPLM as a party in Northern Sudan – will face the prospect of political repression, perhaps worse. The likely fate of the Nuba and Blue Nile people is the strongest argument, within the SPLM, for a gradual or delayed process of self-determination in the South.

War or peace

In early 2010, the GoNU exists largely in name. It does not function as a cohesive entity, but rather as two antagonistic parts that work together from necessity alone, lurching from one crisis to the next. The most senior leaders of the NCP and SPLM, including President Bashir and First Vice President Kiir, insist that a return to armed conflict is unthinkable. But their commitment to peace is a negative one: They fear war rather than believe in peace. There is a constant subtext of reciprocal threats of a return to violence, with hardliners on either side warning that it cannot be ruled out.

At a time when Sudanese citizens expected a peace dividend and widespread demobilization and disarmament, the governments in both Khartoum and Juba have expanded their military forces, spending considerable amounts on military hardware (Small Arms Survey 2009). They have spent even more lavishly on loyalty through a hugely expanded payroll: It is better portrayed as a "security race" than a conventional arms race. Such an intensified competition is not necessarily a predictor of war, because it is logical for each side to pursue a policy of deterrence. Although Khartoum's defense and security budget is larger and has more men on its payroll, the Southern forces would be expected to possess

stronger motivation to fight in any future conflict, because they will at long last be fighting for something in which they strongly believe, namely their own independent state. This morale factor should compensate for any asymmetry in numbers and weaponry, and makes the reciprocal threats credible.

To be effective, deterrence requires credible centralized command and control on each side, and the diversity of the different armed formations under the control or sponsorship of Khartoum and Juba means that this precondition may not be met. Each party secures the loyalty of multiple armed formations by paying them, so that cohesive command requires a steady flow of money. Unfortunately, the loyalty bills are so high – and the revenues to the governments so volatile – that there is a constant danger that control systems may break down. Armed conflict could be triggered, not by a command decision in Khartoum or Juba, but by a local dispute flaring out of control in the shadow of mutual distrust and a communication breakdown between the parties.

There are numerous potential flashpoints for future conflict, including disputes over oil extraction and revenues, un-demarcated borders and poorly regulated cross-border movements of pastoralists, the status of Southerners and SPLM supporters in Northern Sudan and Northerners and NCP supporters in the South, and the physical proximity of the Sudanese Armed Forces and SPLA soldiers in Joint Integrated Units.

Should an armed conflict erupt, the political calculus in Sudan will change rapidly and radically. There are various scenarios for the forms that a renewed war might take. There could be a conventional war, or at least a conventional phase in a conflict that is also fought by mutual destabilization and guerrilla war. This might consist of a Northern operation to take control of the oilfields, combined with air attacks on Southern cities to try to isolate the South from international assistance. The South might attempt a conventional assault on Northern cities. Alternatively, both sides might use proxy militia in what would become an extended and aggravated inter-ethnic conflict. Some Southerners warn darkly of organized violence against their kin who live in Northern cities.

Under most scenarios, once armed conflict has erupted, it is very likely to escalate rapidly as each party pours more material and human resources into the fighting, each tries to fight on its preferred geographical and political terrain, and reciprocal trust collapses along with confidence in any third-party mediation. It will be difficult for neighboring countries to remain uninvolved, which in turn will complicate diplomatic efforts. Egypt has a strong commitment to a united Sudan, Uganda has deep ties with the South, and most of the other neighbors have been involved militarily in Sudan in recent years. The international community's leverage will be reduced to almost zero during such a stage, and international actions will be focused mostly on the evacuation of foreign nations, safety of peacekeepers and aid workers, and responding to humanitarian crises.

The threat of ungovernability

Today, Sudan's main domestic mechanism for conflict management is financial patronage. This functions in the shadow of unregulated political competition between the NCP and SPLM, and between the NCP and what it sees as an international conspiracy in favor of regime change. This is leading to a defensive zero-sum political game in which the NCP and SPLM spend excessively on rival patronage systems. Apart from war, there is another adverse outcome to arms races, which is that the economic burden cripples one party to the point of collapse. It is possible that today's arms-and-patronage race will end up with the Sudanese parties bankrupting themselves and making Sudan effectively ungovernable.

Virtually the entire political energies and resources of the NCP and SPLM respectively are devoted to staying in power, with respect to one another, their troublesome constituencies, and regional and international governments. For both parties, the principal mechanisms for holding on to power include their defense and security structures, and their patronage networks, financed by oil revenues that repeatedly escape full accounting. Sudan's security race resembles a cold war in which each side is hoping to outspend the other, but at the risk of bringing both governance systems to a point of collapse. As the referendum approaches, this race quickens.

One consequence of escalating spending on loyalty – at a time of reduced government revenue – is scaling back efforts to provide public goods through investment, such as services and development. Planned social and economic change is fading, including efforts to "make unity attractive" in line with the CPA. Sudanese public discourse is infused with a sense that public institutions have decayed, and that social mores have changed (Ibrahim 2008). Commentators – Sudanese and foreign – concur that gloomy futures are more credible than brighter ones (Clingendael Institute 2009; US Institute of Peace 2009). Older Sudanese have nostalgia for a past in which it is believed – perhaps with exaggeration – that government enjoyed legitimacy and public trust prevailed, including the latter days of the colonial era (Deng and Daly 1989).

If either party finds itself unable to purchase loyalty at the going rate, then it will be tempting for them to rent allegiances by providing clients with a license to loot and pillage other communities seen as aligned with their adversaries. This is the formula that has led to a succession of cheap militia-led counter-insurgency operations, which have devastated large areas of the Sudanese periphery (de Waal 2007).

Meanwhile, Sudan is undergoing huge and accelerated unplanned social and economic transformation (Munzoul 2008). It is on the threshold of 50% urbanization. This process has been marked since the 1970s through both peace and war. Population data for South Sudan are contested but it possible that accurate enumeration would reveal that half of all Southerners are urban residents, in the South, the North, and neighboring countries. It is clear that the CPA period has

not reversed the urbanization process – if anything the migration to the cities has increased, while few displaced people have returned to rural areas. Darfur is a better-measured example of traumatic urbanization and livelihood change. It is also more rapid: "South Sudan speeded up" (Ryle 2004). Compared to just 18% urbanized in 2003, more than 60% of Darfurians lived in towns and displaced camps in 2009. This is not wholly negative. Sudan's cities, while poorly planned, have better services than the rural areas, and are more stable and less violent. The urban economies are dynamic. But this phenomenon is little studied and less understood. National economic planning and international development cooperation have not adjusted to this reality.

A strong and institutionalized government capable of making a credible policy commitment is necessary to make peace. One of the special perils of the current scenario is that organizing violence on a vast scale will reduce both Khartoum and Juba to factionalized protection rackets, expending all their resources on trying to retain their hold on sovereign privilege, and destroying Sudanese society in the process.

Fragmentation

Should the people of the South exercise their right of self-determination and opt for secession, other Sudanese will articulate the same demand. In an important respect, it is the South that holds Sudan together. Many people in the Nuba Mountains and Blue Nile have already rehearsed their claim to self-determination (Rahhal 2001). Some militant Darfurians who have historically the strongest claim to separate statehood – having been incorporated into Sudan only in 1916 – are also talking in these terms. Currently, only a small minority of radicals has openly proposed that Darfur should secede from Sudan, but in the context of Southern separation, this number is sure to grow.

Sudan's liberation movements – including the SPLM and the Darfurian rebels, the Sudan Liberation Movement and the Justice and Equality Movement – have all argued for national transformation and for reforming central power. But in practice, they have neglected the politics of the center in favor of mobilizing in the peripheries – a strategy that has been described as "liberating the Bantustans" (Abdalla 2009). Among the ruling elite, there is a vocal minority that argues that they should be allowed to have their wish, and that it is not worth fighting for these outlying areas and their truculent populations.

The Sudan government has already forfeited many of the attributes of sovereignty. Revising its borders would be another insult, akin to the many it has received over the last 25 years. But each abrogation of sovereignty brings an opportunity in which Sudan's rulers usually identify in due course. Territorial fragmentation would not be without its advantages. Reduced to the historic "metropolitan provinces" or the "Hamdi Triangle," the Sudanese state would be more comfortable in pursuing an Arab-Islamic agenda. Within this region, Arabism and Islamism are no less problematic than in the current "greater

Sudan." The indigenous people of this area are a mixture, and there have been waves of migration from all quarters over the centuries. Nonetheless, political leaders have defined Sudan's diversity in geographical rather than social terms, and the logic of territorial self-determination for the South, and possibly Darfur too, would legitimize a "self-determination" agenda for the riverain North based on Arabism and Islamism.

Should this occur, all those who identified with the South, Darfur, and places such as the Nuba and Blue Nile, would instantly become foreigners in Khartoum. Stripped of citizenship rights, they would be rendered even more vulnerable to exploitation. The state would be empowered to withdraw entitlement to services such as education and health, and would probably threaten them with roundup and expulsion.

The Sudan government currently has obligations for the welfare and protection of its citizens across the whole country. It has gradually outsourced its humanitarian and service duties to others, including especially international organizations. The UN-African Union hybrid operation in Darfur has a protection mandate. Many Darfurians, along with their international sympathizers, would like nothing more than for Khartoum to withdraw its presence from the region, leaving it as the exclusive responsibility of the Darfurians and the international community. There are also some in Khartoum who would be ready to accept the experiment, confident that the ruling elite would benefit, and that provincial elites and international organizations would not do a better job of governing these areas.

The partitioning of Sudan will not resolve the identity and governance challenges of Sudan, but rather reconfigure these challenges. It is possible that an already complicated situation could become more intractable.

Conclusion

The chance for the success of the CPA lay in three elements: the interim nature of political authority, the dynamism of the collegial presidency in generating a real hope for the future, and the expanding financial resources following the oil boom and the hope of donor funds and American investment in the oil industry. If the CPA were to be implemented in a mechanical fashion, it would have been doomed to fail, as it could not in itself have resolve the fundamental political problems of Sudan but only reproduced them in a way that allowed dynamic leaders to move the country forward. What has happened is that the letter of the CPA has been partly implemented, without its spirit, and the CPA itself is shifting from being an asset to a liability.

The major question preoccupying Sudanese today is whether Sudan is one country or two, and how the decision will be managed. State partitioning is a traumatic affair at the best of times and in Sudan the conditions exist for it to be bitter, contested, and disorderly. A North-South war in Sudan would undo the

fragile gains of the CPA, possibly leading to separatist tendencies elsewhere in the country, and dragging neighboring countries into the vortex.

As the endgame of the CPA is played out, the fundamental question facing Sudan may not be whether it is one nation or two, but whether it is governed or ungoverned. The ongoing decline of trust and legitimacy has created a situation in which staying in power is the only task that either of the two ruling parties can achieve. The sheer cost of maintaining two competing centers of power – each fearing that the other is intent on its destruction – may be too much for the country to afford. When the cost of a rival patronage system exceeds the financial capacity of its sponsor, the simplest way of renting loyalty is to license plunder. Moreover, if the knock-on effect of a contested partitioning is the fragmentation of Sudan, then rulers can declare the victims of such pillage as non-citizens, beyond the reach of their obligations. Future observers may look back on the CPA's Interim Period as an interlude of calm, promise, and missed opportunity.

References

Abdalla, Abdel Wahab. 2009. Liberating the Bantustans? On the reactionary nature of Sudan's provincial "revolutions." *Making Sense of Sudan*. September 8, http://blogs.ssrc.org/darfur/2009/09/08/liberating-the-bantustans-on-the-futility-of-sudanese-provincial-revolutions/

Abdel Salam, A. H. 2001. Constitutionalism. In *The phoenix state: Civil society and the future of Sudan*, edited by A. H. Abdel Salam and Alex de Waal. Trenton, NJ: Red Sea Press.

African Rights. 1997. *Food and power in Sudan: A critique of humanitarianism*. London: African Rights. Available at http://www.justiceafrica.org/publishing/online-books/food-and-power-in-sudan-a-critique-of-humanitarianism/

African Union High-Level Panel on Darfur. 2009. Darfur: The quest for peace, justice and reconciliation. African Union Peace and Security Council, PSC/AHG/2(CCVII), Addis Ababa. October 29, http://blogs.ssrc.org/darfur/wp-content/uploads/2009/ 10/AUPD-Report-Final-October-2009.pdf

Al-Effendi, Abdel Wahab. 1991. *Turabi's revolution: Islam and power in Sudan*. London: Grey Seal.

Alier, Abel. 1992. *Southern Sudan: Too many agreements dishonoured*. NY: Ithaca Press.

Brown, Richard. 1992. *Public debt and private wealth: Debt, capital flight and the IMF in Sudan*. London: Palgrave Macmillan.

Clingendael Institute. 2009. Sudan 2012: Scenarios for the future. The Hague, http://www.clingendael.nl/publications/2009/20090914_cscp_lijn.pdf

Deng, Francis. 1995. *War of visions: Conflict of identities in the Sudan*. Washington DC: Brookings Institution.

Deng, Francis, and Martin Daly. 1989. *Bonds of silk: The human factor in the British administration of the Sudan*. East Lansing: Michigan State Univ. Press.

de Waal, Alex. 2007. Sudan: The turbulent state. In *War in Darfur and the search for peace*, edited by Alex de Waal. Cambridge MA: Harvard University Press.

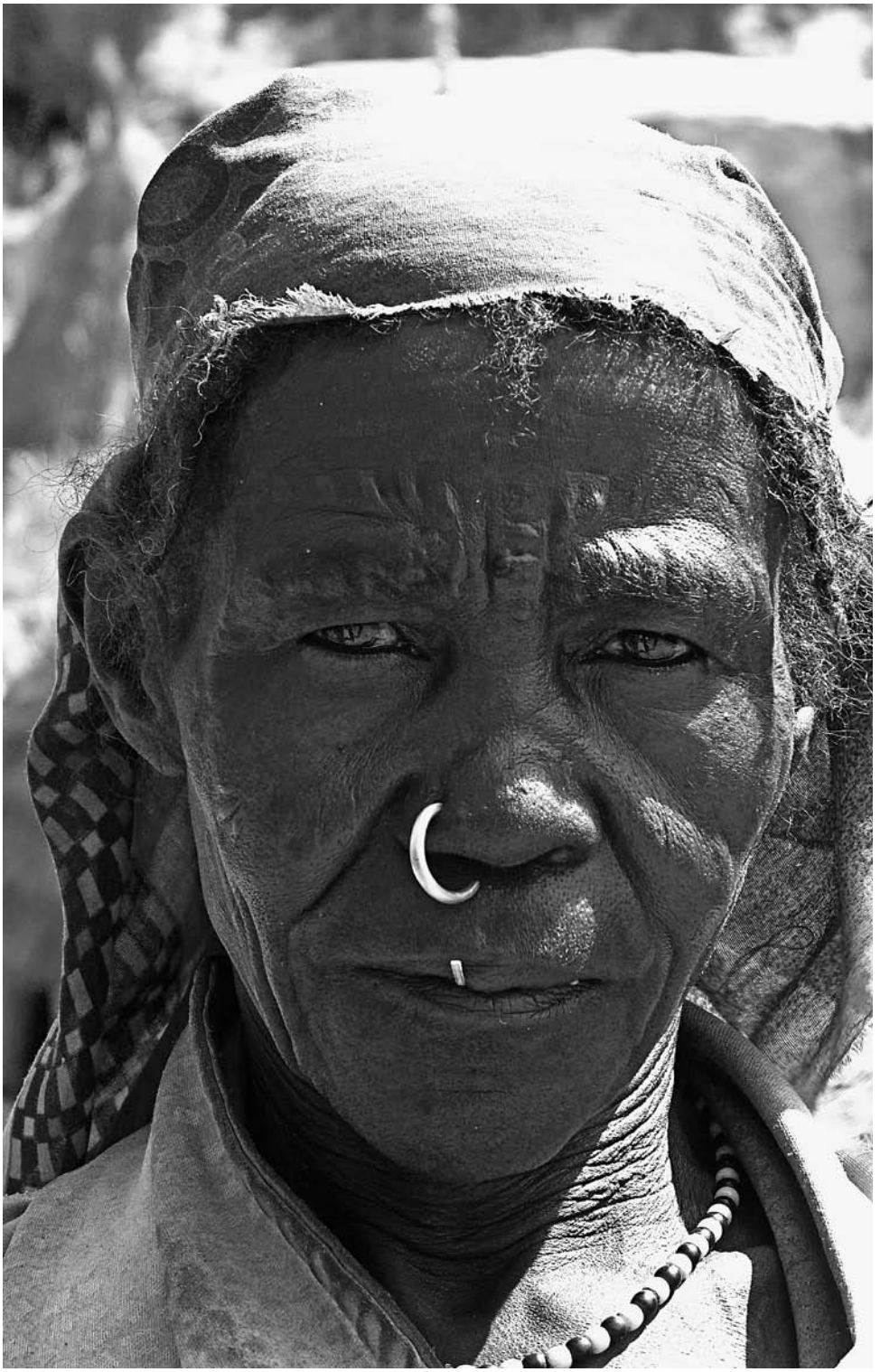
de Waal, Alex. 2005. Who are the Darfurians? Arab and African identities, violence and external engagement. *African Affairs* 104 (2005): 181–205.

Ibrahim, Abdullahi. 2008. *Manichaean delirium: Decolonizing the judiciary and Islamic renewal in the Sudan, 1898-1985*. Leiden: Brill.

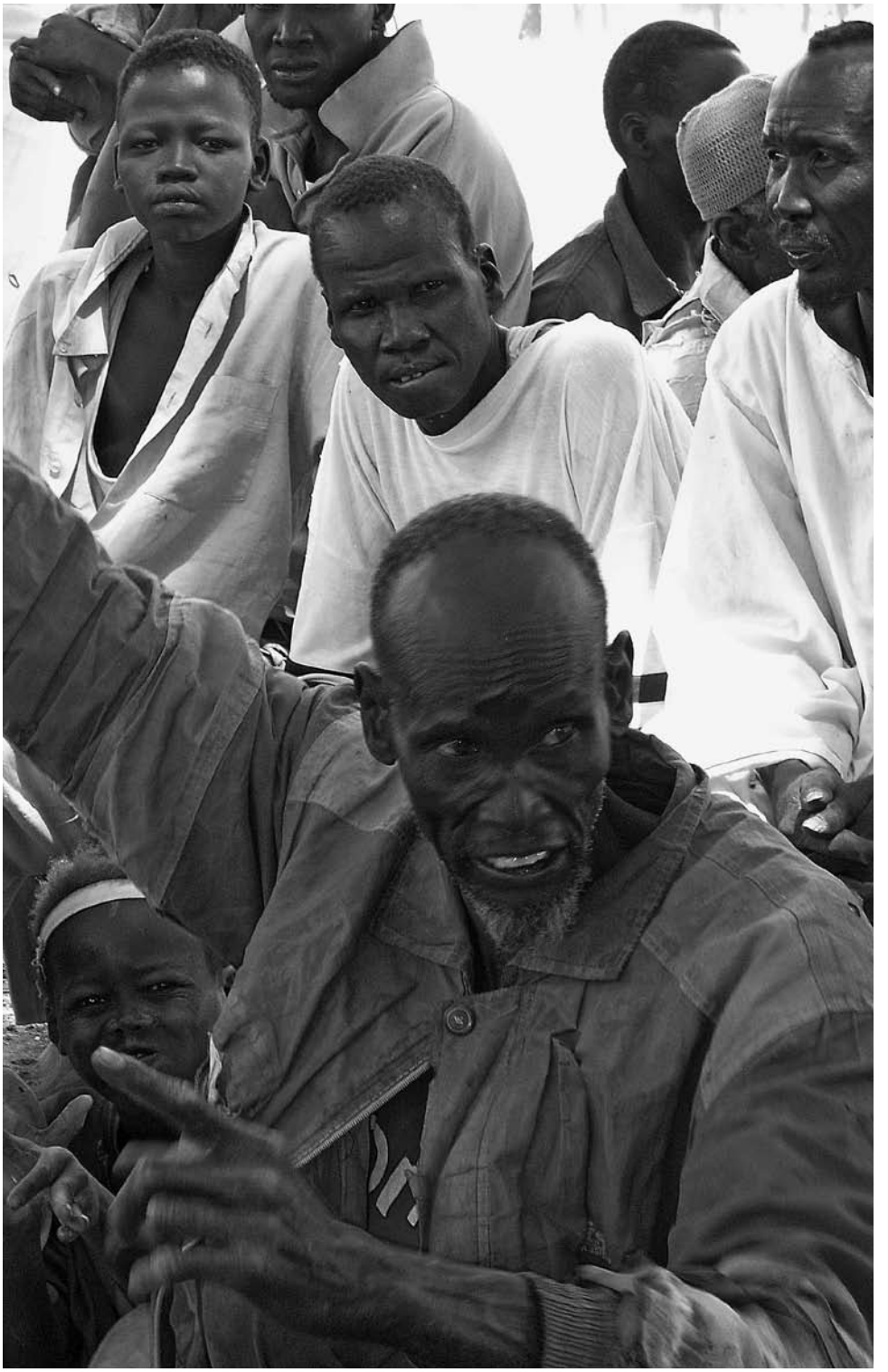
International Crisis Group. 2009. Sudan: Preventing implosion. Africa Briefing No. 68. December 17.

Munzoul Assal. 2008. Urbanization and the future of Sudan. *Making Sense of Sudan*. January 29, http://blogs.ssrc.org/darfur/2008/01/29/urbanization-and-the-future/
National Democratic Institute. 2009. Losing hope: Citizen perceptions of peace and reconciliation in the Three Areas. Washington DC, http://www.ndi.org/node/15366
Rahhal, S. M. 2001. Self-determination in the marginalized areas of Northern Sudan. In *The phoenix state: Civil society and the future of Sudan*, edited by A. H. Abdel Salam and Alex de Waal. Trenton, NJ: Red Sea Press.
Ruay, Deng. 1994. *The politics of two Sudans: The north and the south, 1821-1969*. London: Coronet.
Ryle, John. 2004. Disaster in Darfur. *New York Review of Books*. August 12.
Small Arms Survey. 2009. Supply and demand: Arms flows and holdings in Sudan. Sudan Issue Brief No. 15. December, http://www.smallarmssurvey.org/files/portal/spotlight/sudan/Sudan_pdf/SIB-15-arms-flows-and-holdings-in-Sudan.pdf
US Institute of Peace. 2009. Scenarios for Sudan: Avoiding political violence through 2011. Washington DC, http://www.usip.org/resources/scenarios-sudan-avoiding-political-violence-through-2011
Woodward, Peter. 1990. *Sudan 1898-1989: The unstable state*. London: Croom Helm.
World Bank. 2007. *Sudan public expenditure review: synthesis report*. World Bank, Report No. 41840-SD. Washington DC. December.

Near Khartoum



Nuba, Kordofan Province



In South Sudan

ATTA EL-BATTAHANI

Sudan Votes: The 2010 Elections and Prospects for Democratic Transformation

Introduction

The signing of the Comprehensive Peace Agreement (CPA) in January 2005 ushered in a six-year transitional period in Sudan. This period carried with it the possibility for a meaningful democratic transformation of the country. However, for a number of reasons, the agents driving this change have revealed themselves to be weak, disorganized, and lacking the organizational capacity to effectively contest the upcoming 2010 general elections.

The weakening of the forces of change in Sudan goes back to early periods of stalled transitions in the 1950s, 1960s, and 1980s. Failed transitions steadily eroded already accumulated democratic assets, with each period of transition tipping the balance of power away from democratic change agents and more toward conservative, pro-establishment forces. While general elections in the past took place under the auspices of "independent" transitional governments, the 2010 elections are taking place under an incumbent, NCP-dominated government. Judging from past elections, and in view of the present balance of power, forces with vested interest in the status quo are likely to maintain their positions of power in the upcoming elections – an eventuality that could have dire consequences for the political future of the country.

This section, which explores the current agenda for democratic transformation in Sudan and its background, is divided into four parts. The first section puts the upcoming general elections in the context of Sudan's past experience with multiparty elections and democratic transitions. Part two outlines the run-up to the 2010 elections and the problems, both political and practical, these entailed. The third section then analyses the goals and election strategies of Sudan's main political parties. The concluding part, finally, develops scenarios for the possible outcomes of the elections.

Sudan's experience with democratic transitions

Sudan is an exceptionally diverse country. According to one account, it is home to no less than 19 main nationalities (*majmoua'a gawmiyya*) and 597 ethnic groups (*majmoua'a airgiyya*) (Beshir 1988). Socio-economic changes, together with natural and man-made disasters (desertification, famine, and civil war), have resulted in some significant changes in the numerical and demographic weight of these ethno-national groups. However, these changes have by no means obliterated ethno-national diversity.

Differentiation along national and ethnic lines has been further sustained by cultural, linguistic, religious, social, and political differences. There are an estimated 115 dialects in Sudan today, with 26 of them as active languages, each spoken by more than 100,000 people (Ahmed 1988: 7–18). About 52% of the population are Arabic-speaking, while 48% speak other languages. Diversity also expresses itself sharply in religion, with Islam, Christianity, and other religions professed by different sections of the population. Religious heterogeneity is further sustained by the prevalence of sectarian cleavages within Islam – the religion of the majority (Beshir 1988).

At the risk of oversimplification, these different and often conflicting socio-economic, ethnic, and cultural interests have led the people of Sudan to coalesce into three major political blocs: a pro-Arab/Muslim conservative alliance; radicals in the center (both left- and right-wing parties); and ethno-regional forces in the periphery. While the establishment has historically found political representation mainly in the Umma Party and the Democratic Unionist Party (DUP), radicals include both Communists and Islamists, and ethno-regional forces are represented, among others, by the Sudan People's Liberation Movement (SPLM). The Communists primarily drew support from workers and farmers, the trade unions, and the women's movement, whereas Islamist support came mainly from the lower urban class, professionals, and the new business class.

The interactions between these different political camps have shaped Sudan's history since independence, and they continue to shape the debate around democratic transformation today. To understand the current "transitional" phase in Sudanese politics, it is thus necessary to briefly look at the three prior attempts at democratic transformation in the country.

First transition: 1953–56

At the time of independence in the early 1950s, Sudan was faced with three major constitutional problems: the constitutional status of Southern Sudan; the constitutional status of Sudan itself (i.e., whether the country should be linked with Egypt in some form, or whether it should become fully independent); and the task of reshaping state institutions to be more responsive to the socio-economic development of the country. However, with the issue of self-determination for Sudan rapidly approaching, the second problem overshadowed the other two

and became the dominant issue in the elections for a new Constituent Assembly. The main task of this body was to decide on the future constitutional status of Sudan, and to prepare the country and its people for independence during a three-year "transitional period" (Bechtold 1976: 176–77).

The National Unionist Party (NUP) won the elections in 1953 and formed the country's first post-independence government. However, instead of now granting federal status to the South and attending to socio-economic development in the country at large, the energy of the new government was drained by its protracted conflicts and squabbles with religious, sectarian leaders on the one hand, and by fending off external pressures on the other. Barely two years after independence in 1956, the NUP-led government was succeeded by an Umma-PDP[1] government, which was in turn overthrown by a military coup in 1958.

Second transition: 1964–65

The new military regime under General Ibrahim Abboud (1958–64) laid down the foundations for state-led economic development and adopted an independent foreign policy that led to cooperation with both the Western and the Eastern blocs. However, the draining of government revenue by the continuing civil war in the South as well as growing frustration and resistance among trade unions, the urban classes, and intermediary groups damaged the prestige of military rule. Communists and radical leftist elements formed the United National Front (UNF). With support from the trade unions and students, a successful general strike neutralized middle and lower ranks of the army and eventually brought down the military regime on October 24, 1964.

Shaken by the ascendency of Communists and radical forces, the conservative/traditional political bloc fought back, mobilized rural-based, religious masses, besieged and defeated the transitional October government, and replaced it with a government more in tune with the wishes of the political establishment. Elections organized in the 1960s were all won by Umma and the DUP. They led to the creation of coalition governments that succeeded only in undermining changes and wasting public resources. As in the 1950s, party squabbles were the rule of the day. In an attempt to ostracize the forces of the radical bloc, the ruling traditional parties banned the Sudanese Communist Party (SCP) and expelled its members from parliament. They continued to undermine all proposals for solving the "Southern problem" and went on the offensive by proposing a presidential republic under an Islamic Constitution. To prevent this from happening, the radicals in the armed forces again took over in a bloodless coup in 1969.

1 The People's Democratic Party (PDP) was founded by supporters of the *Khatmiyya* (a Sufi order), who had broken away from the NUP.

Third transition: 1985–86

Having wrested power from the traditional political parties, the leader of the coup, Jafaar Nimeiri, fell out with his erstwhile supporters in the Communist Party. In 1972, he struck a deal with the Southern rebels and signed the Addis Ababa Agreement, thus ending a long-standing civil war. However, this era of North-South détente was short-lived. A few years later, in 1977, Nimeiri patched up his differences with the traditional parties as well as the Muslim Brothers in what became known as "national reconciliation." Amid growing protests against the economic reform policies of the late 1970s, and fearing a possible overthrow of his regime, Nimeiri called himself Imam of Muslims and adopted s*haria* law. This move alienated his support base in the South and contributed to the formation of the SPLM in 1983.

Nevertheless, a broad-based popular movement succeeded in overthrowing the Nimeiri regime in 1985. However, the *intifada* (popular uprising) government influenced by radicals once again upset the conservative and traditional parties, who were not interested in meaningful change. General elections were organized in 1986 from which Umma, the DUP and the National Islamic Front (NIF) emerged victorious. According to Hamid (1988), looking at the events of the late 1980s, "any veteran observer is bound to be gripped by a profound sense of déjà vu." The similarities between the reactions to the short-lived revolution of 1964 and the uprising of 1985 were indeed striking:

> *The political malaise permeating then paralyzing the body politic in the late 1980s is like an uncanny recurrence of the same affliction that plagued the country in the late 1960s: the same disarray of the same coalition governments of the same political parties; the same instability that is symptomatic of an unworkable political system and an unpredictable political process. The bankrupt economy, drained by a costly civil war, corruption and mismanagement is even worse than the recurrent economic crises of the 1960s. It is as though history is repeating itself with a vengeance (Hamid 1988).*

Again, this deadlock was resolved by undemocratic means. In June 1989, the Islamists in Sudan took over power in a coup d'état to counter a perceived threat posed by the SPLM and the marginalized regions, thus marking the most violent confrontation between North and South yet.

Fourth transition: 2005–11

After their accession to power, the Islamists created a new balance of political forces in Sudan, reshaped state institutions, redefined the terms of political debate, made inroads into civil society and, above all, imposed Islamism as state ideology. Against this new orthodoxy, the idea of a "New Sudan" – proposing a restructuring of power at the center and opening up the state for ethnic and

regional groups on the basis of an inclusive concept of citizenship – was introduced by the SPLM and gained support in the South, but also among radicals in the North.

Violent confrontations between North and South intensified in the period between 1989 and 2005, claiming more than 2 million dead, 4.5 million internally displaced, and 600,000 refugees in neighboring countries. The costs to cover humanitarian and emergency work alone were estimated at about US$2 million per day. In the face of this tragedy, the regional neighbors of Sudan, as organized in the Intergovernmental Authority on Development (IGAD), and the international community joined efforts and brought the warring parties to a negotiating table. In January 2005, the CPA was signed by the National Congress Party (NCP) and the SPLM. The Agreement was seen as a compromise between two diametrically opposed forces, but with the potential of "making unity attractive" for the country and fostering democratic reform.

Five years after the signing of the CPA, the results are sobering. The nature of government in Sudan has not become less authoritarian, and prospects for unity seem very dim. As in the prior attempts at democratic transition in Sudan, there is reason to fear that hopes for fundamental change will be short-lived (see table 1). However, there is still a chance that the upcoming general elections will correct this negative picture. Despite the bleak outlook, the elections of 2010 do matter for Sudan's political future, and they may prove to have a lasting effect on the country after all.

Table 1: Comparing Past and Present Transitions in Sudan, 1953–2010 (Source: Author)

	Build-up period	**Catalyst for change**	**Issues**	**Major actors**	**Tools and means**
1953–56	Relatively long, from 1948–53	1953 Self-rule Agreement	Independence	Britain, Egypt, Northern parties	Negotiations
1964–65	Short period	Student demonstrations	Democracy restoration	Military, professional associations	Civil disobedience and army stand
1985–86	Short period	Urban unrest and strikes by trade unions	Democracy restoration	SPLA, trade unions, army officers	Civil unrest and strike
2005–11	Medium period	High cost of humanitarian crisis and displacement	End of war and building of peace, make unity attractive, elections, referendum for the South	NCP, SPLA, IGAD, UN, International community	Mediation and negotiations

The run-up to the 2010 general elections

As one of the key elements in the strategy to develop a more equitable, stable, and inclusive political system in Sudan, the election is central to the timetable of the CPA. It is intended to demonstrate the possibility of a democratic political system in a unified country.

The relevance of past elections

Belief in the transformative power of multi-party elections has long been a driving force in development policy. In recent years, however, this belief has increasingly come under scrutiny. The ballot, it has been argued, has been fetishized, encouraging an empty performance of electoral behavior that leaves the fundamentals of politics unchanged. It is yet possible, according to this argument, to still have a ballot deny the population the essentials of democracy: access to justice, governmental transparency, and freedom of expression and association.[2]

Nevertheless, Sudan's forthcoming election is not simply a post-conflict imposition by the international community. In a way, elections can be an authentic moment of national cohesion and participation. As the brief overview of Sudan's experience with democratic transitions has shown, this idea has roots in Sudanese political experience, most notably in the 1953 "self-government" election. Like the upcoming 2010 general elections, the election of 1953 was held under difficult circumstances, with much suspicion and tension and with limited time and resources. Nevertheless, it confounded skeptics by its peaceful, orderly nature and by the high level of participation by voters. It laid the foundation for Sudanese independence in 1956. Today it still offers an inspiring model of national participation; it gave voters a new sense of citizenship, and gave to the many public servants who were involved in running it an experience of working together in the interest of a new nation.

It is true that multi-party elections have not so far produced a stable and lasting government in Sudan. However, failures of government should not be construed as evidence of any fundamental unsuitability of elections to Sudanese circumstances. Sudan's political instability has many causes. Shortcomings of leadership, a difficult colonial inheritance, and complex regional politics have all played a part. That elections have not fulfilled their promise of remaking political culture has been partly a result of the sheer size of these challenges. But it has also been a consequence of problems in the electoral process, which have undermined the possibility that elections might create a new relationship between citizen and state, and which have also become visible in the run-up to the 2010 elections.

2 For a more comprehensive discussion on the relevance of past elections in Sudan, see Willis et al. (2009).

These problems have been of two kinds. The first has been malpractice. This has been widespread and massive under authoritarian regimes, ranging from the stuffing of ballot boxes by election staff and the switching of boxes after voting has taken place, to less flagrant but equally problematic forms such as intimidation, the use of government resources in campaigning, interference in news media, and the deliberate exclusion of candidates deemed unsuitable by the ruling party. On the whole, however, in multi-party elections, malpractice was normally the work of candidates and their agents, not of officials.

Alongside these malpractices, Sudan's elections have also been undermined by problems of resources. Elections by secret ballot are a very complex logistical exercise and a major challenge for the administrative capacities of the Sudanese state. Problems include the size of the country, wide variations in levels of education among the population, and widespread suspicion of government. Besides this, there have been two principal deficiencies in administration: a serious shortfall of trained staff, and an insufficiency of transport. In the past, levels of participation in multi-party elections have thus been low in the South, West, and East of Sudan – that is, in most parts of the country outside the central riverian area.

Preparations for the 2010 elections

Sudan's history shows the potential role that elections may have in political life – as genuine moments of participation that evoke the idea of a democratic Sudan. But this potential has not yet been realized, and there is a strong possibility that the forthcoming election will suffer from a combination of all the weaknesses that have undermined previous elections. There is widespread public skepticism and suspicion of possible malpractice, based on people's experience in previous authoritarian elections; and there are immense logistical challenges.

One such challenge concerns the 2008 population census, on whose basis the electoral register is established. The census results have been publicly disputed by leading SPLM politicians, as well as other observers. According to the SPLM, the census was politically manipulated to reduce the number of Southerners both in the South and in the North: The number of Southerners in Khartoum, for example, was put at about half a million, whereas at least one and a half million is a more realistic figure.

A second major concern in the run-up to the elections has been the voting in unstable regions. In places such as Darfur, where rebel groups haven threatened to attack election officials and disrupt the voting process in the Nuba Mountains, Abyei, and other parts of South Sudan, it is questionable whether the current security situation is propitious to a peaceful and orderly election process.

Even if elections do take place in these areas, the likelihood of post-election violence cannot be ruled out, particularly in case the NCP and Omar al-Bashir emerge victorious. Given the politically (over)charged campaigning period, the outbreak of violence in major urban cities, including Khartoum, is also quite

possible. Yassir Arman, the SPLM presidential candidate, has already expressed concern over his personal safety, following an attack on his life earlier last year.

Finally, concerns have been voiced about the professionalism and impartiality of the Sudanese administration. As Willis et al. (2009) point out, civil servants in particular play a crucial role in guaranteeing a fair and orderly voting process. However, the quality of the Sudanese civil service has suffered dramatically from almost four decades of direct control by the ruling parties of the day – the Sudan Socialist Union (SSU) during the Nimeiri years (1972–85), and the NCP since 1989. Repeated purges and politically motivated dismissals have taken a toll on the civil service's professionalism, neutrality, and competence. The NCP's influence is felt and exercised right from village committees to district and towns councils, public corporations, and ministries. The ruling party's record of controlling civil servants, in addition to its grasp of the media, casts a doubt over the prospect of free and fair elections.

Sudan's political parties: internal dynamics and election strategies

Notwithstanding these actual or potential drawbacks, the National Elections Commission of Sudan (NEC) is now set to hold elections according to schedule, in the first half of April 2010. The Sudanese government, political parties, and the international community are all engaged in pre-election maneuvering. The focus of observers is mostly on the NCP and the SPLM. However, the Sudanese political landscape is more diverse than this; and if past experience is any indicator, then the Northern opposition parties in particular should not be underestimated (see table 2). The following section therefore provides an overview of the main parties contesting the 2010 elections and introduces their electoral strategies, the support base they appeal to, and their expectations regarding the outcome of the vote.

Table 2: Distribution of Votes and Seats in the 1986 General Elections (Source: Author)

	Sudan Seats	votes %	Khartoum Seats	votes %	Gezira Seats	votes %
Umma Party	99	38	6	21	29	47
Democratic Unionist Party	63	24	29	21	15	31
National Islamic Front	51	20	13	21	4	13
Communist Party	3	1	2	6		1
Others	39	17		31		8

The National Congress Party

The NCP was formed in 1998 as the successor of the NIF, the party of the Muslim Brotherhood that took power in the coup of 1989. By signing the CPA and

agreeing to take part in democratic elections, the NCP was in a similar situation to other ruling single parties in Africa that had agreed to similar transformations and then sought to retain as much power as possible through the ballot box.

At the NCP National Convention in October 2009, the authority of al-Bashir and the hard-line faction was asserted and so-called moderates were kept away from the more influential positions in the party. Al-Bashir is currently both chair of the party and head of government; in early 2010 he retired from his position as commander-in-chief of the army to stand for the presidential elections – but for some reason still appears in a military uniform.

Although the NCP has created a dynamic and aggressive party, it is well aware that it is widely loathed by a much weakened middle class and the poor. Many Sudanese are also aware of the growing gap between rich and poor, with the former often regarded as nouveau riche rather than established figures of wealth. This is especially the case in the neglected, if not exploited, peripheral areas of the country.

In its electoral campaign, the NCP has been using its structural advantages to the full. More than any other party, the NCP is able to finance major election campaigns and to use its influence and networks to buy and co-opt support at the local level. The party is focusing its efforts on what it considers the Arab-Islamic heartland of Sudan: a decisive voting bloc of some 25 million citizens from the Northern States down to Sennar/Gezira, where both economic growth and literacy rates are comparatively high. It has also built up its organization, which has been active on the ground with well-paid staff, especially in areas that are being courted by its rivals, such as Darfur, Blue Nile, and the East.

The NCP hopes to win over this base of voters through the attraction of foreign investment, the development of a comprehensive infrastructure, the creation of jobs, the exploitation of natural resources, the boosting of the region's overall economy, and, of course, the launching of large-scale election campaigns. It allegedly has a war chest of $500 million set aside for the task and is confident that it can become the largest party. The NCP has three main sources of funding: revenue siphoned off from the state (as a regime it is highly corrupt); businessmen who have benefited from NCP patronage, with the help of Islamic banks; and Sudanese and others outside the country, especially in the Gulf. NCP patronage has been targeted at the lower-middle-class entrepreneurs, who have risen in numbers and wealth especially since oil exports started.

The NCP presents itself as the defender of Islam in the Sudanese society, but it is also aware that it will be challenged on this ground by other parties. Another line of campaigning is to project itself as the party of progress, at a time when other parties appear less active, if not paralyzed. Economic growth apart from oil has largely focused on the central areas of Northern Sudan, from north of Khartoum down to the Gezira area between the two Niles.

The NCP is aware that a united opposition could represent a real challenge: hence its vehement attack on the Juba Coalition of Forces, an umbrella organization of opposition groups. At the same time, it is on the lookout for a strong ally

in Northern Sudan, which could help broaden its geographic base and legitimize its continuity after the elections. The NCP aspires to become the centerpiece of a broad Northern Sudanese Islamic alliance, which would include a strong popular party of the North – either the DUP or the Umma Party – as well as its current allies and proxies (splinter groups of the Muslim Brotherhood, *Ansar as-Sunna*). The DUP, with its strong support in Northern and Eastern areas, would be the more attractive partner, since the Umma Party's traditional support base in Darfur and Kordofan has been disrupted by the conflict in Darfur.

At the same time, the NCP needs to increase its support in the marginalized East and West. A deal with the DUP – largely supported by the Eastern Sudanese population – would consolidate this achievement, enabling the NCP and its partners to secure the support of most political forces active in the East and North. Darfur presents more of a challenge. Given the ongoing war, only a small percentage of the Western Sudanese population is actively supporting the NCP. However, the NCP plans to engage in further peace talks with the Darfur Peace Agreement (DPA) non-signatories aiming at the rebels' cost-effective neutralization. The Eastern Sudan peace process has shown that the NCP is capable of striking deals with rebels without addressing the root causes of the actual conflict and, therefore, without having to make tangible concessions: posts, compensation and promises to launch development programs normally do. As long as the rebel movements are not united, this strategy is likely to guarantee at least a certain amount of popular support, particularly among the non-Fur tribes.

In the long run, the NCP's survival lies in preserving its own access to resources and economic development. This is a major motivation for its efforts to maintain a united Sudan. However, since neither unity nor international donor funds can be taken for granted in the long term, the NCP is pursuing a parallel strategy to increase the economic independence of the North by investing heavily in the development of the so-called Hamdi Triangle (Dongola-Sinnar/Kordofan Axis), in addition to a relatively small corridor in the strategically important East (mainly the area around Port Sudan).

The Sudan People's Liberation Movement/Army

Despite recent efforts to revitalize its national profile, including a series of allegedly successful campaigns in the Northern states, the SPLM remains a party of the South. Although there are still major gaps in organizational capacity, the Movement's structure is relatively elaborate and well-funded compared to any of its competitors.

Since 2005, the SPLM has suffered from splits and internal divisions, most recently a break-away faction by Lam Akol under the name of SPLM-Democratic Change. The internal realignment of forces within the SPLM is dominated by a conservative disengagement camp on the one side and a radical engagement camp on the other. The former focuses on the path to Southern secession and favors appeasing the NCP in the Interim Period so as not to jeopardize the 2011

referendum. The latter still embraces the vision of a New Sudan and favors a unity between Northerners and Southerners, as well as a more assertive approach to the NCP on CPA implementation. The SPLM National Convention in May 2008 seemed to reflect an equilibrium between the two camps. However, the party's political behavior since then indicates a steady move within the rank-and-file of the SPLM toward the conservative option, that is, secession.

The SPLM believes – probably with justification – that it can expect to win a landslide majority in Southern Sudan. It is true that insecurity, delays in providing public services and allegations of high-level corruption as well as high-handedness from some Government of Southern Sudan (GoSS) officials have partially eroded the surge of popular goodwill that followed the signing of the CPA. An increasing minority of Southern Sudanese, mainly among those based in the "urban centers" of the South, has begun cautiously to voice its criticism. However, the SPLM/A still enjoys the bonus of being seen first and foremost as the liberation movement that brought about peace. Hence, as long as the situation on the ground remains bearable and tribal tensions in the party's leadership are under control, much of the population is expected to acquiesce under SPLM rule, partly owing to the lack of alternatives.

A strong election victory in Southern Sudan would be likely to assure the SPLM a continuation of its current representation in national institutions, somewhere around the 30% mark. In case of free and transparent elections, a 30% share at the national level would make the SPLM one of the most influential political powers. As such, additional votes from the North are likely to be welcome, but not desperately needed to facilitate the party's representation in the government.

It is therefore not surprising that the SPLM's efforts to develop its Northern Sector have so far been somewhat half-hearted. Many Northern Sudanese who once saw the SPLM as a possible secular alternative to the traditional opposition parties have become disillusioned by its weak performance and apparent disinterest in national politics. Unlike in early 2005, the SPLM in the North is no longer seen as a catalyst for nationwide change (Hikmat: 2009).

Despite its support of the Juba Coalition of Forces, the SPLM appears to be in favor of preserving its unequal partnership with the NCP**,** rather than engaging in alliances with the Northern opposition. However if the NCP were (against all predictions) to lose its power position in elections, the SPLM would need to identify post-electoral Northern allies. The Sudanese Communist Party (SCP) and some factions from the DUP would be the most likely candidates, in preference to the national Umma Party, which lacks a secular wing and is dominated by Imam al-Mahdi and his family.

In the South, it is not yet clear whether the SPLM/A is committed to supporting a liberal political environment and political inclusiveness within the structures of the GoSS. There has so far been little meaningful dialogue with Southern opposition parties. Instead, the SPLM/A's efforts in dealing with non-SPLM/A groups in Southern Sudan have mainly focused on the integration of other armed groups

(OAGs) into the SPLA – that is, military rather than political efforts, not aimed at facilitating democratic pluralism. Some observers have stressed that except for SPLM-Democratic Change, most of the Southern "opposition" parties are actually SPLM proxies, existing to create a "fake atmosphere of political pluralism." The real political opposition – alienated segments of the Southern population – has so far failed to organize itself (BBC 2009: online).

The Democratic Unionist Party

The DUP comprises a sectarian-based group, drawing its support from followers of the Khatmiyya sect, and a secular-oriented, urban, commercial and middle-class group. Its broad and loose organization gave the party a relatively democratic organizational structure, albeit by default.

Since the Islamists took over power in 1989, the DUP has suffered from divide-and-rule tactics by the NCP and is currently split into more than four splinter groups**.** Moves to unite the party have not borne fruit so far. One factor often cited is the intention of its patron, Mohamed Osman al-Mirghani, to combine both the spiritual and the political leadership of the party. The DUP is also divided over a number of issues, including the problem of how to engage with the Government of National Unity (GoNU). Though formally the leader of the National Democratic Alliance (NDA) – an umbrella organization of opposition groups – al-Mirghani has avoided taking a decisive position vis-à-vis the NCP, preferring to keep his options open.

The DUP will hope to improve its leverage through elections. The party has considerable financial resources inside and outside Sudan, which will enable it to campaign. The secular wing of the party includes a number of influential Sudanese businessmen who are willing to contribute to funding planned campaigns. In addition, the DUP enjoys long-standing links with Egypt, though the latter no longer looks at the party as the only guarantor of its interests in Sudan.

The DUP's traditional geographical strongholds are in the greater Khartoum and Gezira areas as well as in the far North and the East of Sudan. However, in recent years the DUP has lost a considerable number of voters from Eastern Sudan to the Eastern Front, whose leading figures were formerly DUP party members. Al-Mirghani is holding talks with both the NCP and the SPLM and will not hesitate to raise the flags of the opposition to the NCP if it suits his own interests. Yet, a post-electoral coalition with the NCP and other parties seems possible and only a few party members would protest it on grounds of principles. Other less likely post-election possibilities include a coalition government of the sectarian competitors, possibly with the SPLM, or even a coalition of the DUP and the Sudanese Communist Party (SCP), not necessarily under the umbrella of the NDA.

The Umma Party (Umma)

Like the rival DUP, Umma is a party of the establishment and has suffered considerable fragmentation resulting from the NCP's divide-and-rule tactics. Small splinter groups have been part of the NCP-controlled government since 1999. Umma is headed by Sadiq al-Mahdi, Sudan's last elected prime minister, who was overthrown by the Islamists in the 1989 coup.[3] Al-Mahdi's decision to run against al-Bashir in the 2010 presidential elections has been widely interpreted as a boost to the relevance of the elections, turning them into "a real contest for power" (de Waal 2010: online).

The Umma Party faces something of an ideological and organizational dilemma. On the one hand, it is known for Sadiq al-Mahdi's widely publicized rhetoric on democracy and political pluralism; on the other, the party is organized along traditional lines, with the politico-religious importance of the Mahdi family paramount. It appears that the party is struggling financially, with the al-Mahdi family having a monopoly over property and financial resources, whilst losing the support of several influential non-Mahdi businessmen due to undemocratic leadership. Al-Mahdi has reportedly reached out to "his old Oxford contacts" – the Moroccan and the Jordanian royals – to secure possible funding (Hikmat 2009).

The party has power bases in Khartoum, Kordofan, White Nile, and in Darfur (especially South Darfur), rooted mainly in traditional Ansar sectarian constituencies in rural, underdeveloped areas. In Darfur, Umma has suffered from the appeal of the various rebel movements, especially to younger supporters. The party's power strategy is not to compete directly with the rebel movements, but rather to strengthen traditional leaders (e.g., the Baggara in its heartland of South Darfur), and to use the support of the loyal Ansar leadership (White Nile, Gezira). Due to financial constraints, al-Mahdi – as Imam of the Ansar – can provide little more than moral support to tribal leaders.

The Umma Party may aspire to a post-electoral coalition with the SPLM, and could prove an attractive partner in certain circumstances, including stabilization of the situation in Darfur and a modified SPLM outlook on the unity of Sudan. If an alliance with the SPLM is impossible to establish (e.g., due to strong secessionism in the SPLM), Umma is likely to intensify its cooperation with the PCP, and/or engage in an alliance with the NCP against the South. However, the evidence is that such a coalition would only materialize at the last minute and in the absence of other options.

3 Sadiq al-Mahdi is also a direct descendent of Muhammad Ahmad ("the Mahdi"), the nineteenth-century political leader and founder of the Mahdist state in Sudan.

The Sudanese Communist Party

Despite formal subscription to Marxism, the SCP has in recent years adopted a social democratic agenda. After 40 years, the fifth General Congress of the Party in 2009 has decided to keep the name of the party, support the current (old guard) leadership, and also make a clear commitment to democracy and the principle of freedom of religion. In comparison to the traditional parties, the SCP is organizationally sophisticated, and – contrary to the criticisms of its Islamist archenemies – enjoys structures that allow a certain degree of democratic decision-making.

To some extent, the SCP enjoys support in the universities, as well as among intellectuals and professionals. However, the party has never fully regained its original identity as a broad-based national movement, following Nimeiri's efforts to cripple it in the 1970s, and subsequent Islamist oppression throughout the 1990s. The party today is a vocal pressure group represented in parliament rather than a popular party. The SCP is financially weak, but enjoys some backing from its supporters in the diaspora. It is not clear the extent to which this Communist diaspora stands ready to fund the SCP's electoral campaigns.

In elections, the SCP has declared that it will focus on a few key urban constituencies, and some marginalized regions (i.e., South Darfur) with the aim to secure three to four seats in the National Assembly. This would be sufficient for the SCP to guarantee that the party can continue to function and have a voice in the parliament. The party is in favor of a system of "mixed representation," which would allow them to join the race with independent candidates (more likely to find popular support, as many Muslim Sudanese still have reservations against the communist due to their alleged atheism).

The leadership of the party declared that they have no interest in engaging in any kind of pre-electoral alliance at the national level. The SCP slogan is "yes to coordination, no to alliance," meaning that they do not refuse collaboration with other parties if related to specific issues, for example, despite the SCP's understandable problems with the Popular Congress Party (PCP), the parties have recently presented a joint position on Darfur. Depending on the results of elections, post-electoral arrangements may include collaboration with the centrist political parties (DUP, Umma), though not necessarily under the umbrella of the NDA, and the SPLM.

The Popular Congress Party

The PCP's core supporters are old Islamist cadres who broke away from the NCP along with Hassan al-Turabi in 1999. Most of the influential businessmen of the Islamic movement then opted to join the powerful NCP, which clamped down on the PCP after the split. This – combined with al-Turabi's reduced access to Islamist financial sources abroad – means the PCP faced serious economic problems.

The PCP now participates vigorously in the Juba Coalition of Forces, but it is not clear if all PCP members support this rainbow-coalition politics or agree with al-Turabi's newly adopted liberal line. The PCP's linkage with the Justice and Equality Movement (JEM) is less strong than in the early days of the Darfur conflict. Despite the common Islamist heritage, many Zaghawa members of JEM in particular blame Turabi for what happened in Darfur. Al-Turabi, as former chief ideologue of the Islamist regime, is held ultimately responsible for the empowerment of the regime in 1989.

The different factions/groups of the PCP are not likely to pursue different strategies in the run-up to elections. This being said, however, it is also possible that individuals or PCP networks may seek to engage with former colleagues of the NCP. As events of last December have shown, al-Turabi is determined to continue to reach out to other opposition parties – ranging from Umma to the SCP – to facilitate his own political survival whilst hampering the NCP wherever possible.

Southern opposition

Southern opposition parties are fragmented and disunited, and political programs in effect have not had a political impact except for the call to join one of the two major parties: the NCP or SPLM. The Sudan African National Union (SANU) and the two factions of the Union of Sudan African Parties (USAP I and II), are largely seen as proxies of the SPLM, while the Southern Sudan Democratic Forum has been accused of being both co-opted by the NCP and being a one-man show funded by Southern Sudanese diaspora. All three parties clearly lack popular support.

Complaining that the SPLM is not contributing to a competitive political environment in the South, both SPLM-Democratic Change and Southern Sudan Democratic Forum so far have failed to organize themselves properly and have had difficulties attracting segments of the Southern population to their ranks. It remains to be seen how far these and other non-SPLM forces will translate into an effective political force in the run-up to elections.

Table 3: Pre-election Positions of Main Political Parties (Source: Author)

	Maximum	Minimum
NCP		
Hawks	Maneuver to ensure election victory, refrain from use of force whenever possible, remain calm until elections are over	Use divide-and-rule tactics, talk to Mirghani and al-Mahdi with promises for cooperation in an NCP-led government
Moderates	Opportunity for realignment of forces within NCP and Northern religious groups	Show that hawkish discourse is not working and may become a liability
SPLM		
Conservative	Obtain 30% of representation at national level, and control the South and the three areas	Secure road to referendum and independence
Leftist – New Sudan	Forge a broad-based alliance against NCP	Keep "New Sudan" vision alive
Opposition		
Secular (Communist, Baathist)	Build a strong anti-NCP electoral coalition to defeat NCP	Ensure a relatively open political environment with fewer security arrangements
Religious (Umma, DUP)	Restore previous parliamentary representation and participate in a coalition government	Get compensated for their confiscated properties in 1989
Islamist (PCP)	Work toward defeat of al-Bashir in presidential elections	Raise doubts about the fairness of elections and perhaps incite post-election violence to discredit NCP

Scenarios for possible election outcomes

The Sudanese general elections of 2010 are particularly far-reaching in their scope: Besides the national presidency and parliament in Khartoum, the Sudanese are also called to vote for the South Sudanese presidency, state governors, the Southern parliament, and state assemblies (BBC 2009). In the absence of reliable pre-election opinion polls, all predictions of the election results are bound to contain a large element of speculation. This is particularly true for the current political climate in Sudan, which has become increasingly tense and volatile in the run-up to the elections. However, if the voting does take place on schedule and proceeds in an orderly manner, a number of scenarios for its outcomes can be drawn.

Presidential elections

The presidential elections have turned into a hotly contested race, and they have consequently been the focus of much media attention. The stakes are high for

the NCP to seek a confirmation in office of the current president, Omar al-Bashir. Not only would this consolidate the NCP's hold on power, it would also deal a blow to the ICC's attempts to bring al-Bashir to court and give some sort of retroactive legitimacy to the NCP's ascension to power by unconstitutional means in 1989.

Al-Bashir stands as the main contender against a number of opposition presidential candidates, among whom Yassir Aman (SPLM) and Sadiq al-Mahdi (Umma) are the most serious rivals. The nomination of presidential candidates by a number of opposition parties seems to be part of a strategy by opposition parties to deny al-Bashir early victory in the first round. If, in a second round, all opposition parties were indeed able to forge a "rainbow coalition" and rally behind a common candidate, this could represent a serious challenge to the NCP's plans. Against this tactic, the NCP has threatened to harden its position on the implementation of CPA issues that are still unresolved (border demarcation, status of Abyei, use of oil pipelines, etc.) – all in the hope of driving a wedge between the SPLM and opposition forces in the North.

Government of Sudan

The most important question concerning this election – besides doubts over the NCP's willingness to guarantee free and fair elections in the North – is whether the NCP will garner enough support to consolidate its dominant role in Sudanese politics, or whether it will be forced to enter into a coalition with other parties. Three scenarios are possible:

The first scenario sees an undisputed NCP victory against a fragmented opposition. Using its accumulated wealth, efficient government-led party machinery, mobilizing its urban and rural constituencies, and scaring off its opponents, the NCP may win a clear majority in a "reasonably free and fair" election. The SPLM might, in this case, reveal its character as a Southern political force unable to wield much support outside its territory proper, while disagreements between the Northern opposition parties would prevent them from playing a greater role. However, even if it wins a majority in the legislative elections, the NCP might still be forced into a second round in the presidential elections. Since it cannot afford to lose the latter, the NCP might offer a relatively high price for support by the DUP and smaller political parties, in exchange for seats in parliament or state governor positions.

In a second scenario, the NCP emerges as the strongest party, but is forced to enter into a coalition with one or more of the Northern opposition parties. For this, the NCP would have to succeed in driving a wedge between the SPLM and the Northern opposition parties, scaring or buying off opponents and confining the SPLM to the South. The NCP has never closed the door on a coalition that would bring it closer to the major Northern parties, especially Umma or the Democratic Unionist Party. The NCP strategy in this case would be dominated by

scare politics, portraying itself as defending Northern interests against radicals in the North and emerging regional forces in the South, Darfur, and the East.

A third scenario, finally, sees the SPLM join a coalition of Northern parties and regional forces in order to defeat the NCP. Both the Northern opposition and regional movements in Darfur and the East would, in this case, be working toward forging a coalition or alliance with the SPLM. This constellation would make the SPLM the "king-maker" in Sudanese politics: They would be in a position to make or break the electoral coalition. Both the NCP and the opposition parties are trying to woo the SPLM leadership, and the latter have not yet decided what offer on the table to accept. The worst thing that the NCP fears is a strong alliance between the SPLM and Umma – hence the NCP's ceaseless efforts to scare the SPLM by pointing out that Umma has never recognized the CPA and will not deliver on CPA commitments. It remains to be seen whether Darfur rebel groups would join the electoral process.

Government of Southern Sudan

The results of the elections in South Sudan are unlikely to cause much surprise. The SPLM stands a good chance of securing a landslide victory on all levels of the elections. Since he is running undisputed, the confirmation in office of Salva Kiir Mayardit as president of the government of Southern Sudan is also largely taken for granted. However, as described above, the SPLM's dominant position in Southern Sudanese politics is not only based on popular support, but also on its practice to deny rival political parties equal chances.

Conclusion

The signing of the Comprehensive Peace Agreement in 2005 raised high hopes for a democratic transformation of Sudan: a transition from war to peace, from one-party to multi-party rule, from authoritarianism to inclusive government. Five years later, however, little of this has materialized. Tenets of authoritarianism and militarism still remain intact. As in the country's past transitions, this has contributed to the further erosion of earlier gains with respect to democracy and civil society. The present transitional period, therefore, does not hold any conclusive signs for a steady, cumulative build-up for democratic change.

The NCP has instead evolved into a sort of "hybrid regime," opening up to some degree while successfully combining democratic procedures with autocratic practices. The SPLM/A, on the other hand, has yet to undergo a structural transformation from a rebel army to a political party, and as a government still has to create institutions that are more responsive to the needs of its citizens. Equally, the regional rebel movements of the West and the East have not yet been able to be transform into functioning political parties. They are lacking both political programs and organizational structure. Nevertheless, unlike the rather passive and powerless traditional parties, rebel movements – due to their dynamic and

pro-active nature – currently seem to be more attractive to the population of Sudan's peripheries, and especially the younger generation.

Hopes are now pinned on the general elections to do what the transition period since 2005 has failed to do. However, the shape of Sudan's political parties is sobering. The SPLM is punching below its weight in national politics, while the formerly influential Northern political parties seem disorganized and lack a clear political program. Parties with a more sophisticated party structure, like the SCP or the PCP, are lacking in popular support or, in case of the latter, sincere commitment to the fundamental principles of democracy. A strong opposition alliance still has to materialize. However, this seems to be difficult, as traditional political parties are increasingly forced to compete with the more dynamic rebel movements of the peripheries.

Despite all this, the 2010 general elections can be a genuine moment of political participation and national cohesion at a difficult but critical juncture in Sudanese history. However, it is hard to see how they could make up for all that has been missed in terms of democratic transformation since the signing of the CPA.

References

Ahmed., A. M. 1988. *Gadaya lil Nigash: fi itar ifregiyat al Sudan was oroubatih* [Issues for debate within the Sudan Afro-Arab context]. Khartoum: Khartoum University Press.

BBC. 2009. "Sudan elections put back to 2010. April 2, http://news.bbc.co.uk/2/hi/7980032.stm

Beshir, M.O. 1988. On the unitary state optimum in Sudan. Proceedings of the *11th Conference on nation-building in Sudan*. Institute of Extra-Mural Studies, University of Khartoum.

Bechtold, Peter. 1976. *Politics in Sudan. Parliamentary and military rule in an emerging African nation*. New York: Praeger.

El-Battahani, Atta. 2002. Elections and the Predicament of Northern Hegemony in Sudan. In *Elections in Africa*, edited by Michael Cowen and Liisa Laakaso. Oxford: James Currey.

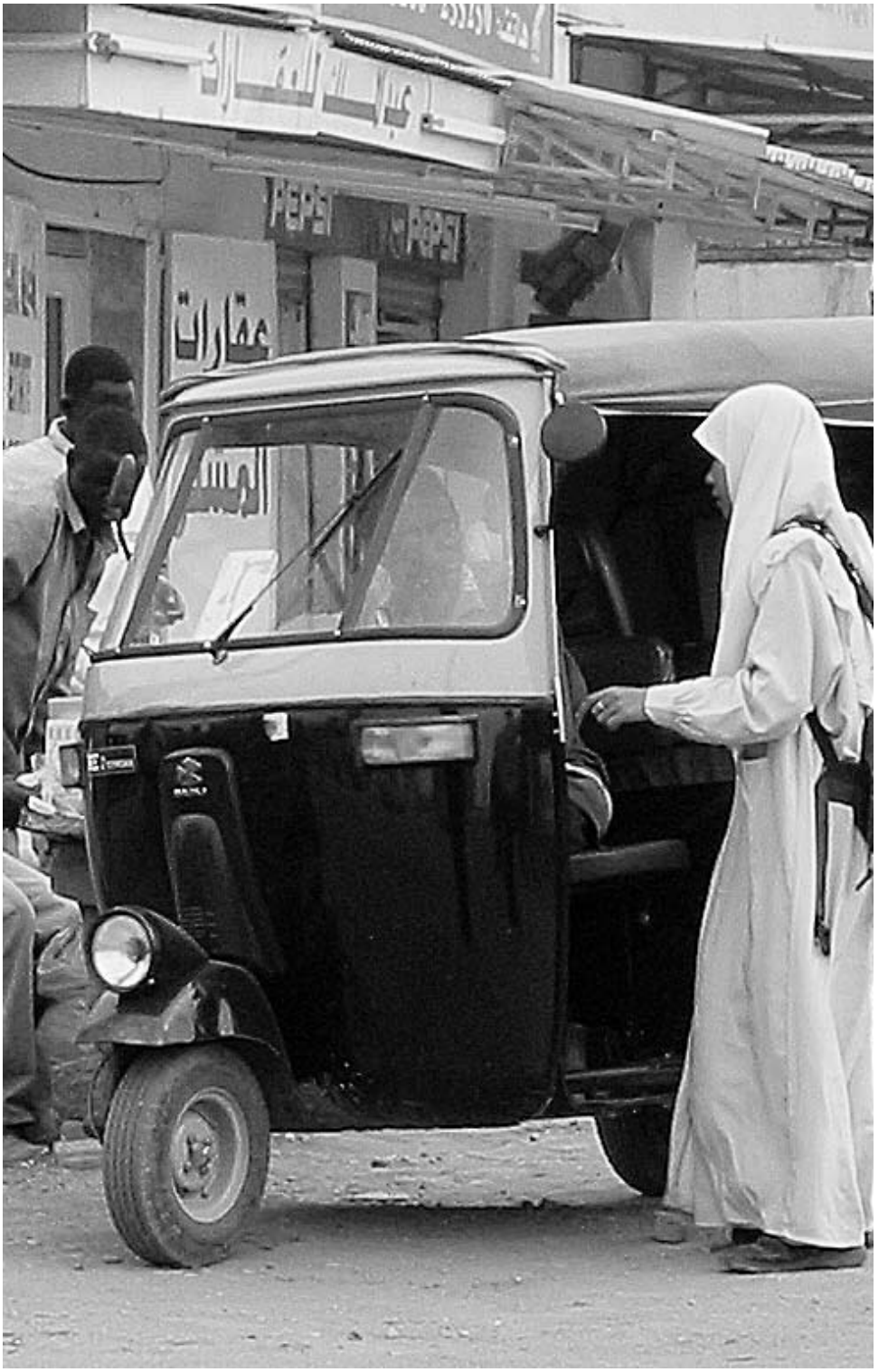
——. 1996. Economic transformation and political Islam in Sudan. Working paper 5/1996. Institute of Development Studies, University of Helsinki.

Hamid, Mohamed Bashir. 1988. Centre-region relations in the Sudan: the federal option. DSRC Seminar series No. 81. University of Khartoum. October.

Hikmat, Fouad, and Donald Steinberg. 2009. Orchestrating Sudan's next fateful step. *Boston Globe*, http://tinyurl.com/y9rct5z

Niblock, Tim. 1987. *Class and power in Sudan: The dynamics of Sudanese politics, 1898-1985*. Albany: State University of New York Press.

Willis, Justin, Atta El-Battahani, and Peter Woodward. 2009. *Elections in Sudan: Learning from history*. London and Nairobi: Rift Valley Institute.



In Darfur

JOHN G. NYUOT YOH

The Road Map Countdown – Dynamics and Implications of Possible Divorce

Introduction

For more than a hundred years, Sudan has been unable to be at peace with itself and with its neighbors. Numerous authors have pointed out the root causes of this ongoing conflict: the lack of a comprehensive national identity (see Ghaboush et al. 1971; Khalid 1973; Abdel Salam 1989; Gatkuoth 1995), the divisive role of religion in the country (El-Affendi 1990), and the cultural chauvinism of the Arab elites (Deng 1991). As a result, Sudanese political life over the years became dominated by a culture of war and conflict between the center and the regions in the periphery.

Attempts to open up the Sudanese political agenda and sense of identity, such as the concept of "Sudanism" (Mazrui 1965) or the project of a "New Sudan" (Garang 1998), were contained by the regimes of the day. The main victim of this was the population of the Southern regions. Led by the Sudan People's Liberation Movement / Army (SPLM/A), the South went through decades of bloody and destructive civil strife for its right to self-governance and autonomy from the North.

The signing in 2005 of the Comprehensive Peace Agreement (CPA) between the SPLM and the Government of Sudan (GoS) raised high hopes for a more peaceful and inclusive future. The CPA is structured as a road map, with specific timelines for the main issues it covers: security arrangements, wealth sharing, power sharing, and the status of the three disputed areas of Abyei, Southern Kordofan (Nuba Mountains), and Blue Nile. Its implementation commenced in January 2005, and each of the landmark components of the agreement was expected to be fully implemented within the timeframe provided.

However, these expectations have not been met. The implementation process has been fraught with problems and often delayed: The adoption of the interim constitutions at the national, Southern, and state levels took about a year; the formation of the transitional governments and institutions more than a year and a half. The national census – the basis of the upcoming elections – became a

point of contention; it took the parties about a year to agree on the legal framework of the census, and its results are still hotly disputed. The way laid out in the CPA road map has been rocky, to say the least.

The SPLM: Challenges of a liberation movement in power

In times of political transition, the nature and quality of institutional arrangements can have lasting repercussions. Thus, the system of institutions and the political culture that have been introduced in Sudan during the CPA Interim Period, and most importantly the question whether Sudan remains one or will split into two or more entities, will have far-reaching effects for the time after 2011.

For the work of the Government of Southern Sudan (GoSS), one aspect that has revealed itself as particularly important is the fact that its leading party, the SPLM, is a liberation movement in power. The transition from armed struggle to government poses a major challenge of institutional transformation. During the time of the civil war, the SPLM did not have a strong institutional framework. Rather, it was the SPLA – the organization's armed wing – that had the dominant role in both governance and armed struggle. It was only after the SPLM's First National Convention in Chukudum in April 1994 that attempts were made to create institutions that would be responsible for the management of the organization's activities. This institutionalization process was briefly, but critically, interrupted during the first 12 months of the CPA Interim Period (July 2005 – July 2006), when the late chairman of the SPLM, John Garang, dissolved all the institutions of the SPLM. It took about a year for the current chairman of the SPLM to restore them as interim organs, until May 2008 when all the SPLM organs at various levels were eventually elected.

The SPLM has been in charge of the GoSS since 2005, and it will be judged and evaluated by the outcomes of its public work and not by the intentions of its leadership. In its work, the SPLM faces a double challenge. On the one hand, it has to translate its transformation agenda into action and change from a mandate of liberation to a mandate of service delivery (Yoh 2009): build new schools and train teachers; provide clean water, sanitation, and efficient health care; decent housing and electrification; build roads, river ports, and airports; link up the capital with the states, the state capitals with the counties, and the counties with the local administration units. On the other hand, the SPLM has to live up to very high expectations of the Southern Sudanese, who demand to see the fruits of the "peace dividend."

This situation has not been made easier by the fact that, since 2005, the SPLM leadership has often been preoccupied by renegotiating the CPA, rather than concentrating on the management of governmental affairs. As a consequence, issues of governance became problematic as time passed. The current institutional frameworks in Southern Sudan are described by some as inefficient or

corrupt. Whether or not these allegations are always true, it will require a lot of hard work to address and dispel them.

What went wrong and who is to blame for the shortcomings of the Government of Southern Sudan and the SPLM? The GoSS and the SPLM – which, as the ruling party, had the vital task of correcting things during the last five years – should have taken the time to answer some of the vital questions that its critics and some of its leaders, members, and sympathizers have been asking. There were high expectations from the Sudanese, especially Southerners, that the GoSS and SPLM should address the following concerns in particular:

First, concerns regarding the state of security in Southern Sudan. The GoSS has been criticized for not taking decisive action on inter-clan or ethnic conflicts, and for irregularities in the disarmament of civilians: Some communities felt that they were forced to disarm, while others were kept armed, thus making those communities without weapons vulnerable to attacks. There have also been accusations of continued attacks by gangsters and unknown uniformed soldiers on citizens and their properties, and particularly in the first three years, GoSS security organs were accused of harassing journalists critical of the government.

Second, concerns regarding land and settlement issues. In some towns, accusations of "land grabbing" were leveled against the GoSS. In the capital Juba, animosity developed between the GoSS and the local Bari population, who accused senior GoSS officials of encouraging the unlawful grabbing of land from local communities. The GoSS also had to deal with complaints about displaced ethnic groups refusing to return to their areas of origin. In some parts of Greater Equatoria, accusations are rife that some communities from other parts of Southern Sudan are refusing to return to their areas of origin and forcefully occupying the territories of other communities, with the support of senior GoSS members.

Third, concerns regarding general management issues. There have been allegations of uncoordinated and sometimes parallel deployments of security, customs, civil aviation, and SPLA intelligence officers in public places – especially at airports – and in official positions. The GoSS and state departments also had to deal with complaints about jobs not being properly advertised in newspapers or awarded to acquaintances and relatives – an obvious form of corruption.

It would be a daunting task to expect a liberation movement turned into a ruling party to accomplish and deal with all these issues effectively within five years. Still, these allegations, complaints, and accusations have had negative effects on the reputation and activities of the GoSS and should have been immediately addressed through proper channels rather than being silenced or ignored. If and how these issues are resolved will depend to a large extent on finding suitable answers to the following sets of questions:

Internal decision-making processes

- How is the relationship between the SPLM Political Bureau, the National Liberation Council, and the SPLM parliamentary caucuses managed?
- Who consults whom when governments are formed or reshuffles are made, whether concerning the Government of National Unity (GoNU), the Government of Southern Sudan, or the state governments?
- What are the channels of communication between GoNU ministries and GoSS ministries?
- What are the criteria of appointments into cabinet positions or to other levels of government?

Public accountability

- Since 2005, the Ministry of Finance has released about $7.8 billion to the GoSS, an amount which is meant to cover the salaries, services delivery, and development expenses for the GoSS in Juba, the 10 Southern states, 80 counties, about 400 payams, and over 1,500 bomas (local administrative units). Who supervises the spending of the GoSS annual budget? Who supervises the spending of state budgets, and to what extent are the funds allocated to the counties accounted for by the county commissioners?
- Who monitors the implementation of all contracts that the GoSS and the state governments have entered into with foreign companies?
- Who controls the National Reserve of Southern Sudan? Are there funds available for emergency situations?
- Who monitors the millions of US dollars that have been allocated by the Ministry of Finance and other ministries on programs for the economic empowerment of the emerging Southern Sudanese business class?

Budgetary policies

- What are the exact roles of the Ministry of Finance and Economic Planning and the Bank of Southern Sudan (BoSS) in the management of budgets?
- What is the role of the Auditor General in dealing with financial irregularities in various GoSS institutions?
- To what extent can oil revenues foster development in the oil-producing states? According to the CPA's wealth-sharing protocol, the oil-producing states were to be allocated 2% of the oil revenues, an amount which ranges between $2.5 and $4.5 million monthly, depending on the rise or fall of the oil prices. The beneficiary Southern states so far have been the Western Upper Nile and Upper Nile states (since 2005 and 2006 respectively). Revenues from Southern Kordofan and Abyei have not been clearly verified, and it remains unclear what the central government has done with these funds.

Dynamics of the 2010 elections

The upcoming general elections, scheduled for April 2010, are a key item on the CPA agenda. However, the parties to the Sudanese peace agreement have divergent views on their importance. The National Congress Party (NCP) intends to use the elections as a means to give some legitimacy to its hold on power, especially since it is convinced that the South is likely to vote for a divorce. The SPLM, on the other hand, is unenthusiastic about the elections and sees it more as a necessary step on the way to next year's referendum.

The issue of who will win the elections in the North is particularly important because it will impact the character of the political system in the post-referendum North. The past 20 years have witnessed the control of all political and socio-economic affairs of the country by the NCP, especially in the North. All those political formations that were active before June 1989 were either silenced by force, their members jailed and tamed, encouraged to defect to the NCP, or fragmented to the point that today there are five Umma Party factions and about four Democratic Unionist Party factions.

The NCP's aim in the elections is to inherit the Northern part of the country both at the executive and at the legislative levels. Having managed over many years to either neutralize or fragment the traditional Islamic parties, the NCP feels confident that – should the SPLM turn a blind eye to the possible low-key rigging of elections in the North – it will surely win and consolidate its hold on power in the North. This strategy, however, may well prove difficult to implement in practical terms:

Firstly, the SPLM decided to nominate a candidate to compete with NCP leader Omar Hassan El-Bashir in the presidential elections. This decision was received with a sense of uneasiness by the NCP. The ruling party had been convinced that, since the SPLM leader, General Salva Kiir Mayardit, had shown no interest in contesting the elections against El-Bashir, the SPLM would not put forward a candidate. The nomination of Yassir Arman as the SPLM candidate for the national presidency meant that the envisaged partnership between the SPLM and NCP is no longer a possibility. It will also make it much less likely that the SPLM will go along with any attempt to rig the elections in any part of the country.

Secondly, the decision by the SPLM to nominate a presidential candidate has prompted other Northern political parties such as the Sudanese Communist Party, the Umma National Party, and the National Popular Party to do the same. The aim of these political parties is to scatter votes and hence minimize the chances of the NCP presidential candidate of winning with a landslide majority in the first round of the elections.

Thirdly, Darfurian political and civil society organizations inside the country may not align themselves with the NCP. Many of them seem to prefer to enter into an alliance with either the SPLM or the opposition parties, making it more difficult for the NCP presidential candidate to win.

While the NCP's goal of consolidating and legitimizing their power base through elections is obvious, the direct benefits of the 2010 elections for the SPLM and other Southern political parties are less clear. It should be recalled that the SPLM/A was not keen to accept the idea of mid-term elections as part of the Naivasha road map. Rather, it was the NCP – supported by the Intergovernmental Authority on Development Friends' Forum (USA, Norway, Italy, Netherlands, and UK) – that insisted that it was important that the referenda in the South and Abyei, as well as the "popular consultations" in southern Kordofan and Blue Nile, should be conducted under an elected government. Moreover, the holding of elections was meant to be an incentive for those Northern and Southern political parties that felt that they were left out of the Naivasha process to influence the masses, and to allow them to be part of the wider national discourse.

Nevertheless, the stakes in the election are high for the SPLM as well. The SPLM and its allies in the North undoubtedly have an interest, in that whichever party will be in power in North Sudan after the referendum will sympathize with the SPLM's transformation agenda and will continue to build on what the CPA has started. On the other hand, the general elections are also a watershed moment that will determine whether or not the SPLM will be able to strengthen its power base in the North and consolidate its presence in the whole country (see Yoh 2008). The results of the elections also will indicate which direction the SPLM in the North will take, if it becomes clear that the South and Abyei are set to opt for secession from the rest of the country.

The easiest option for the SPLM would be to win the general elections with its allies in Darfur and Eastern Sudan. Winning elections in the North would give the SPLM the possibility to supervise all the constitutional and legal amendments that would be required as results of the referendum are awaited. This would give the leaders of the SPLM in the North time to forge and consolidate new relationships with other like-minded political forces in the North.

If, on the other hand, the SPLM does not win a majority in the elections in April 2010, the SPLM and its allies in Darfur and Eastern Sudan may opt to unite and work out a program of action that would make them relevant in Sudanese power relations during the remaining period of the Interim Period (July 2010 – July 2011). They could do that by making sure that all the small regional formations and other small progressive organizations that are currently independent from each other are united under a credible and solid political alliance.

It is important to acknowledge in this context that the political party or alliance that will inherit the political reign in the North will play an instrumental role in directing the negotiations over post-referendum arrangements. This aspect of the CPA implementation, which is enshrined both in the CPA and the Referendum Law (passed by the National Assembly in December 2009), is crucial in determining the manner in which the divorce or the unity between the South and North will proceed. Both the SPLM and the NCP have an interest in the question about which political party will lead such negotiations after the elections. By deciding to put forward a presidential candidate, the SPLM decided

to send a message to the NCP that whoever is to accede to political power in the North through the democratic process must take into consideration that the SPLM is a national political force that has national obligations and responsibilities, whether the South secedes or not. Equally, the SPLM decision seems to suggest that whoever wins the next elections in the North must takes its responsibilities toward the implementation of the CPA very seriously.

Dynamics of the Southern referendum

To many Southerners, more important than the upcoming general elections is the referendum on the future status of Southern Sudan scheduled for early 2011. In the upcoming referendum, the people of Southern Sudan and Abyei will be asked an important question: Do they want the South to secede, or do they want the South to remain part of a united Sudan? However, before the people of the South decide on either option in early 2011, it is of great importance that they answer two other questions by the end of 2010: First, where exactly will the border between North and South Sudan be traced? And second, who is qualified to vote in the referendum?

The delimitation of the North-South boundary has become a real point of contention and political tension in recent years. At the end of the CPA Interim Period, it remains a potential security hazard, and it leaves much to be desired from the perspective of the GoSS and the SPLM.

A point in case is the work of the National Border Commission. The composition of the boundary commission, and in particular the composition of the group of members from the South, is less than ideal for the Government of Southern Sudan. According to the CPA, the National Border Commission contains an equal number of members from the NCP and the SPLM. The SPLM members in the committee come from three different groups: They are elders who were regarded to have a knowledge of the history of the border areas, professional surveyors (or individuals who studied surveying), and political appointees. The NCP members, on the other hand, include specialists in history, economics, demography, and law; consultants; and a committee of traditional leaders backed by a political sub-committee that directs and guides the group based on the terms of reference prepared by the Political Bureau of the NCP.

It seems that the composition of the commission – a vital instrument for the demarcation of the North-South boundary – was not given sufficient thought by those in the SPLM who suggested the Southern members. In fact, from the media statements that some members have given so far, it is clear that some of them lack direction and political vision as to what exactly they are supposed to do, or what is expected of them and by whom. The first time that the Southern members of the commission came to brief the GoSS cabinet about their work was in November 2008, when they requested an audience with the cabinet to share their frustrations and challenges.

It should be emphasized that boundary demarcation has become a sophisticated field these days, given its many and far-reaching socio-economic, political, and strategic aspects implications. Hence, it is important to nominate individuals that are well-versed in the relevant fields. The SPLM, and not the Government of Southern Sudan, is the body that signed the CPA. This means that the SPLM, with financial support from the GoSS, should direct and supervise the work of the members of the SPLM in the National Border Commission.

The composition of the Abyei Boundary Commission (ABC) should have been a good example for the SPLM, because the five experts of the ABC have different backgrounds of knowledge. Based on the observation of their activities and their participation in the work of the commission, it seems that Southern members of the National Border Commission are considerably disadvantaged vis-à-vis their Northern counterparts. And if the outcome of the border demarcation is not up to the expectations of the SPLM/GoSS and the people of the South at large, then it will be difficult to imagine the referendum taking place smoothly.

A second question, but one closely related to the delimitation of the North-South boundary, is the issue of who counts as South Sudanese and thus gets to vote in the upcoming referendum. Throughout the past five years, the NCP tried to corner the SPLM at every stop sign defined in the CPA road map. One of the skillful tactics used was to go ahead preparing for the implementation of these stop signs without seriously negotiating the modalities of the implementation with the SPLM. One such important stop sign was conducting a census in May 2008, which the NCP successfully influenced in its own interest.

The SPLM had five important reservations regarding the implementation of the census:

- Firstly, the census coincided with the rainy season in the South and with the convening of the 2nd National Convention of the SPLM.
- Secondly, the SPLM also had reservations about the omission of categories pertaining to ethnic and religious backgrounds on the questionnaire forms. The NCP – aware that the SPLM had in principle agreed to the conducting of the census as defined in the CPA – went ahead and printed all the forms, formed all the committees, and made sure that the census infrastructure was fully operational. At the same time, it continued to buy time by engaging the SPLM in discussions and arguments. Thus, when only a few days were left before the census was to be carried out throughout the country, the SPLM leadership was put in a Catch-22 situation: If it boycotted the census, it would be seen as acting irresponsibly because it had already given its go-ahead in principle. If, on the other hand, it accepted it, the outcome would have far-reaching repercussions: After all, the census was meant to determine the exact number of Southern Sudanese inhabiting what is referred to in the CPA as "Southern Sudan."
- Thirdly, in order to determine the demographic boundaries of the South, it was necessary to count the population that considers itself as part of the South but lives in areas occupied by the Northern army. This is especially

relevant for the Western Upper Nile, Upper Nile, Warrap, and Northern Bahr El Ghazal. The only way to identify this population would be through their ethnic background, which the NCP deliberately refused to include in the questionnaire forms.

- Fourthly, the SPLM demanded that the population of the Abyei Special Administrative Area, being a disputed area, was counted as part of the Warrap state. Under the CPA, the population of Abyei has been given a kind of "dual citizenship" during the Interim Period, until the time that they decide their fate through the exercise of self-determination in the form of a separate referendum.
- Finally, the way in which the census was conducted made it difficult for the South to determine the number of its geographical constituencies at the general elections. Registering parts of the population of the South in the North, and depriving these people of their identity (ethnicity) allowed for the distortion of the exact number of the Southern Sudanese population. As a consequence, many Southerners, such as those in the North and in the border areas, will be deprived from participating in elections and in the referendum as Southern Sudanese. Moreover, the question of the status of Southern Sudanese who are residing in the disputed oil areas controlled by the North will make the challenge of the distribution of oil revenues even more complex. The CPA stipulates that only the revenues from the oil in the South will be divided, thus excluding oil revenues from the areas of the South that are forcefully annexed to the North.

Again, it is questionable whether the SPLM/GoSS chose the right people for the job. Technical and negotiation committees do not need to be filled with politicians and ministers. The consequence of not appointing highly qualified technical and legal experts on the census committee is that the SPLM and GoSS were unsure whether or not to accept the results of the census or not. The manner in which the census process was handled prompted serious setbacks and highlighted shortcomings that the SPLM/GoSS could have avoided had they selected the right people to carry out this task.

Outlook: Post-referendum arrangements

As the end of the Interim Period draws to a close, it has become clear that some of the remaining problems described above – such as the lack of progress on the demarcation of the North-South boundary, or the disagreement over the census results – may lead to renewed tensions if not handled with care. However, the critical issues Sudan faces today will by no means all be solved by the upcoming referendum and possible Southern independence. There are numerous cross-cutting issues that will only start to pose considerable challenges then, issues that require sound and responsible post-referendum arrangements.

One such issue is the problem of citizenship. Sudanese from both the South and North would be keen to know what will be the future of millions of Southern Sudanese who are employed in the national public service; who are members of the Sudan Armed Forces, the Joint Integrated Units, and the police; who work in prisons, are employees in the private sector, or live as displaced persons in the camps on the outskirts of Khartoum. The same applies to Northern Sudanese who are scattered all over the South, particularly those who are involved in the business sector. Trans-boundary rights for communities living on both sides of the border or migrating across it are an equally sensitive issue. Unless the questions pertaining to the citizenship and nationality status of these millions of people are answered in advance, the scenario of a cross-border mass exodus witnessed in Ethiopia and Eritrea may repeat itself in Sudan.

The currency issue would equally require discussions prior to the referendum, given that it might prove to be a contentious issue in the case of secession. The North might unilaterally decide to change the currency to the dinar as Eritrea did – an action that might trigger an economic crisis in the South. The two sides will also have to come to an agreement on the joint management of the oil wealth: the status of oil fields, export routes, contracts signed with international investors, the rental of pipelines and refineries, and the challenge of environmental degradation around the current oil fields.

Finally, there are a number of legal challenges concerning the possible separation of North and South: Issues of international conventions, treaties, protocols, and agreements must be agreed on, as well as liabilities and debts that various earlier governments incurred through loans borrowed from the IMF, the World Bank, the African Development Bank, private banks, Arab funds, bilateral loans, etc. A particular problem, but no less crucial, is the status of the 1959 agreement between Egypt and Sudan on the use of the Nile waters. In the event of secession, there will be a need to discuss Southern Sudan's legitimate shares in the Nile waters, and to evaluate the new dynamics of Sudan's role in the Nile Basin Initiative.

The negotiations over post-referendum arrangements in Sudan will not only have an impact on North-South relations in the country. Perhaps even more importantly, they will be of great importance for political developments in the post-2011 North Sudan, and especially for the dynamics between the various political forces there. Many of the issues discussed above have short-term as well as long-term repercussions for the welfare of both parts of the Sudan. It is therefore imperative that whoever wins the elections in April 2010 takes these problems seriously as they will have a key role to play during the arrangement of the post-referendum negotiations. Moreover, both the people of the South and the North will be keen to closely follow the outcomes of these negotiations: The issues to be discussed may be issues of life and death, and they certainly are decisive for their future well-being.

References

Abdel Salam, Al-Fatih. 1989. "Ethnic politics in the Sudan." In *Ethnicity, conflict and national integration in the Sudan,* edited by Sayyid H. Hurreiz. Khartoum: University of Khartoum Press.

Daly, Martin, and Ahmed Sikainga, eds. 1993. *The civil war in the Sudan*. London: British Academic Press.

de Chand, David. 1989. The Sudan's civil war: Is a negotiation solution possible? *Africa Today,* vol. 36, no. 3–4.

Deng, Francis M. 1991. "The identity factor in the Sudanese conflict." In *Conflict and Peace-making in Multiethnic Societies*, edited by Joseph V. Montville. Toronto: Lexington Books.

El-Affendi, Abdel Wahab. 1990. Discovering the South Sudanese dilemma for Islam in Africa. *African Affairs*, no. 89.

Garang de Mabior, John. 1998. *The vision of New Sudan: Questions of unity and identity*. Cairo: Consortium for Policy Analysis and Development Strategies.

Gatkuoth, James Mabor. 1995. Ethnicity and nationalism in the Sudan. *Ecumenical Review*, vol. 47, no. 2.

Ghaboush, Philip Abbas et al. 1971. A proposed solution to the Arab problem in Sudan. *Midstream*, no.17.

Gwado-Ayoker, Kunjiok. 1986. "Interpreting the South." In *Sudan since Independence*, edited by Peter Woodward et al. Adlershot: Gower Press.

Johnson, Douglas. 2003. *The root causes of Sudan's civil war*. Oxford: James Currey.

Lesch, Ann Mosley. 1998. *Contested national identities*. Oxford: James Currey.

Kasfir, Nelson. 1977. Southern Sudanese politics since the Addis Ababa Agreement. *African Affairs*, no. 76.

Khalid, Mansour. 1973. Ethnic integration in the Sudan. *Review of International Affairs,* vol. 24, no. 54.

Mazrui, Ali Amin. 1965. Religion and democracy in the republic of the Sudan. *Makerere Journal*, no. 11.

Nyaba, Peter Adwok. 1997. *Politics of liberation in South Sudan: An insider's view*. Kampala: Fountain Publishers.

Oduho, Joseph, and William Deng. 1963. *The problem of Southern Sudan*. Oxford: Oxford University Press.

Sudan People's Liberation Movement. 2009. SPLM candidates nomination guidelines: National elections April 2010. Khartoum, Sudan, December.

——. 2008. The SPLM Constitution. Juba, Sudan, May.

——. 1983. The SPLM Manifesto. Printed in Horn of Africa, vol. viii, no. 1.

Yoh, John Gai. 2008. Managing daunting agenda of unity and peace in Sudan. *Sudan Tribune*. September 30, http://www.sudantribune.com/spip.php?article28778

——. 2001. The dynamics of war and peace in Sudan. *Conflict Trends*, no. 4.

Yoh, John Gai, Korwa Adar, and Eddy Maloka. 2004. *Sudan peace process: Prospects and challenges*. Pretoria: Africa Institute of South Africa.

PIETER WEZEMAN

Arms supplies to North and South Sudan

The fear that renewed fighting may break out between North and South Sudan is fueled by reports of arms procurements by both sides. This factbox provides an overview of the proliferation of arms to and within Sudan.

Increasing military expenditures in the North

Facilitated by rapidly growing oil revenues, the Sudanese government increased military expenditures from a total of $1,722 million in the period from 2001 to 2003 to $3,868 million in the period from 2004 to 2006. Major arms deliveries in the period from 2003 – when the conflict in Darfur erupted – to 2009 are estimated to have included 12 MiG-29 combat aircraft, 31 combat helicopters, and 30 armored personnel carriers (APC) from Russia; 11 SU-25 ground-attack aircraft and 50 APCs from Belarus; at least 12 A-5 and 12 K-8 ground-attack aircraft and an unknown number of Type-85 IIM tanks and APCs from China; and unknown numbers of light APCs, upgrade packages for tanks, and artillery rockets from Iran. China and Iran are believed to be important suppliers of small arms and light weapons to the North Sudanese army and it is likely that such weapons are also supplied from other countries. With foreign help, North Sudan has built up its own arms industry with limited capabilities, including the production of small arms and an assembly of artillery and armored vehicles from imported parts.

Increased military expenditures and arms procurements by North Sudan is not necessarily related to the current developments in South Sudan. Many of the arms procured are for use in the conflict in Darfur, including replacing weapons lost in combat. Sudan's arms procurements should also be seen in the light of its perceived threat toward its neighbors. Chad backs some of the rebel groups in Darfur and has recently upgraded its armed forces significantly. Also Eritrea has been accused of supporting rebels in Darfur, whereas Ethiopia and Kenya have friendly relations with South Sudan. Southern Sudanese tanks have been repaired in Ethiopia, and Kenya trains South Sudanese military and has been accused of being involved in the supply of weapons to South Sudan.

Military buildup in the South

The Government of Southern Sudan (GOSS) is transforming the Sudan People's Liberation Army (SPLA) from a guerrilla force into a regular armed force, including plans to establish an air force and riverine forces. These efforts are a response to the perceived threat from North Sudan, but also

to many internal security problems. In 2008 the official SPLA expenditure was $917 million, which dropped to $449 million in 2009. The 2010 budget is planned to be almost one-third of the state budget of 4.3 billion Sudanese pounds ($1.9 billion).

However, even though significant arms procurements lie in the line of expectation, it remains uncertain if GOSS has actually acquired sizeable volumes of weapons. In 2008–2009 most of the SPLA budget was allocated for salaries and only about 10% or less for capital spending. Several countries, including the United States and the United Kingdom, provide logistical assistance and military training, but no weapons as far as is known. It is widely believed that up to 110 T-72 tanks delivered from the Ukraine to Kenya in 2007–2008 were actually intended for the SPLA. However, until now no evidence has emerged of possible other major arms procurements and the SPLA is still far less well-equipped than the North Sudanese forces. It has no air force and, as far as is known, only a very limited air defense capability and few other major weapons. Its deterrent capacity toward North Sudan remains a large number of lightly armed men with considerable experience in guerrilla warfare.

Proliferation of small arms

Not only arms procurements by the two governments fuel tensions and conflicts in Sudan. Widespread tribal and other violence in both South Sudan and parts of North Sudan is facilitated by the availability of large numbers of small arms throughout society. It is estimated that up to 2 million small arms are spread amongst civilians and non-state armed groups in the whole of Sudan, including up to 750,000 in South Sudan. These weapons are a legacy from decades of armed violence in and around Sudan, trickle-in from neighboring countries, and are captured during fighting or stolen from storages. Finally, it is suspected that many have been distributed by the Sudanese government or regional governments to their proxies. The GOSS has started large campaigns to disarm the population in South Sudan but has encountered major resistance, and weapons keep flowing into the region.

The need for arms control

Available evidence does not show a full-scale arms race between North and South Sudan. However, the risk of renewed armed conflict between North and South Sudan can be increased by the ongoing arms supplies to North Sudan, the likely and secretive procurement of weapons by GOSS, and the proliferation of arms throughout society within the two regions.

Controlling arms exports will be one way in which outside actors can play a role in maintaining peace in South Sudan. The European Union and the United States have already embargoed arms sales to the Sudanese government. However, they should use their influence – including military relations – to promote responsible and transparent arms procurement by GOSS and other governments in the region. Russia, China, and other arms suppliers to North Sudan could show more restraint and make the Sudanese government accountable for how it uses the weapons it receives. Finally, countries in the region should be assisted in their efforts to stem the uncontrolled spread of small arms.

Pieter Wezeman is a senior researcher with the Arms Transfers Programme at the Stockholm International Peace Research Institute (SIPRI).

References

Lewis, M. 2009. Skirting the law: Sudan's post-CPA arms flows. *Small Arms Survey*.
SIPRI. Arms Embargo Database, http://www.sipri.org/research/armaments/transfers/controlling/arms_embargoes
SIPRI. Arms Transfers Database, http://armstrade.sipri.org/armstrade
SIPRI. Military Expenditure Database, http://www.sipri.org/research/armaments/milex

MARINA PETER

Blue Nile, Nuba Mountains and Abyei: Three Areas in Transition

The Nuba – losing out in the CPA?

Just before the Sudanese Comprehensive Peace Agreement (CPA) was signed on January 9, 2005, the Nuba Survival Foundation, a civil society organization of Nuba living in the diaspora, published a three-page press release. In it, the signatories bitterly complained about what the peace agreement had in stall for them:

> *"It is extremely disturbing to learn that the negotiating parties are using Nuba Mountains as a compromising issue to reach settlement on their contentious issues. The government continues to deny the Nuba their basic rights including even their historical name of the ancestral land Nuba Mountains," it said, and continued: "We would like to make it absolutely clear that the Nuba people will under no circumstances accept domination of the National Islamic Government and the SPLM" (Nuba Survival 2005: online).*

After long years of fighting alongside the Sudan People's Liberation Army/Movement (SPLA/M), people from Abyei and southern Blue Nile State, too, felt they had been shortchanged. For them, as for the Nuba, a separate protocol was agreed upon (CPA Chapter IV for Abyei, Chapter V for South Kordofan and Blue Nile State). Yet it is the Nuba who most strongly express their feeling of having been forgotten by their former allies and the international community. In January 2009, four years after the signing of the CPA, a participant of a civil society forum in Kadugli (the capital of South Kordofan, the state the Nuba Mountains belong to) expressed his views thus: "How do we benefit from this so-called peace? There is no development. We are still being ruled by enemies, we are still being attacked. Unlike the southerners we do not even have the perspective that one day we will be able to decide our own destiny. We better keep on fighting. We see absolutely nothing of a 'New Sudan'!" (SCC/SEF 2009).

The 'three areas' between North and South Sudan

To be able to properly understand these statements, and to analyze their implications, it is necessary to delve into the history of the conflict.

The "New Sudan" was the ambitious vision of Dr John Garang de Mabior, the long-time chairman of the SPLM/A. Did his vision die along with him, when, at the end of July 2005, only three weeks after having been sworn in as the first ever southern First Vice President in the history of Sudan, he was killed in a helicopter crash? At his inauguration thousands of people from all parts of the country, men and women, Christians and Muslims, had joyfully welcomed him in Khartoum, the capital of Sudan. In his speech there he had promised: "Now comes a new time. Open your wings and fly to new freedoms, to a democratic future with a just sharing of wealth and equal rights for everybody." For many years the people of Abyei, the Nuba Mountains, and southern Blue Nile State had believed in this, and had therefore, although part of the North, supported the rebellion in the South.

The Dinka Ngok in Abyei had been part of West Kordofan until it became part of South Kordofan, neighboring Darfur, and Bahr el Ghazal. Due to their ethnic and cultural background they had always felt as part of the South and had thus fought alongside their Southern brethren during the First Sudanese Civil War (1955 - 1972). Chapter II, Article 3 of the 1972 Addis Ababa peace agreement reads: "Southern Provinces of the Sudan means the provinces of Bahr el Ghazal, Equatoria and Upper Nile in accordance with their boundaries as they stood January 1, 1956, and any other areas that were culturally and geographically a part of the Southern Complex *as may be decided by a referendum*" (italics by the author). Such a referendum was never held, and consequently, when war broke out again in 1983, the Dinka of Abyei were quick to join the rebels.

For the Nuba and the Ingessena of southern Blue Nile State things developed differently. Although they, like Abyei, directly neighbor the South, the Nuba and Ingessena, many of them Muslims, never really questioned that they were part of the North. They showed little sympathy for the South's call for independence. In the first war many Nuba fought with the army against the Southerners.

But, as Douglas Johnson shows in his book "The Root Causes of Sudan's Civil Wars", by 1983 the situation had changed (Johnson 2003, p. 131-137). The Nuba – about 1.5 million people in the area of the Nuba Mountains, all of them of African origin, but rather heterogeneous in culture and language – had for some years suffered ethnic and cultural oppression, including forced islamization and the ban of local languages. On top of this they were being driven from their lands by the central government and their Arabic or arabized allies.

Within the semi-arid North, the Nuba Mountains form a considerable part of the fertile land. This has always been the subject of the desires of the ruling elites and neighboring nomads. Yet it was only when the fertile South of Sudan became semi-autonomous and droughts struck in the mid-1970s and early 1980s that land-grabbing, displacement, and resettlement grew out of hand. At the same

time, and contrary to traditional agreements, schemes to mechanize agriculture forced some of the neighboring Baggara to use Nuba land for grazing. As in other parts of Sudan such as Darfur, land-grabbing was precipitated when, in the 1970s, the system of native administration was abolished. This change enabled Sudan's central government to appoint officials loyal to them, and thus exclude local populations from any decision-making.

In the south of Blue Nile State, on the borders with Ethiopia and Upper Nile State, the population consists mostly of non-Arabs and non-arabized peoples and is ethnically more homogeneous than the Nuba. Here, too, forced islamization, the oppression of Christianity, land-grabbing, and logging and mining by outsiders marked the turning point. On top of that came the effects of political turmoil in Ethiopia and the resulting arrival of refugees. Thus, people from the south of Blue Nile State joined the SPLM/A at a relatively early stage and embraced John Garang's "New Sudan" politics.

Garang's ideology is based on the premise that the problems of Southern Sudan – ethnic and religious oppression, racism, economic, social, and political marginalization, and the absence of development – are pertinent to most of Sudan. Thus the idea was to change the power structure of the country as a whole. This, in turn, led to the political and military mobilization in Darfur, as well as in eastern Sudan and some Nubian regions in the North.

Today Garang's "New Sudan" seems to be as remote as ever. Some of the leading members of the SPLM show little interest in national questions, and there are signs that, should a referendum take place in January 2011 (as stipulated by the CPA), it might result in the secession of the South. Consequently, many people believe that the movement's vision has died with its leader.

The legal status of the 'three areas'

Many people in Blue Nile State, in Southern Kordofan, and in Abyei – people who, during the war, suffered greatly – today feel that they have been nothing but pawns in a bigger game. Looking back seems to confirm this: Both the 1994 declaration of principles, as well as the Machakos Protocol of 2002 that paved the way for peace talks, only mention the South. Accordingly these three areas were not subject of the IGAD peace talks.[1]

Only after extended quarrelling, the SPLM and the National Congress Party (NCP) agreed that IGAD chief mediator General Lazarus Sumbeiyo should conduct talks concerning the three areas, too – but only in the name of the hosting country, Kenya. For a long time during these talks a solution for Abyei seemed impossible. Finally, though, the parties agreed on a text almost identical to the one suggested by US Special Envoy John Danforth, who together with the British

1 The member states of the Intergovernmental Authority on Development (IGAD) are Sudan, Eritrea, Ethiopia, Kenya and Djibouti.

and the Norwegians was a leading voice in the negotiations. Authors such as Akol (2009) and Young (2007) provide very insightful accounts of these events.

According to the protocol, Abyei, like Southern Sudan, will have the right to self-determination and a referendum will be held in 2011. In addition, Abyei was granted special status within the power structure: The administration of Abyei reports directly to the president, whereas the other states of Sudan have governors.

One of the points agreed on, though, may become the source of future conflict: In the CPA, the area of Abyei is defined as that of the nine Dinka Ngok chiefdoms transferred to Kordofan in 1905. The boundaries of the territory were to be defined by a border commission. The population of Abyei is described as the members of the Dinka Ngok and other Sudanese living in the area. The Misseriya and other pastoralists using the land for seasonal grazing were granted the right of future use. Since in the past those groups had fought on the side of the central government against the Dinka Ngok, a reconciliation process is also part of the protocol.

Yet, there is an additional factor: Abyei is rich in oil. How the income generated from oil is to be divided is spelt out in section 3.1 of the protocol (general guidelines for the whole of Sudan are also provided by the CPA Wealth Sharing Protocol).

In the years following the signing of the CPA, all points concerning Abyei have proven extremely contentious: In May 2008 the situation escalated when, in a brutal attack, government troops burned the town of Abyei and thousands of people were displaced. Prior to that there had been a protracted dispute concerning the appointment of an administrator for Abyei, as well as quarreling about oil income. On top of that president Omar al-Bashir did not acknowledge the report of the Abyei border commission.

In the end, the SPLM and NCP agreed to appeal to the International Court of Arbitration (ICA) in The Hague. In its ruling of July 2009, the court changed the borders drawn by the border commission and assigned the main part of the oil fields to the North. Both parties agreed to acknowledge the ruling.

In late 2009 Sudan's parliament passed the Abyei referendum law, yet president al-Bashir still has to ratify it. The ICA ruling provides that the Misseriya living outside Abyei will not be entitled to vote in the referendum. The Misseriya, though, are pressuring the president to amend this ruling. A reconciliation process in and around Abyei, as stipulated by the CPA, has not taken place and efforts at traditional conflict resolution have been obstructed time and again by "higher political interests."

Other than Abyei and Southern Sudan, Blue Nile State and Southern Kordofan were not granted the right to self-determination through a referendum. For them, there is the controversial instrument of "popular consultations". The CPA (Chapter V, 3.1-3.6) asked the parliaments of South Kordofan and Blue Nile State to institute an assessment and evaluation commission that, four years after the signing of the CPA, was supposed to present a report concerning its implemen-

tation. In his turn, the president of Sudan was to appoint another, independent commission. Finally, based on all the reports, it was to be decided what further measures would be necessary to fully implement the CPA. If this process was to be stalled, further negotiations with the government in Khartoum were to be conducted.

The majority of people is not aware of the fact that they do not have a direct say on the status their territories will have after the end of the six-year CPA interim period. The final decision about their destiny will be made by the parliaments. Right now, following the balancing act agreed on in the CPA, Blue Nile State has an SPLM governor, Malik Agar, and South Kordofan an NCP governor, Ahmed Haroun (who has been indicted by the ICC due to his involvement in crimes in Darfur). Presently there is an NCP majority in both parliaments. This means that the elections, scheduled to take place in April 2010, will be of great importance. It is only through these elections that, for the first time, the population will be able to vote for candidates – who, in turn, will then have to represent their interests concerning the future status of the areas.

There are further complications: During the war the population was divided into, at least, two camps – those who lived in the areas controlled by the government, and those who lived in areas controlled by the SPLM. The results were different experiences and developments. Yet, up to this day, there has been no dialogue, no reconciliation process. Thus many Nuba living in areas formerly controlled by the SPLM feel that they were ruled not from South Kordofan's capital Kadugli but from Juba in Southern Sudan. Consequently they feel entitled to go with the South, should it become independent after its referendum.

Another factor adds to the problems in South Kordofan: In the additional agreements to the CPA, the former state of West Kordofan was divided between northern and southern Kordofan, and the name of the latter state became South Kordofan, thus ruling out the former designation "Nuba Mountains." This added to the anger among the Nuba. All of a sudden, the Nuba found themselves in a state with a large number of Arab or arabized, mainly pastoralist ethnic groups – groups moreover, which during the war had tried to grab Nuba land. Now, as inhabitants of the new South Kordofan, they will be entitled to participate in the process of "popular consultations".

Some of these problems are discussed in an interview with the SPLM chair in Al Rashad, Younan al Baroud ("News from Africa," December 2009):

> *"There is a joint State government, but in reality the administration of government and SPLM-controlled areas is still separate. In the CPA, the two sides were supposed to be integrated, but four years have now passed without the integration being achieved. For example, our SPLM personnel were supposed to be absorbed into the civil service and start receiving government salaries. As we speak today these people are still working as volunteers. We do not have allowances to give them, but what keeps them going is their commitment to continue fighting for the ideals we fought for during the war – freedom, our rights and democracy. They are still volun-*

teering because they are aware that we will not achieve these things easily. Now we are approaching the 2010 national elections. In 2011 the South Sudan referendum will be held, and it will be too late for integration in South Kordofan. (...) As it is now, we have been left as orphans, belonging neither to the South nor to the North. But it is our right to determine our own future. Politically we are with the SPLM. According to the CPA we will decide our future through Popular Consultations in the State assembly. But one thing is clear – nobody is imagining the possibility of remaining in the North. We were marginalized for many decades under the authority of Khartoum. Even now they are not giving us the social services we need. That is why we joined the SPLM struggle... The main problem is that they are keen on imposing Arabization on the Nuba. We are not Arabs, we are Africans, the pure Africans of the Sudan. Imposing (Islamic) Shariah law on us by force will never work. We have our own culture and traditions, and in any case we are diverse groups within the Nuba nation. Forced rule under Shariah law infringes on our rights and identities" (News from Africa 2009: online).

The inhabitants of former West Kordofan are unhappy about the fact that their state was abolished. The peace agreement may thus become the source of conflicts. Parliamentarians from Kadugli (the capital of South Kordofan) reported a recent incident in which the inhabitants of Fuhla, former capital of West Kordofan, hindered them from attending a parliamentary session there.

Fortunately, so far, there have been no major violent clashes in Blue Nile State. Yet, when one discusses the situation with locals it becomes obvious that they do not know about or understand the system of "popular consultations." Many seem to favor a "confederation," a model proposed some time ago by their governor – yet according to the CPA this is not an option.

In December 2009, sponsored by the US Institute for Peace and others, a delegation from South Kordofan and Blue Nile State traveled to Indonesia. The reason for the trip was that the case of East Timor bears similarities to the situation in Blue Nile State and South Kordofan.

At the end of December 2009 Sudan's parliament passed the bill on popular consultations, yet it still has to be signed by President al-Bashir. At the time of this writing no official English translation of the bill was available. According to the unofficial and not yet signed copy, the people are supposed to exercise their right to express their views primarily through the media. In East Timor, on the other hand, a general debate involving all parts of the population took place. Such a process urgently needs to be initiated in South Kordofan and Blue Nile State.

Protracted conflicts, possible flashpoints

A closer analysis of the conflicts in the 'three areas' – their roots, their structures, prospects for their resolution and scenarios for their future – has to take into account the specific factors found in each place. This includes, among others, the proliferation of small arms; the presence of different armed groups ("official" as well as para-military troops); the multi-ethnic setup of the region; the reasons for the escalation of violence, as witnessed in Abyei in May 2008; the respective role of UNMIS troops (which have encountered much skepticism in the Nuba Mountains, for example); the interests and organizational structure of the civil society; and the absence of any kind of "peace dividend", for example in the form of development projects, in areas which had already been inaccessible to most aid agencies during the war.

The thorough analysis of all of these factors, in all of the three regions, is beyond the scope of this chapter. It is problematic enough to discuss Blue Nile, Southern Kordofan and Abyei – three regions with distinct histories, ethnicities, cultures, and economies – under the abstract term of the 'three regions'. However, two central elements – besides the involvement of parts of the civil society in the war, the difficult access to the regions during much of the post-independence period, the special status in the CPA and the lack of public interest (national as well as international) since the signing of the peace agreement – are the same in all three regions: One is the lack of a common identity mentioned in the interview with Younan al Baroud and discussed at length by Francis Deng (1995), Anne Lesch (1998), and Albaquir Al Afif Muktar (2009). The other factor is the lacking participation of civil society in the official peace process in combination with interest-driven, often shortsighted interventions from the outside (see Young 2007).

As explained above, the main motivation for the Nuba and Ingessena to join the armed struggle of the Southerners was their increasingly felt marginalization and the hope that a New Sudan, as proclaimed by the SPLM, could be brought about by violent means. Today, in the last year of the CPA interim period, Sudan still faces fundamental problems and conflicts. This situation may destabilize the whole country – a scenario that would have serious reverberations all over the region. Time and again the CPA seems to be on the verge of collapse. Frequently compromises are being reached only at the very last minute. The 2006 peace agreement on Darfur has been ineffective and new negotiations, the so-called Doha process, have made little progress. Nobody seriously monitors the implementation of the December 2006 agreement on eastern Sudan, and generally the situation of the people in the east has never gotten the attention it deserves.

Programmes for demobilization and disarmament have fallen short of their aims: Not only are there still plentiful supplies of small arms around, but on top of that new arms have found their way into the region. Both the NCP and the SPLM have used the time since the signing of the peace agreement for massive rearmament (see also the contribution by Pieter Wezeman in this volume). In

Southern Sudan, the government headed by the SPLM is not in a position to provide security for its people. In nearly all the states, and especially in Unity State, Jonglei, and West Equatoria (the latter is also plagued by the Lord's Resistance Army), armed conflicts continue to persist and even to spread.

Despite all efforts, development and infrastructure projects, the reconstruction of the economy, and the creation of jobs have fallen far behind the (often overly optimistic) expectations of the people. The global economic crisis and the drop in the price of oil have also seriously hit Sudan's oil-dependent economy.

The schedule for the elections has fallen behind what had been agreed on in the CPA. Conflicts surrounding the elections, the referenda, and the popular consultations are to be expected. In anticipation of this – and the possible secession of the South – the NCP as well as the SPLM have been deploying troops and heavy equipment in the border areas (an exact border between North and South is yet to be established). Darfur, Abyei, South Kordofan, and Blue Nile State fall exactly into this area. This fact is the most important common denominator of these otherwise very different areas – and the one that will most likely shape the outcome of their aspirations.

On the fifth anniversary of the CPA numerous experts have tried to predict the future of Sudan. Almost universally the outlook was bleak – with some suggestions about how to avoid a worst-case scenario. In private conversations it is evident that most experts are gravely concerned, yet there is a depressing lack of ideas about what to do. Many published statements, including those from the UN, express their concern about the future and point at the importance of the elections and the referendum in Southern Sudan. Most of them, though, do not even mention the referendum for Abyei or the popular consultations in South Kordofan and Blue Nile State.

Some high-ranking international diplomats even go so far as to publicly declare what outcome of the referendum they wish for. This is in clear contravention of the CPA – an agreement they themselves witnessed and signed. Some Sudanese, as well as many outsiders, still believe that outside intervention could effect a profound change for the better. Others meanwhile think it would be better for all outsiders to leave and only come back once the problems have been solved.

The CPA, which put an end to decades of war, was cause for much hope. It was believed that the CPA would lead to a process of democratization, which, in turn, would resolve all other problems, including the war in Darfur. Yet, as Young (2007) and others who closely monitor the peace process in Sudan have pointed out, it is beset by at least three basic dilemmas:

First, despite all efforts at international coordination the peace process in Sudan was and is very much driven by outside forces. The vested interests of the various countries engaged, and especially the security agenda of the post-9/11 US, have very much shaped its outcome.

Second, the international community supported the approach to have only two parties on the Sudanese side, the NCP and the SPLM, negotiate the future

of the country. Thus, with the agreement, those two parties cemented their positions. The NCP as well as the SPLM are both strongly influenced by military thinking, and have, to say the least, little tradition of democratic decision making. All other actors, including civil society, were deliberately excluded from the process in order to streamline the negotiations. Thus, although people were generally happy that the war had ended, the agreement did not address the interests and desires of many of them. Southern Sudan, for instance, was granted secular status. Muslim opposition and civil society in the North were furious about the fact that at the same time Sharia – the Islamic law, which the majority of Muslim Sudanese will not apply to other than private affairs – became the basis of public law in northern Sudan. The Nuba statements quoted above point in this direction and give further indication that many of those who fought for the SPLM during the war do not consider the CPA protocols as sufficient.

Finally, the IGAD peace process, as well as many other peace processes in Sudan and around the world, did not address the root causes of the conflicts in Sudan. For all these reasons, a sustainable resolution of the conflict was not possible – and the seeds for new conflicts were sown.

The question of why the peace agreements failed and what the root causes of the conflicts are is also discussed by Albaquir (2009). He proposes that the concept of a "New Sudan" might not be able to address the issues at stake:

> *"It is remarkable that despite all these peace agreements, we still have war. The mere fact that we have all these different peace agreements indicates that something is fundamentally wrong in the structure of our society, and our state. The ruling class has institutionalized its prejudices, and used the state to protect its privileges. This faulty structure creates wars and if we don't put it right, wars will continue, no matter how many peace agreements we have. All these wars are between the centre of government, or the state, on one side, and rebels, or armed movements from the different regions on the other side. Those who are at war with the state share a common factor: they are different from the ruling class in one or more of the following traits; religion, race, language, culture, and colour, or rather the degree of blackness. (…) Since Dr. John Garang introduced the concept of "marginalization", it became the most plausible description of the cause of the wars: political, economic, and cultural marginalization of the peripheries (…) Nevertheless it begs the question "What is the cause of marginalization itself"? Of course marginalization is not a historical accident (…). Marginalization is an intentional policy followed by all post-independence "national" governments. These governments are dominated by one identity, whereas the marginalized regions are representative of a variety of identities."*

Deng (2007: 89 ff.) makes a similar point concerning Southern Sudan:

> *„Even within a (possibly) independent South, there is a need to reform the system of governance to address the challenges of diversity and to build*

on existing African values, institutions, and operational patterns, which, until now, have been discouraged and neglected." And he continues: "Post-independence governance frameworks have contributed to a crisis of national identity throughout much of the African continent. The existing legal frameworks seem to stress unity through suppression of diversity and have left many Africans feeling disempowered, unable to see themselves reflected in their nations' governance structures. If African constitutions and their governing frameworks are to function effectively, they must harness diversity and build on their people's essential cultures, values and norms. Constitutionalism for Africa must not be seen as a process that begins and ends with the elaboration of a constitution, but rather as a living process that constantly evolves with the participation of its people and promotes their ownership of governing frameworks that reflect the political, economic, social and cultural dynamics of the continent."

The CPA as well as Sudan's interim constitution acknowledge the ethnic, cultural, and religious diversity of the country. In reality, though, those are just so many words. Nowhere is there a "living process of constant participation." As much as it is needed, an intercultural dialogue involving all stakeholders and including reconciliation and the healing of trauma, is nowhere to be found.

To this day, the Sudanese have not developed a common identity. The ruling elites have never tried to stress common traits and interest. On the contrary they have constantly used ethnic, cultural, and religious differences and prejudices to fan local conflicts and thus strengthen their policy of divide and rule. Unfortunately there seems to be a tendency within the elites of Southern Sudan to continue with this tradition.

Outlook: the 'three areas' at the end of the CPA interim period

This deplorable state of affairs affects people throughout Sudan. For Abyei, Southern Kordofan and Blue Nile, however, it poses an especially grave threat as all three areas are located in the region where North meets South. Should the elections and the referendum in the South trigger another round of fighting, the 'three areas' will most likely be the battleground.

If Southern Sudan becomes independent, while at the same time the process of popular consultations fails to satisfy the aspirations of the local people, an equally volatile situation could ensue. In this scenario, political and rebel leaders from the region might join their forces in a "border belt" that could take on the government in Khartoum, possibly with support from the South.

It is difficult to predict whither Abyei, South Kordofan, and Blue Nile State will turn. At least two of the three regions are very diverse in terms of religion and ethnicity, and there are divisions even among the Nuba. Up to now, the situation is characterized by a high level of mistrust between (and often among) the

different groups, and a serious debate on the prospects for a peaceful common future has not yet been initiated.

Whether the elections in April will have a major effect on the power structure of Sudan is equally difficult to foresee. One important precondition would be the free and fair conduct of elections, with a well-balanced access to all public media during the electoral campaign. In Southern Kordofan, for example, the current SPLM vice governor Abdel Aziz Al Hillu is running for governor. Half Nuba, half Darfuri, he was highly respected by many Nuba as a senior commander of the SPLA in the Nuba Mountains. However, it is questionable whether he will be elected by the majority of the ethnically diverse population. Many might rather vote for the present governor and NCP candidate: a former commander of the Popular Defence Forces and key figure in the oppression of the Nuba during the war, he has shown considerable skill in garnering support of late. Also, the Nuba-SPLM still rejects the results of the 2008 census, on the basis of which the constituencies were formed, and has repeatedly threatened to boycott the elections entirely.

In Blue Nile State, the SPLM candidate Malik Agar might find it easier to be reelected. During his term as governor, he successfully cooperated with the government in Khartoum on certain issues and managed to secure several development projects, funded by federal money, for his region. Whether it will be possible to end the NCP hold on both regional parliaments, however, is questionable. Yet without a democratically-minded parliament, it is unlikely that the "popular consultations" will correspond to the needs and expectations of the population. Abyei, on the other hand, will in any case remain under presidential administration until the referendum on its future status – the problems in the context of the referendum law have already been discussed above.

Time is running out fast and a peaceful, sustainable solution is nowhere in sight. This is not to suggest that the conflicts in Sudan are intractable. As those working in reconciliation and peace building know – to achieve peace is a lengthy, a very lengthy process. A peace agreement alone does not bring peace. Sustainable solutions can only be brought about through a long process involving all local stakeholders. Such a process can be supported by outsiders, it can be assisted through development projects, yet it should never be tried to influence its outcome according to predetermined notions.

Such an insight will not satisfy those looking for a quick fix – be it that they represent vested interests, be it that they are sincerely concerned that more lives will be lost in the course of the process. Yet, there is no alternative but to start and accompany such a process. Only thus will it be possible to change the situation in Abyei, South Kordofan, and Blue Nile State – and in the whole of Sudan. The result could be the development of a national identity – whether in one, two, or more "Sudans" remains to be seen.

The need for this process, however, is increasingly being acknowledged. The Sudanese civil society – which, admittedly, is only loosely organised after decades of violence and war – continues to ask for opportunities to reconcile and

to make its voice heard. This is true for Christians as well as for Muslims. The most recent report by the CPA Assessment and Evaluation Commission (2010) put particular emphasis on the difficult situation of the 'three areas', which also deserves closer attention from the international community. The Christian churches in Sudan, under the umbrella of the Sudan Council of Churches and its international partners, have started to work towards a process of dialogue and reconciliation that encompasses all levels and all parts of society. Their efforts follow the example of the successful "People to People" peace process and the accompanying political consultations during the war. Other organizations, such as Justice Africa and the US Institute for Peace, are equally listening to demands from civil society and have initiated a broadly based civic dialogue. To achieve their goals, these initiatives will need to support rather than obstruct each other – and make sure that the people of Sudan will always be the ones in charge.

References

Aalen, Lovise. 2009. *The Challenge of Nation Building in Diverse Societies*, paper presented at the Sudan Conference, Hermannsburg.

Albaqir, Al Afif Muktar. 2009. *Identity, the Absent Variable in the Equitation*, paper presented at the Sudan Conference, Hermannsburg.

Akol. Lam. 2009. *SPLM/SPLA Inside an African Revolution*, Khartoum University Printing Press, Khartoum.

Assessment and Evaluation Commission. 2010. *AEC January 2010 Evaluation Report,* Khartoum. http://www.aec-sudan.org/press.release.2010-01-13.html

Deng, Francis. 1995. *War of Visions, Conflict of Identities in the Sudan*, Washington D.C.

Hamid el Bashir, Ibrahim. *In Search of the Lost Wisdom: War and Peace in the Nuba Mountains. Grass Root Perspectives on Peace Building Processes and Strategies*.

Integrated Regional Information Networks. 2009. *Sudan: Growing discontent in Southern Kordofan*. http://www.unhcr.org/refworld/docid/497050fd2c.html

Inter Africa Group / Centre for Policy Research and Dialogue. 2007. *Conference on the Current Peace and Security Challenges in the Horn of Africa*, Addis Ababa.

International Crisis Group. 2008. "Sudan's Southern Kordofan Problem: The Next Darfur?," *Africa Report*, No. 121. http://www.crisisgroup.org/home/index.cfm?id=5738

International Crisis Group. 2007. "Sudan: Breaking the Abyei Deadlock," *Africa Briefing*, No. 47. http://www.crisisgroup.org/home/index.cfm?id=5122

Johnson, Douglas. 2007. *The Root Causes of Sudan's Civil Wars*, Oxford etc.

Khamier, Elwatiq. 2008. "SPLM Vision, Scenarios and Strategies for the New Sudan's Evolution," *Sudan Tribune*, June 12. http://www.cmi.no/sudan/doc/?id=1000

Khartoum Monitor. 2006. "Blue Nile may join South Sudan if peace deal not implemented", March 10. http://www.sudantribune.com/spip.php?article14462

Lesch, Anne. 1998. *The Sudan - Contested National Identities*, Indiana University Press

National Democratic Institute. 2009. *Losing Hope: Citizen Perceptions of Peace and Reconciliation in the Three Areas*. http://www.ndi.org/node/15366

News from Africa. 2009. "Uncertainty in Sudan's Southern Kordofan State," December 11. http://www.newsfromafrica.org/newsfromafrica/articles/art_11799.html

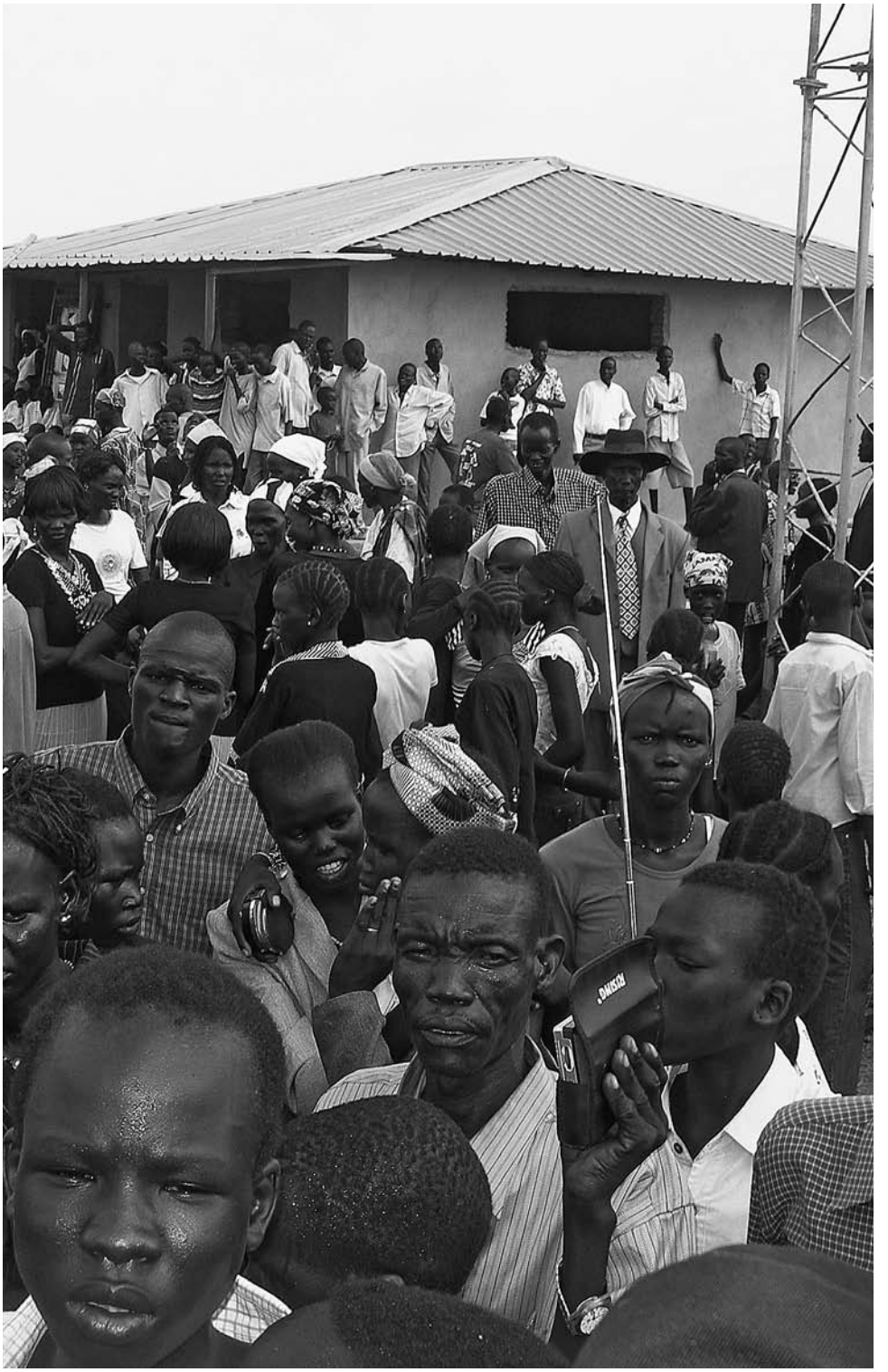
Nuba Survival. 2005. "Naivasha Accord Fails to Address Nuba Grievances," Sudan Tribune, January, 4. http://www.sudantribune.com/spip.php?article7354

Peter, Marina. 2008. *Southern Kordofan Assessment Mission Report*, internal document, Sudan Focal Point Europe.

Peter, Marina. 2009. *Sudan: The Critical Juncture. Current Situation, Possible Scenarios and Strategy Consideration*, internal document, Sudan Focal Point Europe.
Shurkian, M. Omer. 2008. *The Nuba: A People's Struggle for Political Niche and Equity in Sudan*, London.
Small Arms Survey. 2008. "The Drift Back to War - Insecurity and Militarisation in the Nuba Mountains," *Sudan Issue Brief*, No. 12, http://www.smallarmssurveysudan.org/pdfs/HSBA-SIB-12-drift-back-to-war.pdf
Small Arms Survey. 2009. "Supply and Demand, Arms Flows and Holdings in Sudan," *Sudan Issue Brief* , No. 15. http://www.smallarmssurveysudan.org/pdfs/HSBA-SIB-15-arms-flows-and-holdings-in-Sudan.pdf
Sudan Council of Churches / Sudan Ecumenical Forum. 2009. *Kadugli People's Forum Report und Statement*, Khartoum.
Sudan People's Liberation Movement. 1994. *SPLM Vision, Programme and Constitution*.
United Nations Mission in Sudan. 2007. *Situation Analysis*, Resident Coordinator's Office Southern Kordofan. http://www.unsudanig.org/docs/Southern%20Kordofan%20situation%20analysis%20and%20state%20priorities.doc
United States Institute of Peace. 2010. *Sudan's Popular Consultation – The Journey to Determine the "Will of the People" takes Sudan to Indonesia*. http://www.usip.org/in-the-field/sudans-popular-consultation-the-journey-determine-the-will-the-people-takes-sudan-indon
Young, John. 2007. "Sudan IGAD Peace Process: An Evaluation," *Sudan Tribune*, May, 30. http://www.cmi.no/sudan/doc/?id=890

Legal Documents

Government of Sudan. 2009. *Abyei Area Referendum Bill*, unpublished, Khartoum.
Government of Sudan. 2009. *Southern Sudan Referendum Law*, unpublished.
Government of Sudan. 2009. *Regulation of Popular Consultation for Southern Kordofan and Blue Nile States Bill*, unpublished.
InterGovernmental Authority on Development. 1994. *Declaration of Principles*' July, 20.
Permanent Court of Arbitration. 2009. *Abyei Area Final Award*, Den Haag, July, 22. http://www.pca-cpa.org/showpage.asp?pag_id=1306
Addis Ababa Agreement. 1972. Addis Ababa, March, 2. http://madingaweil.com/addis-ababa-peace-agreement-1972.htm
Comprehensive Peace Agreement. 2009. Nairobi, January, 9. http://www.aec-sudan.org/docs/cpa/cpa-en.pdf
Machakos Protokol, Machakos (Kenya). Juli 20, 2002. http://en.wikisource.org/wiki/Machakos_Protocol
Nuba Mountains Ceasefire Agreement, Bürgenstock (Switzerland). February, 19, 2002. http://www.sudan.net/news/press/postedr/83.shtml



Community members celebrate the opening of a new radio station in South Sudan.

ROLAND MARCHAL

The Regional Dimension of Sudanese Politics

Sudanese politics today are the product of internal tensions[1] as well as of imperfect dialectics on the regional level. While in the nineteenth century Sudan was the playing ground for a competition between two expansionist powers – the Ottoman Empire and the nascent Ethiopia – this system of relations has become much more complex and differentiated. In a world of nations, the greater Horn of Africa has also become a network of networks, cultivating paradoxical relations at a regional level and still eager to play great powers against one another.

What follows is a modest contribution to illustrate this situation. The first extended section intends to describe the relations that a problematic entity called Sudan has entertained with its neighbors over the last two decades. Doing so requires both looking back at history and also encompass more current political-regional and international parameters.

The second section looks at potential areas of tensions and conflicts: There is little doubt that South Sudan will vote for independence in 2011 and the international community should not again make the mistake it made in 1991, when it became clear that Eritrea was a *de facto* independent state (it achieved *de jure* independence in 1993). At that time, too few analysts tried to draw scenarios on how the regional order would be reconfigured with the inclusion of a new state actor. Of course, history does not repeat itself, but one should be very careful not to forget once more the regional context that this event is part of.

What is the future of (North) Sudan after South Sudan takes its own path? It is surprising that this question has not been discussed as much as the viability of an independent South Sudan. Yet, the answer is not evident. Although in many regards the situation could remain as it has been and the state apparatus (especially its security services) not be altered, the very concept of Sudan that the military and the elites have subscribed to for more than a century would be gone. This might put into question the legitimacy of a (North) Sudanese state, far beyond the current areas of tension in Darfur and the transitional areas.

1 Emphasis has always been given to the North-South dynamics for state-building in Sudan. Yet, the bloody war in Darfur after those in the Nuba Mountains and Blue Nile should remind us that the West-East dynamics have also been at work. See, for instance, Grandin (1977; especially the introduction), Ewald (1990), and Hasan & Doornbos (1977).

Last but not least, the question of a European policy is evoked. The European Union has so far failed to get substantial leverage on the Sudanese situation due to two basic motives that may be understood but that could have been handled more efficiently. First, the European Union had problems being heard by the numerous actors. Second, because the European Union has made the International Criminal Court (ICC) one of the core elements in its foreign policy arguments, it lost many opportunities to push its arguments after the indictment of Sudan's President Omar al-Bashir and could only endorse the US mediation.

A tumultuous regional order

The Horn of Africa shares with southern Africa a dubious privilege. This region of the continent was a privileged site of the East/West competition for decades (see Patman 1990; Lefebvre 1991). Moreover, this region is also a frontier with the Islamic world and with the Arab world. These geopolitical characteristics should be used in a careful manner; they are not always meaningful and are often simply clichés deprived of any analytical or explanatory aspects. Yet events or global dynamics may provide them a new actuality.

For years, for instance, the Arab/Islamic world could not be considered one actor in the region. Libya was actually allied with South Yemen and Ethiopia (hardly an Arab or Islamic entity). Egypt, Saudi Arabia, North Yemen, and Sudan over the last decades have been highly dependent on the West. Furthermore, the regional geopolitics over the last 20 years has taken into account other international actors like Iran, Israel, and the Gulf monarchies, which have to be scrutinized because their behavior is not driven only by global balances of power but also by regional tactics and short-term interests.

Sudan has a specific history because of a paradox. On the one hand, its political regimes until 1989 have been easily identified within defined categories: allied to the West, conservative, often ruled by the military, quite parochial in their worldviews. This could be explained by the nature of the main political forces in the country, its limited infrastructures (notably in terms of education and mass media), and therefore its narrow elites. On the other hand, maybe because of its location and its very frontier nature, Sudan has been involved in most of the geopolitical tensions the region has been involved in: the Cold War, the Israeli-Palestinian conflict (Sudan being the first and only Arab country that supported the Camp David agreement in 1978), and lately the terrorist/Jihadi episode that actually started long before the arrival in Khartoum of Ussama bin Laden in 1991.

The following description gives a schematic account of the events and dynamics that have connected Sudanese politics with the region, what the United States calls today the Greater Horn of Africa. It is not intended to provide a structural explanation for these relations, which would require more space and a much more detailed review. Nevertheless, it is intended to help make sense of

what often shows on the surface of events, without always being evaluated in the right manner.

Traditionally, two countries have been essential for Sudan: Egypt and Ethiopia. Two others have become difficult partners: Eritrea and Libya. The others are seen by Khartoum as potential spoilers in the management of the South Sudan issue (and will be examined in detail in the second section of this paper). Yet what is striking is that there is no evident regional *hegemon*, despite repeated claims made by Ethiopia and Egypt, and this absence largely contributed to enlarge Khartoum's political room for maneuver, whatever the regime in Sudan was.

A major geopolitical shift has been Sudan's entry into the club of oil-producing countries. This has completely reconfigured Sudan's position in the region as well as in the global arena. This is especially true because it happened at the very moment (at the end of the last century) when China needed to get access to new sources of supply to consolidate its economic model based on exports promotion.

It should be said from the start that no one has a clear vision of what the political economy of oil in Sudan would be tomorrow. Large areas of the country need to be explored and it is not clear that oil fields will only be located in the South or at the frontier in the North. The knowledge of this reality would certainly limit the scenarios or trends described below and generate new ones.

Egypt

The ambivalences and ambiguities that nurture relations between Cairo and Khartoum are impressive. There is no need here to go into historical details but contemporary Sudan was built on the graves of the Ottoman/Egyptian colonialism. This determines a love-hate relationship between the two countries that is not easy to describe in all its complexity.

On the one hand, the intimacy of the relations over generations and the importance of the Sudanese diaspora in Egypt is a given. This is exemplified also in the way Egypt acts more than often as the self-appointed intermediary between Khartoum and other Middle Eastern countries or the West. On the other hand, few Sudanese politicians, whatever party they belong to, do not resent what they often describe as paternalism from their Egyptian counterparts that may sometimes include some kind of benign racism.

The post-June 1989 regime in Sudan has had its ups and downs with Cairo. The latter was the first to recognize al-Bashir's new *Enqaz* (salvation) regime on June 30, 1989, and, throughout the summer of 1989, it played off the confusion and tried to appear as a military junta led by religious officers. Cairo was instrumental in keeping doors open despite the fact that the previous regime was democratically elected. Egypt did so because it had had surprisingly bad relations with the overthrown Prime Minister Sadeq al-Mahdi.[2] Not only were the relations

2 Sudan unilaterally abrogated both the Integration Charter and the military pact, both of which had bound it to Egypt since 1974.

not warm with the Umma Party and Mahdi's heirs for obvious historical reasons, but Sadeq al-Mahdi had cultivated good relations with Libya (at that time an archenemy of Hosni Mubarak) and even Iran. Moreover, the Egyptian rulers felt more commonalities with a military than a civilian (and loosely democratic) regime. They rightly assumed that they could have more leverage on the former than on the latter since many Sudanese officers, including Omar al-Bashir, were trained in their country.

Yet the National Islamic Front (NIF) was part of the equation and not a marginal actor (see Al-Effendi 1991; Marchal 1995 and 2004). When the Egyptian security apparatus found out that the new regime in Khartoum was actually driven by the Islamists, it was too late since the latter already had a grip on the army and extensive purges were taking place. There was little sympathy on NIF's side toward Egypt. The NIF could be considered as heir of the Sudanese branch of the Muslim Brothers (*Ikhwan al-Muslimin)*, an organization set up in Egypt.[3] Its leader, Hassan al-Turabi, from the very beginning of his political life opposed the Egyptian leadership. His model of organization was more political, less directed toward the elites and not so strategically concerned with Islamic education. Ideologically, whatever history will remember, he shared structural values with the Egyptian branch (such as anti-communism) but was more open on social issues (including women's affairs) and certainly not a Wahhabi, while for a number of reasons the Egyptian branch of the Muslim Brothers in the 1960s got closer to that interpretation of Islam.[4] Second, the regime was exactly what a leader like Turabi needed to oppose: a military regime (Sudan has its own experiment with military regimes), alliance with the West (first recipient of US aid in Africa at that time), soft stance on Israel, and support for the conservative Arab regimes.

So, relations between Cairo and Khartoum deteriorated quickly. The diplomatic support provided to Saddam Hussein after the invasion of Kuwait in August 1990 and the opposition to the international coalition during the Second Gulf War were also considered a rebuff against "Arab solidarity." Moreover, after the incomplete victory of the international coalition in March 1991, Khartoum provided shelter to members of the Gama'a Islamiyya and other opposition groups. Khartoum's stance was hardly surprising since the NIF had already announced in 1988 that it would try to coordinate with those organizations, once in power. This policy put in jeopardy not only relations with Egypt but also with Saudi Arabia and other Gulf monarchies that were not always hostile to Khartoum. The leader of Qatar was a personal friend of Hassan al-Turabi and

3 The NIF succeeded the Islamic Charter Front set up in the early 1960s. This latter movement expressed a clear break in the then Ikhwan strategy to gain influence: Mundane politics more than pious education became a priority. This eventually created the conditions for a split between Turabi's supporters and those closer to the usual Ikhwan thinking (see Al-Effendi and Marchal, *op. cit.*).

4 This was largely due to the coercion exercised against them in Egypt and their asylum in Saudi Arabia, where the Wahhabi had dominant positions.

offered, throughout the first years of the *Enqaz* regime, shipments of oil or funds. Yet most rulers did not appreciate the propaganda against them that emanated from Khartoum with the acquiescence of the regime.

The peak in the deterioration was reached when Egyptian militants – with the help of some parts of the Sudanese security apparatus – attempted to kill Hosni Mubarak at Addis-Ababa in June 1995.[5] There was no question about Sudanese involvement. This major incident came at a time when Ussama bin Laden and his fellow "Afghans" had already been targeted by Western and Arab security services. If 1995 and 1996 were a low in relations between the Arab world and Khartoum, the Sudanese rulers decided to drastically reverse this trend. The normalization started soon after the UN sanctions were passed in 1996 and never stopped: It was then a question of survival.

An important moment was the crisis within the ruling party and the revoking of Hassan al-Turabi's official positions in December 1999. Turabi had become the scapegoat for all debatable deeds of the regime (they were numerous) and the weakened leadership had to become much more realistic overnight. The ruling elite then reframed its policies and went back to a more traditional approach of the Arab world, presenting itself as a strong religious nationalist regime ready to compromise with the United States (contacts with the CIA and FBI started in early 2000, long before 9/11).

Over the last ten years, relations with Egypt have normalized to a great extent. Peace talks with the Sudan People's Liberation Army /Movement (SPLA/M) and on the Darfur conflict have fostered this rapprochement between Cairo and Khartoum. Both regimes were challenged and heavily criticized by Western chancelleries to the extent that they were believed to have been blackmailed by the United States. Therefore, cooperation in the military and diplomatic realms has restarted.

This cooperation is based on common concerns on several important issues. First, the independence of South Sudan will have drastic consequences on the sharing of Nile waters. This is not a new or urgent problem to address but eventually this issue will need to be tackled. Second, this alliance is also a way to limit the influence of other regional actors that may be more favorable to Washington or have their own agenda. Libya is a good case and reviewed below but also Qatar, which over the last 10 years has tried to play its own diplomatic card against a Saudi diplomacy largely tetanized by 9/11 and the old age of its rulers.

Stakes are not only tied to the diplomatic level but also linked to economic interests. According to the Egyptian State Information Service (2009), Egyptian imports from Sudan were set in 2008 at USD 31.6 million as compared to USD 40.3 million in 2007. Egyptian investments in Sudan reached USD 2.5 billion in 2008 as compared to a mere USD 82 million in 2002. Egypt thus occupies third place on the list of Arab countries investing in Sudan. Sudanese investments in Egypt on the other hand were estimated in 2008 at USD 197.2 million. Egyptian

5 The best description is provided by *Africa Confidential* (1995).

investments in Sudan are varied and diversified: industry (70.5%); services (28.4%), and agriculture (1.1%).

After decades of denial of the war in South Sudan, Hosni Mubarak traveled in November 2008 to Juba, and Salva Kiir himself visited Cairo in October 2009. Egypt made clear that it would accept the results of the self-determination referendum scheduled for January 2011. Beyond the diplomatic niceties and talks about cooperation, the key issues were the future of the Jonglei Canal (Collins 1990) and the management of Nile waters.

While the relationships on the elite level are good and have even become warmer, a recent football game between the national teams of Egypt and Algeria in Khartoum may serve as a reminder that the Sudanese population at large may prefer distant friends to closer ones. The colonial legacy is one explanation, the unresolved issue of the al-Hala'ib Triangle[6] another. However, one should not dismiss the debatable behavior of Egyptian authorities toward Sudanese people who are settled in Egypt or are visiting.

Ethiopia

Although Sudan's ties with Ethiopia are not as intimate as with Egypt, the complexity of their relations is astonishing. To a large extent, these relations dictate the future stability of the Horn. Commonalities are strong with Ethiopia but contradictions are numerous, as with Egypt.

In the 1980s, Ethiopia was perceived as the archenemy of Sudan. First, the two countries did not belong to the same geopolitical camp – Addis-Ababa being considered a stronghold of Soviet influence, while Khartoum was virulently anti-communist. Second, when the war (re)started in South Sudan in 1983, Ethiopia provided not only shelter for the refugees but military facilities for the SPLA/M to recruit and train new fighters. Third, from the mid-1960s, Sudan hosted thousands and then tens of thousands of Eritrean and Ethiopian refugees and let their organizations operate on its territory. Interestingly enough, while the Eritrean People's Liberation Front (EPLF) developed contacts with the whole Sudanese political class – even deeper ones with the Communist Party – the Tigrayan People's Liberation Front (TPLF) was clearly less embedded in the Sudanese political realm. Oromos of the Oromo Liberation Front (OLF) and Somalis had better connections with the Sudanese Islamists (Zitelmann 2007).

After the coup in June 1989, the new junta and its NIF political backbone were not in a position to initiate an offensive in the South since the army was not fully under control and military hardware was missing (this had been one reason for the coup). On one hand, they tried to contain the SPLA by supporting hostile militias in the South (militias which became part of the People's Defense Forces

6 The al-Hala'ib Triangle is a small patch of land disputed between Sudan and Egypt. For a background, see Warburg (1994). The last Sudanese census could not be carried out there because of the Egyptian authorities' opposition. See *Sudan Tribune* (November 2, 2009).

– PDF) and, on the other, they focused on coordinating the various armed groups struggling against Addis-Ababa and helped build a broad coalition that included the EPLF, TPLF, OLF, and other smaller armed groups. After months of fighting, regime change in Addis-Ababa happened in May 1991 and, as a direct consequence, the SPLA lost its facilities in Ethiopia. In a matter of months, Southern Sudanese refugees left the camps near Gambella and went back to Sudan, a retreat that looked like a rout and helped foster the bloody split that broke out in the SPLA (Johnson 2003). It was no surprise that a few months later in spring 1992, the Sudanese army launched its first significant offensive against the SPLA by crossing through the Ethiopian territory with the implicit green light from Addis-Ababa.

But Khartoum was more ambitious and tried to promote parent Islamist organizations in Ethiopia, which has always been considered a Christian citadel surrounded by Islamic lands. This took different forms, including the presence of Islamic NGOs in Ethiopia and Islamic militant proselytism. A few incidents raised the stakes but the turning point, as mentioned previously, was the attempt to kill the Egyptian president when he arrived at Addis-Ababa airport in June 1995. For a few years, the tensions were high between the two capitals. Yet, the Ethiopian rulers acted more quietly (but as decisively) than their Eritrean colleagues, who were facing the same threats. There were no loud statements, no public exposures, but the SPLM was again welcome in Addis-Ababa, though it did not enjoy the same military facilities as before 1991. However, Khartoum after 1996 was eager to reconcile with its neighbor and cut down the militants' activities that it could control in Ethiopia.

But the blessing for Sudan's regime was the war between Eritrea and Ethiopia (Marchal 1999). The latter suddenly was in a position of vulnerability and Khartoum was in a position to offer the right response to counter it. Khartoum's interest was obvious since Asmara had become a true problem because of its support for the Sudanese opposition, including the SPLA. Warming its relations with Addis-Ababa was a way to contain Eritrea and strengthen the neutrality of Ethiopia at a time when the SPLA had shown its ability to get the war in North Sudan (as the taking over of Kurmuk, south of Damazin, illustrated). Diplomatically even, this rapprochement was good news, as the Ethiopians could exercise some influence on the Intergovernmental Authority on Development (IGAD) and intervene on behalf of Khartoum with the European Union and the United States. This choice was one further illustration of the high degree of pragmatism within the Sudanese leadership.

From that period on, this cooperation has deepened on many issues. As soon as Sudan was able to do so, it supplied Ethiopia with oil products that represented, in 2009, 80% of Ethiopia's demand. Cooperation went beyond that aspect and also had an impact on road and telecommunications infrastructure, as well as general trade.

Politically, Ethiopia's support appears today to be a key element in a difficult African context, especially after the Darfur crisis broke out. It also tempered the

United States' attitude and proved that Sudan's regime could maintain warm relations with a strategic ally of the West in the Global War on Terror.

This policy has a cost for Khartoum that should be appreciated. One can point out three main components. First, a gray area developed in the triangle of Addis-Ababa/Khartoum/Juba after 2005. Politically and ideologically (if the word is warranted here), the SPLM is much closer to the ruling party in Ethiopia than to the one in Sudan, the National Congress Party (NCP). There are recurrent rumors that Ethiopian military advisers are present in South Sudan. Yet, these connections do not go as far as they could, maybe so as not to hurt Khartoum's sensitivity. Second, the borders are becoming a very contentious issue between the two countries, despite the cold-minded approach taken by their leaders. It seems that from 2006 onward, many incidents – some violent – occurred in the border areas, especially in the Gedaref and Upper Nile states.[7] In both countries, the local administrations seem to have raised the stakes rather than cool them down. As Eritrea adamantly reminds the whole region, borders are not demarcated and could become a bone of contention very easily. Third, Sudan often is required to do the splits in regional politics. More often than not, Khartoum keeps quiet for the sake of not upsetting its neighbor. This is particularly the case when Somalia's case is debated, since Ethiopia controls IGAD's agenda for this country and Eritrea. For instance, Asmara was very bitter that Khartoum raised no opposition when IGAD called for UN sanctions that eventually were passed by the UN Security Council in December 2009.

Libya

The relationships with Libya are, in a way, superficial but carefully managed in other ways. Very early on, Col. Muammar Gaddafi became an actor in Sudanese politics after he took power in 1969. He saved the Sudanese ruler, Ja'afar Nimeyri, when a wing of the Communist Party tried to overthrow him in 1971, but later offered hospitality to the National Front that gathered the Northern opposition against Nimeyri's rule. In 1976, those opponents were near to toppling the latter. Yet, the Libyan regime never had genuine supporters among Sudanese political parties despite its generosity toward Northern parties and even the SPLM.

In the 1980s, Libya became a key actor in the first Darfur crisis. Its staunch opposition to Chad's president, Hissène Habré,[8] pushed Tripoli to help his Chadian opponents reorganize in Darfur and to support them there with surrogate militias trained in Libya and called the "Islamic Legion." This policy aggravated an already tense situation on the ground and significantly contributed to the first Darfur war (Harir 1999; Burr & Collins 1999). However, although this

7 For instance, the recurrent incidents between Jikany Nuer and Anuak and Murle in the border area. In Gedarel state, clashes involved peasants and local security forces. See *Sudan Tribune* (March 20, 2006; June 16, 2008; and more recently December 29, 2009).

8 Hissène Habré took over in June 1982 against a regime that was supported by Libya. See Noluntshungu (1996).

strategy had not been successful in the first years after 1984, things changed after Idriss Déby Itno failed in his coup in N'djamena on April 1, 1989, and went into exile in Darfur. Thanks to Libyan and Sudanese support and benefiting from some informal support from the French, Idriss Déby was able to overthrow Hissène Habré on December 1, 1990.

Sudan's stance was justified by a clear convergence of interests. It had little sympathy for the warm relations Hissène Habré had developed with Washington after 1982, relations that could sooner or later contradict its own policy in the region. But the main concern was related to the attempts made by the SPLA to get logistical facilities into Chad.[9] For Khartoum, as Daud Bowlad's odyssey proved in 1991,[10] this could open a new front at a time when the regime was purging its own internal opponents and had little means to fight on another front.

The rise to power of Idriss Déby was therefore the fruit of a regional effort. To a large extent this explained why the following decade was basically quiet in spite of multiple attempts by Chadian rebels to restart a war against Idriss Déby and initiate several very serious incidents in Darfur that involved transnational groups such as the Masalit, especially in West Darfur (Haggaar 2003; Daly 2007).

While Libya was confined to a role of sanctuary or generous arms supplier until June 1989, Col. Gaddafi had his time of glory after the coup in Khartoum in a way that might not have been so dissimilar to what happened in Egypt. At first, he supported the *Enqaz* regime and provided it with oil products while shortages were at a peak in Khartoum. He also suggested that the popular committee organization build a system of control for the Sudanese population, which eventually changed itself into the NCP.

But this apparent influence was built on sand, at its best. Col. Gaddafi was adamantly opposed to the Islamists and his political vision developed in the Green Book was seen with hostility by the Sudanese Islamists. Turabi and Gaddafi might both have been detested in the West, but they were not good bedfellows. The undeclared animosity between them peaked when Sudan's regime provided shelter to Libyan Islamist opponents, who had carried out a number of attacks against Libyan officials and possibly Col. Gaddafi himself. The initial sympathy had transformed, by the late 1990s, into a bitter relationship that was kept silent mostly because of their common US enemy and the fear of getting weaker in case the feud became known.

The geopolitics of the relationship was clear for everyone. Libya was immensely rich but with no population and an influence largely built on its financial capabilities more than its ideological or economic influence. Col. Gaddafi

9 Interview of Acheikh Ibn Omar, Paris, November 2009. He was Minister of Foreign affairs from 1988 to December 1990.

10 Daud Bowlad, a former Islamist Fur, decided to join SPLM after a bitter argument with Hassan Turabi about the indifference of the NIF before the crisis in Darfur in 1987–1989. In autumn 1991, he led a column of SPLA fighters made up of Darfurians, Nubians, and Southerners to open a new front in South Darfur. They were exterminated in November 1991. See Marchal (2004).

was overambitious but not consistent enough to build a true network of influence and to develop consistent policies over time to build his regional leadership. Moreover, from 1992 until 1999, Libya was under pressure from international sanctions and scrutiny, and its leader were unable to travel outside the country.

This very much explains why, when the Darfur conflict started, Libya became involved on all sides at the same time. Tripoli wanted to regain an influence it had had on Sudanese affairs and could not accept that Sudan had become more autonomous due to its oil exploitation and new relationships with the West.

To a large extent, the Sudanese stance toward Libya has not changed much over the last decade. Col. Gaddafi is seen as a problem better contained if he is allowed to address problems he believes to be important for the future of the region in a limited manner. He is seen as a troublesome ally but less problematic if granted rather than denied any role. The current Darfur negotiations provide another case attesting to this analysis.

Eritrea

Eritrea is a very difficult test case for Sudan (and not only for Sudan…). As explained, the long war of the Eritrean nationalists of the EPLF was eventually won thanks to Sudanese support. However, the relations with Sudan deteriorated quickly after 1991. The new Eritrean regime was concerned that the Eritrean Liberation Front's (ELF)[11] factions could regroup and start arguing about power-sharing based on their claims to represent certain populations in the low lands, especially near the Sudan border. Such a group was the Beni Amer, which happened to be well-represented in Sudan within the NIF and therefore in the local administration after 1989 (Morton 1989; Joireman 1996).

The various armed incidents that occurred until 1994 were interpreted by Asmara as a concerted attempt by its opposition and Sudanese Islamists to derail the achievements of the EPLF (renamed, after its February 1994 Congress, the Eritrean People's Front for Justice and Democracy, or EPFJD). Diplomatic relations were cut in December 1994 and a year after, Asmara became the headquarters of the Sudanese National Democratic Alliance (NDA), an umbrella organization that gathered the SPLM, the main traditional Northern Sudanese parties (UMMA Party – Reform and Renewal Party – led by Sadeq al-Mahdi; Democratic Unionist Party led by Mohamed Osman al-Mirghani), and smaller organizations, including the one co-opted by the Eritrean power, the Sudan Allied Forces. Moreover, the Eritrean army provided facilities to train SPLA fighters as well as a few hundreds northerners.

11 The first armed expression of the Eritrean nationalism is the ELF, set up in 1961. The EPLF was set up a decade later by people who had not always been involved with ELF and benefited greatly from the Ethiopian Revolution. It fought against the ELF, which split after it was expelled from Eritrea in the early 1980s (see Poscia 1989).

Until May 1998, the regional division of labor seemed to work well to contain the Sudanese regime and weaken its ambitions. While Ethiopia and Kenya were acting in a more diplomatic manner but with clear sympathy toward the Sudanese opposition, Eritrea and Uganda were tasked to provide (or channel) the necessary military means to keep pressure on Khartoum. The two latter countries were rewarded accordingly by their international allies.

The war between Asmara and Addis-Ababa signaled the end of the "New leaders generation" promoted by US Assistant Secretary of State Susan Rice and US President Bill Clinton and drove a wedge into this alliance. Moreover, the new war in the Democratic Republic of Congo that started in August 1998 also had a polarizing effect.

Eritrea lost the military campaign against Ethiopia by June 2000 and had to sign the Algiers Peace Agreement in December 2000. Moreover, the containment of Sudan's Islamists became less and less strategic as they were already engaged in talks with the United States. The drop in status was undeniable, even before the SPLM started negotiations with Khartoum at Machakos (Kenya) in June 2002.

After 9/11, Asmara tried again to gain a new status with the United States (by proposing the opening of military bases) but it was rebuffed. Addis-Ababa was better located and again geopolitically more meaningful than the poor, under-populated and slightly paranoia-driven Eritrea. Already, the way Asmara had behaved in front of Somalia and the Ethiopian opposition raised concerns in Washington.

The beginning of talks between the SPLM and Khartoum meant the end of the NDA. Asmara's last advantage was now that it had to be considered as a key actor in the Horn. Its downgrading and the unwillingness of the international community to enforce the decision on Badme in April 2003 led the Eritrean leadership to a genuine strategy of regional spoiler – an approach not too different from that of Libya. From that moment on, Asmara intended to make clear that nothing was going to work at the regional level without its consent. Because Eritrea had no financial capabilities to influence non-state actors, it used what it was good at: the military dimension.

This insight sheds light on the Eritrean involvement in the Darfur conflict on how a peace agreement was eventually reached between Khartoum and the Eastern Front in summer 2006, and what its role was in Southern Somalia at the time the Islamic courts got the upper hand on Mogadishu.

The Eritrean endeavor became a key factor in the Global War on Terror in December 2008 when the UNSC pushed for sanctions against Asmara. Sudan, its new reluctant ally since summer 2006, did not say or do anything to upset Addis-Ababa.

To a large extent, one may believe that Asmara started reacting in a more positive manner when it felt cornered. Except for Libya, which voted against the resolution at the UNSC, all states of the region showed support or kept silent. When al-Qaeda in the Arabian Peninsula was in the headlines in late 2009 and

early 2010, the Eritrean regime showed a more amicable attitude toward its Yemeni neighbor and denounced bellicose statements by the Somali al-Shabaab that were creating further disruptions in Yemen. By doing so, Asmara intends to show that its attitude is more reasonable and in line with the regional interests.

Looking at these relationships and bearing in mind the recent past, one may draw two conclusions from this. First, Sudan and the surrounding region function as a homeostatic, or self-regulating system. While contradictions develop and stir tensions, other layers counterbalance those dynamics. Libya can (and did) work to weaken the regime in Khartoum but is also under pressure to keep its relationships with other regional countries, since it has the ambition to lead Africa and has not given up on the Arab world either. Ethiopia needs Khartoum to avoid having its Eritrean-bases dissidents crossing into Ethiopia through Sudan, in addition to the strong economic interests mentioned above. Second, this system, though efficient to keep channels of communication open between all member states, is not efficient enough to prevent internal conflicts from expanding. This again may partially refer to the lack of a regional hegemon that could ultimately act to avoid sanctuaries in neighboring countries from being imposed.

Scenarios of a Post-2011 Regional Order

What region for which South Sudan?

There are three main areas of likely concern for the next five years in South Sudan: governance in the South, the competitive development of a regional oil economy, and the management of Nile waters. The first concerns the quality of governance that the government of South Sudan will be able to deliver. This question might impact on the regional situation in different ways. It could be the spillover of power conflicts, the inability to control and secure borders, and the need to find an outside scapegoat to unify southern Sudanese ranks. A second set of possible tensions are linked to the evolution of a regional oil political economy. Uganda (Lake Albert) and Ethiopia (Gambella and Somali regions) might – sooner rather than later – become oil producers, while South Sudan may need alternative ways to deliver its oil on the international market to appear as a potential competitor. Third, recurrently, the management of the Nile waters and the future (if any) of the Jonglei Canal should be assessed carefully.

The SPLM faced a hard time after signing the Comprehensive Peace Agreement (CPA). It hardly had a civilian component or a political movement beyond a cluster of close advisers to the late John Garang, who died in July 2005. Its leadership had to respond first to the wishes of SPLA commanders and had too few political or even administrative cadres to govern South Sudan: To this day, people lament the lack of skilled staff in many significant positions of the new state apparatus in South Sudan. Without even discussing the motives of competition with the North, it seems very clear that tribal politics, the legacy of the war (1983-2005), and corruption are three driving forces in South Sudan politics.

The famous triangle Dinka-Nuer-Equatorian that has often been used to interpret local politics is too simplistic to make sense of the political developments after 2005. Yet, the struggle for power will not end with the elections in 2010 or the referendum in 2011, and one may have to consider that the competition may not only be using civilian means. All SPLM leaders have some kind of backing regionally (as they have investments and are shareholders in big companies in Kenya and Uganda). The economic stakes may be too rewarding for outsiders to remain passive if this sad scenario takes root.

Even if the political competition is contained within the civilian arena, one foresees significant problems in the border areas. Ethiopia has already worked out a cooperation agreement on this matter to contain likely future incidents among the population in the border area (*Sudan Tribune*, July 7, 2008). Uganda and Kenya are not indifferent to the recurrent clashes and the spillover effects that some of those incidents may provoke beyond the very specific case of the Lord Resistance Army. These tensions may also reflect a sense of "autochthony," as foreigners are involved in the most profitable activities within a population that witnesses how resources are misused.

Oil politics may become a trickier issue in the region. Again, scenarios are not easy to draw as they are intimately linked to the quality of the relationship between Khartoum and Juba after independence. This paper does not look at scenarios of conflicts between North and South, though it is not unlikely that incidents might occur in the Northern parts of South Sudan where important oil fields are located.

Other countries in the region may become oil producers, creating areas of cooperation (*Sudan Tribune*, October 1, 2009) but also areas of competition. The border demarcation may become much more important in the next years that it has been until now. This is especially true where Ethiopia is concerned (*Sudan Tribune*, March 9, 2006).

Another aspect is the regional pipeline economy. Oil has to be found but also transported to international outlet points. It seems evident that if Uganda and/or Ethiopia become(s) an oil producer, South Sudan may try to use their facilities for that purpose. This again will be a matter of arbitration and fine tuning, with Khartoum as well as with the competing interests of those countries. As an alternative, refining oil could also be imagined but this activity is not profitable per se. Profits are not only a function of the global and regional (informal) market but also of the fiscal policies enforced by the interested states in the region (*Sudan Tribune*, October 4, 2009).

As briefly described here, these issues do not automatically create the conditions for conflict or war. According to the regional mood, there could be ample area for cooperation for the best of the regional elites (and for the population at large). Yet violence is too entrenched in the modus operandi of all regimes in the region to dismiss the possibility of serious incidents when stakes become so important.

A point that should be taken seriously is that South Sudan, once independent, will be eager to exercise its sovereign powers as Eritrea did after 1993. Because of the nearly two decades of war, the neighboring states have been at ease with some rights of South Sudan. Therefore, regional tensions are likely but may not result in violence.

This conclusion applies strongly when the question of the Nile waters is discussed. Strangely enough, the management of Nile waters was not even discussed and is not mentioned in the CPA. Egypt has, reluctantly, decided that this question should not be left out, especially because of the ambitious Ethiopian projects.

But the key point that keeps coming back in the headlines is the Jonglei Canal. This canal presents a technical solution to the important evaporation of water that considerably limits the White Nile. This is a vision that Egypt and Khartoum may share. For the Southern Sudanese, the question is more complex because it deals with the ecosystem that a part of the population lives in.

Regional pressures are going to be exercised on an independent South Sudan to revive the project, even if amended. Financial considerations will constitute an efficient leverage on its ruling elite. Yet, the population living in the area concerned by the project is armed and has support form certain SPLA quarters. So, the government of South Sudan will have to act carefully and wisely – not necessarily behavior it has adopted much in recent years.

Sudan deprived of its South

For a regime that has been using coercion in such a systemic way, the independence of South Sudan will appear to its opponents as a clear sign of weakness. This feeling will certainly impact on their behavior in contested areas (the transitional zones, Darfur, and Eastern Sudan). At the same time, the separation from the South may provoke a new centralist effect in the North. As the Movement for a Just Peace has argued for years, Sudan will be considered as a "purely" Islamic country and the debate on its identity will be over, once and for all. These points are the two extremes in a range of post-2011 scenarios.

The key point in the analysis is actually built on two assumptions. The first is the ability of the various marginal elements to rally under one project to challenge the regime and Khartoum. If the last five or ten years are considered, one may think that it is not going to happen. The insurgents in Darfur do not enjoy much popularity in other parts of the country. The Blue Nile's SPLM and the Eastern Front are not yet symbiotic forces. So the most likely scenario is that grievances increase in many regions but without the building up of a political alliance that could challenge the center. Nevertheless, this may happen if the (Northern) state no longer has the resources to feed its clientelistic networks in the countryside and will have to rely heavily on coercion.

How is the region going to behave in the face of such a situation? To a large extent, none of the concerned states has an interest in the dissolution of North

Sudan or the separation of other regions. Egypt, Eritrea, and Ethiopia need stability at all costs, and such a situation would only bring more problems for them. Libya could entertain rebel movements but hardly states, especially new states. Chad is already a problematic entity for its rulers, who would not be enthusiastic about the creation of an independent Darfur that would anyway be hemmed in and produce competing elites very soon.

The problem is more the way certain regions in the countries neighboring Sudan may valuate the redrawing of maps to get parts or parcels of Sudan. This is partially what has been happening in Darfur and Eastern Sudan. But this trend could become stronger because of the separation of South Sudan.

In the short term, the centralist dynamic may prevail. What is unclear is what may happen in the medium term, especially if the necessary resources are not there. What can be foreseen is that democratic changes will not be on the agenda much in Khartoum. The perceived need to keep Northern Sudan united will allow coercive policies that many sectors of the international community may accept for the sake of avoiding a collapsed state in that part of Africa.

A last point is how the Northern elites are going to deal with those changes. The answer is not easy. One may think that a reassertion of an Islamic identity is not unlikely, but does it feed a need after 20 years of an Islamist regime? Certainly, in the long run, one may foresee a crisis of legitimacy or even hegemony with renewed questioning of Sudan's "Arab" identity and the definition of citizenship.

Another failing country?

While the referendum is expected among South Sudanese people with jubilation, African officials are highly pessimistic about the demonstrative effect the separation may have in several countries of the continent.

In the region itself, it is going to strengthen the credibility of certain claims. In Ethiopia, where the current regime administers mostly militarily some regions of the federation, this may foster claims for secession. Oromo and Somali organizations will gain support, especially because elections have become meaningless, since they are organized in way that prevents the emergence of an alternative to the ruling elites.

This may also provide more support for Somaliland's independence at a time when the southern part of Somalia is falling apart in a hopeless war. IGAD member states will assess the changes created by the independence of South Sudan. South Sudan will be, for a while at least, closer to Uganda and Ethiopia and Sudan may become more supportive of the recognition of another state that is anyway Islamic and would become a member of the Arab League.

This could impact also on the other side of the Red Sea, in South Yemen, where people are very unsatisfied with the rule and disdain shown by President Ali Abdallah Saleh in Sana'a. The support provided by the West to the latter means that South Yemenis have little chance to see their grievances considered.

However, US involvement in the war against al-Qaeda may have unexpected effects. As one close adviser to US Secretary of State Condoleezza Rice explained, a scenario of escalation is not impossible and would radicalize Muslim public opinions in the region, especially in Sudan, since the NIF leadership (today cadres of the NCP) and the main Yemeni Islamic oppositional party, al-Islah, have a long history of contact (Kilcullen 2009).

Conclusion: European challenges

The European Union has faced a daunting task in Sudan for the last 20 years. First, despite rhetorical statements, it never managed to shape a regional policy that could simultaneously address the situation in Sudan and Sudan's relations with the other regional actors. Consequently, its management was at best perceived as a case-by-case policy choice. This meant that a key European value was losing out: the push for democratization that was supposed to be the cornerstone of European foreign policy. Few in Brussels dare to compare the dubious achievements of the neighboring states with Sudan in terms of democratic development – free press and freedom of speech are not the norm in the region, as has been witnessed in Eritrea and Ethiopia.

As usual, when the EU is unable to assert itself as a political actor, it spends money to show that it still is an actor to be considered. The European Union became involved in two humanitarian operations in Sudan that were the most important of their time, yet they never managed to be considered as a credible and efficient mediator. This was true for the CPA negotiations, and even more so during the long mediation process on Darfur. Europeans pay the bills and support mediations undertaken by others – a fairly sobering achievement considering the European Union's high ambitions. It has become a habit for EU Special Envoys to focus on humanitarian aspects and ignore the political ones: at least no European chancellery is upset.

Part of the European Union's problem in this matter has been the need to reconcile, but not impede, the different political agendas of its members states. For instance, after the June 1989 coup, France quickly focused on the Islamist nature of the regime and the support that the latter was able to provide to sister organizations in the Maghreb. For several reasons, linked to its interests elsewhere in the Maghreb and later in Central Africa, France has always played Khartoum against the South. This started to change after 2002, but the war in Darfur and the continued support for Idriss Déby Itno moved Paris to the extreme opposite side without deeper thinking. In 2010, France seems to be showing more interest in South Sudan but this indicates more a stalemate in its relationships with Khartoum than a genuine concern for the South.

The United Kingdom, the former colonial power, has had a more complex, multifaceted policy toward Sudan and South Sudan. Yet, consistency was difficult because its stance was also defined by the pressure from different lobbies (including powerful NGOs), its alliance with the US, and its policy toward the

Arab world. The longstanding political investment in the country allowed Whitehall to develop the best expertise on Sudan, but it is far from certain that this has helped much to influence the political processes in Sudan, either in the North or in the South.

Many other European states were more interested in trading with Sudan than getting involved in difficult and murky mediation processes, except when public opinion was pushing for tough stances on the severe violations of human rights. Yet, these shifts in position do not frame a policy.

Over the last years, the European Union also seems to have fallen into its own trap on a different issue. Its support for the ICC is not questionable as such, but was Sudan the best case to get the ICC involved? There is no easy answer to this question nor to any others dealing with a realistic mediation of the Darfur conflict. Because of its internally differing views on solutions, the European Union has increasingly articulated an inaudible discourse on the ICC and the need for a solution. The end result is that the European Union pays the bills but cannot take any initiative and ends up leaving its African partners behind.

If the European Union wants to be considered an influential political actor, it needs to move at three different levels at the same time. First, a policy toward Sudan has to be defined within a more regional framework. This is not impossible and the crises in Somalia, Ethiopia, and Eritrea – though very different – are connected enough to provide a good incentive to move into that direction. Second, key EU members states (especially France and the United Kingdom) need to narrow the gap between their requests to the European Union and their own policies. A deeper convergence of the policies of member states could have a dramatic effect in terms of political visibility for the European Union. Third, the appointment of Special Envoys should be less bureaucratic than it has become. As long as European Special Envoys are insufficiently informed, carry no political weight, and are unable to play a decisive political role, they are bound to remain just another humanitarian worker courting Western journalists.

References

Africa Confidential. 1995. Calling the shots after Addis-Ababa. Vol. 36, no. 14 (July 7).

Al-Effendi, Abdel Wahab. 1991. *Turabi's revolution. Islam and power in Sudan*. London: Grey Seal.

Burr, J. Millard, & Robert O. Collins. 1999. *Africa's Thirty Years War: Libya, Chad and the Sudan 1963-1993*. Boulder, CO: Westview Press.

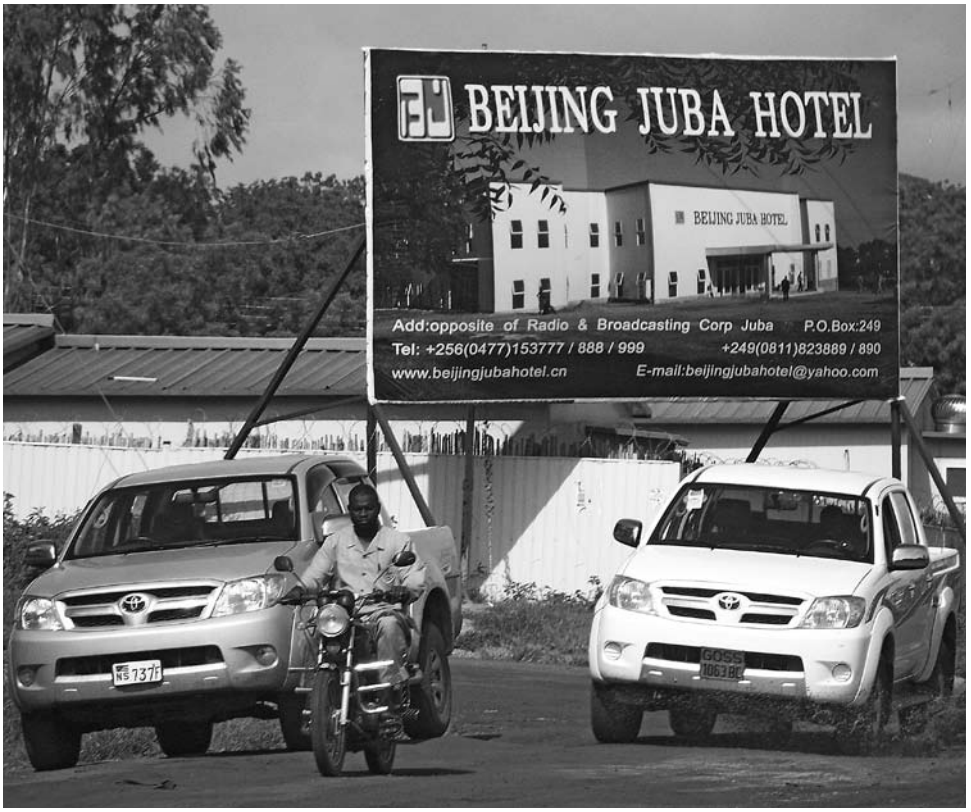
Collins, Robert O. 1990. *The water of the Nile: Hydropolitics and the Jonglei Canal 1900-1988*. Oxford: Clarendon Press.

Daly, Martin. 2007. *Darfur's sorrow. A history of destruction and genocide*. Cambridge: Cambridge University Press.

Egyptian State Information Service. 2009. *Egypt and Sudan*, viewed February 7, http://www2.sis.gov.eg/En/Politics/Foreign/EAfrica/ESudan/ 040310210000000001.htm

Ewald, Janet. 1990. *Soldiers, trader and slaves. State formation and economic transformation in the Greater Nile Valley 1700-1885*. London & Madison: University of Wisconsin Press.

Grandin, Nicole. 1982. *Le Soudan nilotique et l'administration britannique 1898-1956. Eléments d'interprétation socio-historique d'une expérience coloniale*. Leiden: E.J. Brill.
Haggaar, Bichara Idriss. 2003. *Tchad. Témoignage et Combat Politique d'un Exilé*. Paris: L'Harmattan.
Harir, Sharif. 1999. "Arab belt" versus "African belt." Ethno-political conflict in Darfur and the regional cultural factors. In *Short-cut to decay. The case of Sudan*, edited by Sharif Harir & Terje Tvedt. Uppsala: The Scandinavian Institute of African Studies.
Hasan, Yusuf Fadl, & Paul Doornbos. 1977. *The Central Bilad al Sudan. Tradition and adaptation*. Khartoum: Khartoum University Press.
Johnson, Douglas. 2003. *The root causes of Sudan's civil wars*. Oxford: James Currey.
Joireman, Sandra Fullerton. 1996. The minefield of land reform: comments on the Eritrean land proclamation. *African Affairs*, vol. 95.
Kilcullen, David. 2009. *The accidental guerrilla. Fighting small wars in the midst of a big one*. New York: Oxford University Press.
Lefebvre, Jeffrey. 1991. *Arms for the Horn. US security policy in Ethiopia and Somalia 1953-1991*. Pittsburgh: University of Pittsburgh Press.
Marchal, Roland. 2004. Le Soudan d'un conflit à l'autre. *Les Etudes du CERI*, nos. 107 & 108, http://www.ceri-sciences-po.org/publica/etude/etude107.pdf
Marchal, Roland. 1999. Le Soudan au coeur du conflit érthréo-éthiopien. *Politique africaine*, no. 74 (June).
Marchal, Roland. 1995. Eléments d'une sociologie du Front National islamique soudanais. *Les Etudes du CERI*, no. 5, http://www.ceri-sciences-po.org/publica/etude/etude5.pdf
Morton, John. 1989. Ethnicity and politics in Red Sea province. *African Affairs*, vol. 88.
Noluntshungu, Sam. 1996. *Limits of anarchy: Intervention and state formation in Chad*. Charlottesville: University Press of Virginia.
Patman, Robert. 1990. *The Soviet Union in the Horn of Africa. The diplomacy of intervention and disengagement*. Cambridge: Cambridge University Press.
Poscia, Stefano. 1989. *Eritrea. Colonia Tradita*. Rome: Edizioni Associate.
Sudan Tribune. 2009. Ethiopia-Sudan border commission meeting kicks off. December 29, http://www.sudantribune.com/spip.php?article33610
——. 2009. Halayeb triangle excluded from Sudan voter registration: report. November 2, http://www.sudantribune.com/spip.php?article32985
——. 2009. South Sudan to build its first refinery in Warrap state. October 4, http://www.sudantribune.com/spip.php?article32667
——. 2009. Sudan offers to share oil expertise with Uganda. October 1, http://www.sudantribune.com/spip.php?article32641
——. 2008. Ethiopia and South Sudan agree on development projects. July 7, http://www.sudantribune.com/spip.php?article27765
——. 2008. Sudan's Jonglei pledges excellent ties with Ethiopia's Gambella. June 16, http://www.sudantribune.com/spip.php?article27541
——. 2006. Sudan accuses Ethiopia of violating border deal. March 20, http://www.sudantribune.com/spip.php?article14631
——. 2006. To whom does Ethiopia's Gambella oil belongs to? March 9, http://www.sudantribune.com/article.php3?id_article=14457
Warburg, Gabriel. 1994. Hot spot: Egypt and Sudan wrangle over Halayib. *Middle East Quarterly* (March 1994).
Zitelmann, Thomas. 2007. Reflections on fieldwork among the Oromo Liberation Front (OLF) during the 1980s. Paper presented at the annual meeting of the International Studies Association 48th Annual Convention. Chicago, February 28, http://www.allacademic.com/meta/p179358_index.html



In Juba, South Sudan

AXEL HARNEIT-SIEVERS

Oil in Sudan: Fueling Conflict – Fueling Development?

Oil production in Sudan

Oil was discovered in Sudan in the late 1970s but was not exploited due to the Sudanese Second Civil War in 1983. Chevron, the operator of the consortium that had made the discoveries, stopped operations after an attack on its base in 1984 by the Sudanese People's Liberation Army/Movement (SPLM/A). The withdrawal of major Western oil companies from Sudan provided an opportunity for non-traditional players. Most of them were oil companies from Asia and the Middle East, though smaller companies from Western countries continue to be involved, with Sudanese companies holding minority shares. The major operators today are the Greater Nile Petroleum Operating Company and Petrodar, both of which are owned largely by Chinese and Malaysian (and, for Petrodar, Indian) national oil companies.

Commercial oil production finally started in 1997, at first for local consumption only. Today, Sudan has a refining capacity for about 120,000 barrels per day (bpd). Exports began in earnest after the completion, in 1999, of a Chinese-built pipeline of nearly 1,600 km in length to Port Sudan on the Red Sea. Since then, Sudan has become a major African oil producer, with a production capacity averaging 480,000 bpd in 2008. Proven reserves stood at about 5 billion barrels in early 2009, making Sudan number five on the continent, though its reserves are considerably smaller than those of Nigeria or Angola. Extraction in producing fields is proceeding fast (and, critics say, at the cost of long-term sustainability). Sudan's oil production is believed to have peaked already and expected to remain roughly at current levels for the coming decade. All of Sudan's oil exports – about 394,000 bpd in 2008 – are going to Asia, 54% of them to China, and 26% to Japan.

Oil and conflict

While oil did not cause the outbreak of civil war in 1983, it greatly raised the stakes in the conflict. Much of the finds are located near Abyei, right in the boundary area between North and South, and in Upper Nile, a region within the South. The SPLM/A regarded oil operations as a military target. Exploration and production activities were accompanied by what human rights advocates described as a systematic strategy of "depopulating" the oil regions, with attacks by government-sponsored militias on the local population. In addition, livelihoods of local communities were endangered by construction activities related to the oil industry. While the military onslaught largely ended in 2005, environmental degradation continues to constitute a threat even in peace time.

Since about 2000, rising oil revenue allowed the Khartoum government to procure sophisticated weaponry used in the war. Diplomatic support by China – with its high stakes in the oil industry and stressing the principle of "non-interference" – for a long time deflected international pressure on the Sudanese government. International campaigning over the war in Darfur – not directly linked to oil issues – encouraged China in 2008 to take a more constructive position.

Oil and the CPA

Oil fields located in and around Abyei and in the South provide the lion's share of Sudanese production. According to the Comprehensive Peace Agreement (CPA), after various deductions (including a 2% share accruing to the state of origin), revenue from these fields is to be shared in equal parts between the governments in Khartoum and Juba; slightly different rules apply for Abyei. In practice, the capacity to monitor production figures lies solely with Khartoum, leading to suspicions that the South does not receive its fair share. A 2009 study by *Global Witness* did reveal discrepancies between production figures reported by government and oil companies, respectively, and recommended an independent third party audit.

The demarcation of the North-South boundary has been highly controversial, especially in Abyei where fighting erupted in May 2008, displacing a large part of its population. The July 2009 decision of an arbitration tribunal excluded major oil fields from Abyei, making them part of the North. The CPA prescribes a separate referendum for Abyei that is bound to decide about whether Abyei will join the North or the South; the definition of who will be an eligible voter is likely to decide the outcome.

What will happen to the oil revenue after the end of the CPA implementation period? If the South decides to be part of a united Sudan, a new sharing formula would have to be negotiated. But if – as appears more likely – the South opts for independence, responsible governance of the oil sector will be crucial to future co-existence of the two countries as well. While the South would control oil fields in its territory, its exports would – at least for the next years – continue to depend on pipeline and port facilities in the North. Some form of negotiated settlement about boundaries and revenue-sharing has to be arrived at in either scenario, in order to avoid renewed armed confrontation.

Oil and development

The rapid growth of oil exports has transformed Sudan's economy, with GDP growth rates exceeding 10% in 2006 and 2007. This has led to a boom in the service sector (especially construction), while other areas of the economy have performed much less impressively, especially agriculture, which still

provides about 80% of employment. According to the IMF, oil accounted for 95% of Sudan's total exports and 60% of government revenue in 2008, having made the economy very vulnerable to the drop in oil price after mid-2008.

In the South, with a very small formal economy and little tax collection, the government currently receives its income almost entirely from oil. With low efficiency of government institutions and widespread corruption, a politically independent South Sudan runs the risk of becoming an extreme example of an import-dependent country afflicted with the "resource curse" that has affected other mineral-exporting economies.

Since 2005, South Sudan's regional relations have increasingly turned toward East Africa. Businesses and professionals from Uganda, Kenya, and Tanzania already play major roles in the South. An independent South Sudan is likely to integrate even more closely with the East African community. But it is likely to remain a hinterland for the import and distribution of goods and services produced elsewhere. At the same time, South Sudan's oil constitutes a major attraction for its East African neighbors. The Kenyan government is currently trying to mobilize Chinese support for a new transport corridor that would link Juba by road (and, perhaps, by pipeline) to a new seaport, planned for Lamu on Kenya's northeast coast.

For both North and South Sudan, the oil sector holds potential for economic development and bilateral cooperation. But it poses a high risk of renewed conflict as well, if border disputes and issues around revenue-sharing remain unresolved.

Axel Harneit-Sievers is the director of Heinrich Böll Foundation's regional office for East Africa and the Horn of Africa in Nairobi, Kenya.

References

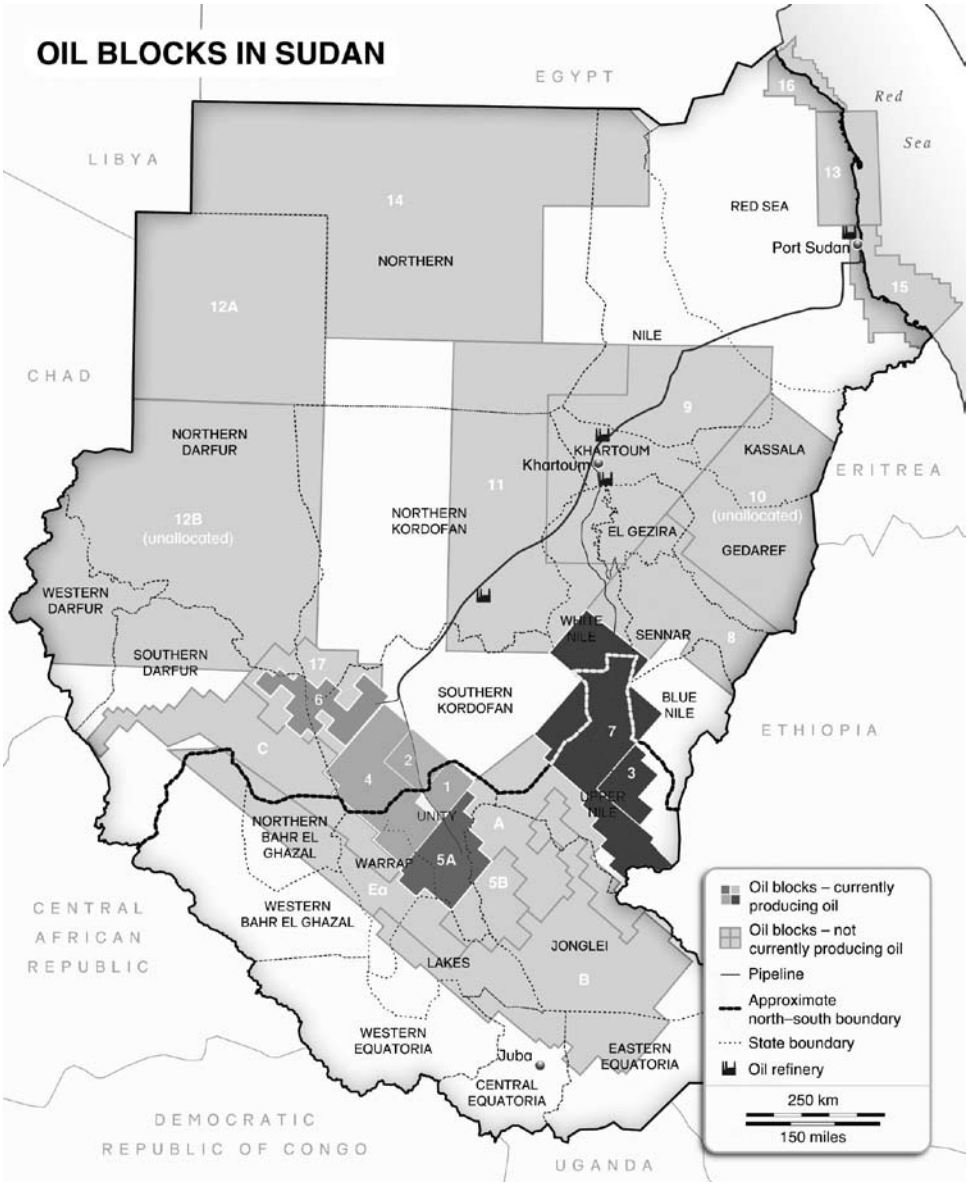
Energy Information Administration (U.S.). 2009. Country analysis briefs: Sudan. September, http://www.ecosonline.org/reports/2009/EIASudanSept2009.pdf

ECOS (European Coalition on Oil in Sudan). 2008. Sudan – whose oil? Sudan's oil industry. Facts and analysis. April, http://www.ecosonline.org/reports/2008/ dossier%20 final%20groot%20web.pdf

Global Witness. 2009. Fuelling mistrust: The need for transparency in Sudan's oil industry. September, http://www.globalwitness.org/media_library_get.php/1027/ en/ v12_final_sudan_fuelling_mistrust_lowres.pdf

International Monetary Fund. 2009. Sudan: Staff-monitored program for 2009-10. IMF Country Report No. 09/218. July, http://www.imf.org/external/pubs/ft/scr/2009/ cr09218.pdf

Sudan Tribune. 2009. Sudan expects a 10% drop in oil productivity by 2019. December 20, http://www.sudantribune.com/spip.php?article33557



Map with kind permission of Global Witness

PETER SCHUMANN

International Actors in Sudan: The Politics of Implementing Comprehensive Peace

Introduction

According to the *Annual Review of Global Peace Operations*, 2008 was the worst year for peacekeeping in over a decade (CIC 2009). The report lists a number of reasons, such as the "continued use of peacekeepers in the absence of a viable political framework," which "leaves already overstretched peacekeeping operations dependent on consent from governments that have decidedly partial interests in providing it." It also refers to the "tension between counterterrorism and peacekeeping objectives" and emphasizes "a pressing need to re-identify the fundamental purposes of peacekeeping" (ibid. 2–8).

The present situation in Sudan provides a striking example of all the points mentioned above. The two international peace missions currently in place – the United Nations Mission in Sudan (UNMIS) and the African Union / United Nations Mission in Darfur (UNAMID) – take place within the framework of conventional peacekeeping policies, UN operational procedures, and standard organizational arrangements. The international actors involved seem to be guided by a variety of interests more in line with their own foreign policy goals – such as the fight against terrorism in the case of the United States – than with the principles enshrined in the Comprehensive Peace Agreement (CPA). Multilateral arrangements, in particular UNMIS and UNAMID, and individual international actors seem to be caught up in a variety of policy dilemmas of an external nature but often instigated by the parties to the conflict, in particular the ruling political elite in Khartoum. As a consequence, the efforts of international actors in Sudan can more often than not be described as "organizational hypocrisy": They respond to conflicting interests and pressures through contradictory actions and statements – a strategy that placates all by doing little (Lipson 2007).

Under these circumstances, the capacity of international actors to achieve lasting peace in Sudan is often exaggerated, by the actors themselves as well as by the parties to the conflict. What is missing is a strong and unequivocal commitment to a political process and the full display of responsibility. At present,

foreign actors too often follow their own individual agendas. At the same time, the Government of National Unity (GoNU) – dominated by the National Congress Party (NCP) – and the Government of Southern Sudan (GoSS), which is under the control of the Sudan People's Liberation Movement (SPLM), consider the CPA a framework for selective action, a menu of options, and do not trust each other to opt for substantive policy change. If left unaddressed, this situation could very quickly have grave consequences for the civilian population in South Sudan, but also for populations elsewhere, such as in Darfur, the Nuba Mountains, Southern Kordofan, the Upper Blue Nile, and the region at large.

This chapter takes a closer look at the role international actors have played in the Sudanese peace process, the reasons why they have often failed in their attempts to implement peace, and the challenges they will face in the near future. It starts with a discussion of the internal and external dimensions of civil war in Sudan, and the ways in which international actors have gradually become involved in it. Parts two and three then look at the role of key actors: the efforts of the UN-mandated missions to keep a fragile peace, and the Sudan policies of the United States and China. The chapter concludes with an outlook on the issues that have become the most urgent for international actors at the end of the CPA Interim Period, and recommendations on how to address them.

Internal and international dimensions of the conflict

The conflict between North and South Sudan, known as one of the longest-running and most complex civil wars in Africa, has consisted of two distinct phases. The first war between South and North erupted in 1955, prior to independence, and ended in 1972; the second war took place from 1983 to 2005. Both wars ended through a negotiated settlement: the Addis Ababa Agreement, signed in 1972 between the government of Sudan and the Southern Sudanese Liberation Movement (SSLM); and the Comprehensive Peace Agreement signed in Nairobi on January 9, 2005, between the Government of Sudan and the Sudan People's Liberation Movement/Army.

A closer look at the two civil wars in Sudan reveals striking similarities as well as distinct differences. Toward the end of the first war (1970–72), negotiations were considered a viable alternative to fighting. A military stalemate had emerged and winning the war was not considered an achievable goal, at least not for the foreseeable future. The war had made the South ungovernable for the government in Khartoum. At the same time, there was a shift in each side's access to external support, both within the region and from international allies. The termination of USSR support for the Nimeiri regime in 1971 contributed to the military stalemate. The realization in the South that an internationally recognized secession was politically not achievable lowered the ambition of the Anya Nya to continue fighting, and the political leadership realized that other political objectives could be achieved through a high degree of Southern autonomy within a united Sudan.

The international involvement to reach a negotiated agreement during this period was very marginal. The talks took place under the auspices of the Ethiopian Emperor, Haile Selassie, with inputs from the World Council of Churches and the Sudan Council of Churches. All delegates initialed the agreement. The moderator – a representative of the Imperial Ethiopian Government – and two representatives of the World Council of Churches signed as witnesses, and a communiqué was issued that "an agreement has been reached between the Sudan government and the Southern Sudanese Liberation Movement (SSLM) on all issues of conflict in the Southern Sudan" (Alier 1990: 131). The United Nations High Commissioner for Refuges provided assistance for the return of refugees to Southern Sudan.

The second war, from 1983 to 2005, had made the South even more ungovernable. In 2001/02, the Government of Sudan, represented by the National Congress Party, and the SPLM/A jointly recognized that the conflict could not be resolved militarily under prevailing conditions. However, the political agenda of the NCP and the SPLM's interests were still at odds: The project of the Islamic state and Arabization continued to prevail within the NCP, while the SPLM leadership under John Garang insisted on the concept of the "New Sudan." Compared to the first phase of the civil war, the involvement of international actors increased during the second phase (1983 to 2005) and played a very specific role during the negotiations of the Machakos Protocol (2002), the Naivasha agreement, as well as the implementation of the CPA (2005 onward).

Of course, international actors have a history in the country that predates this time period. In post-independence Sudan, countries and organizations with an uninterrupted political presence (not counting neighboring states) are the United Kingdom, the United States, and the United Nations in addition to China, France, Italy, and Norway. Asian states such as Pakistan, India, and Malaysia increased their foreign policy relationship with Sudan during the civil war, in particular after 1995. Other countries, such as South Africa and Norway, played an important role in support of the SPLM/A during the "liberation struggle" in Southern Sudan.

Despite these long-standing contacts, however, the involvement of international actors acquired a whole new quality toward the end of the second civil war. Two external factors in particular shaped the negotiations leading up to the signing of the CPA: the events leading up to the US-led "war on terror," including the 1998 bombing of the US embassies in Nairobi and Dar es Salaam, and the Sudanese oil boom from the late 1990s onward.

The terrorist attacks of September 2001 and, after 2003, the war in Iraq entailed a fundamental revision of American interests abroad, placing "counter-terrorism" on top of the US foreign policy agenda. The Government of Sudan, which had come under close scrutiny in previous years, successfully used this situation to its own advantage. It began to cooperate with the American secret services in tracking down alleged al-Qaeda members and terrorist networks in Sudan. In so doing, the Government of Sudan has managed to be considered

an asset in this global war, counterbalancing earlier threats of externally initiated "regime change." The US government, in particular the Pentagon, has since included Sudan into the overall security architecture to fight global terrorism. For the Government of Sudan, this has resulted in an important strategic alliance with a key permanent member of the UN Security Council.

During the same time, oil production in Sudan was boosted tenfold from 1999 production figures to 200,000 barrels a day in 2001, followed by double-digit annual increases in subsequent years. For the local population, the oil boom often had dire consequences. It became a key factor in the escalation of the civil war, and it will remain a potential cause of inter-state armed conflict after the 2011 referendum. In addition to this, large-scale forced displacement, including the deliberate use of war-induced famine as a weapon, was applied to clear large stretches of land and combat opposition against the loss of livelihoods through environmental degradation and the destruction of agricultural land and natural water ways.

At the same time, oil production not only provided the North with sufficient and assured revenues to increase public spending, but also allowed for redefining Sudan's foreign policy goals through new strategic relationships with key players in Asia, in particular China, India, and Malaysia. Sudan has become a reliable exporter of crude oil to these countries and may soon apply to become a member of the Organization of the Petroleum Exporting Countries. Even more importantly, the oil trade has resulted in close political and economic ties with another of the permanent members of the UN Security Council: China.

The Sudanese government thus managed to counterbalance the sanctions regime put in place by Western states. Executive Order 13067, signed by US President Clinton on November 3, 1997, and later the Sudan Peace Act, signed into law by President G. W. Bush on October 21, 2002, established a system of sanctions and trade embargoes that was further expanded in connection with the conflict in Darfur. The European countries mostly subscribed to the sanctions as well, but with some noticeable exceptions: According to Africa Confidential (2002), "competition for oil-related contracts [was] intense and raise[d] questions about commerce driving diplomacy" in 2002, even affecting relations between European countries when France announced that it would include Sudan in its "priority solidarity zone" and assist in "its reintegration into the international community" (ibid.). Due to Sudan's increasingly close ties with Asia – and, more recently, also Latin American states such as Brazil – however, this rather complex system of "carrots and sticks" proved to be largely ineffective.

The United Nations in Sudan: "Successfully failing"?

There is certainly no shortage of foreign and international actors in Sudan – from diplomatic missions and relief agencies to political foundations and non-governmental organizations. By far the largest and most visible international presence, however, is that of the United Nations and its various programs and missions.

The relationship between the United Nations and Sudan is as comprehensive as it is flawed. Sudan has over the past two decades expelled at least four senior UN officials, not counting other UN and INGO staff who were forced to leave. The government has made maximum use of UN capacities and resources and has successfully negotiated and imposed operational terms and conditions in line with its own political, security, and even public spending priorities and principles.

This has become the most obvious in the attempts of the United Nations to keep the elusive peace enshrined in the CPA through UNMIS. The CPA assigns three functions to the international community: First, to provide funds for various projects and mechanisms. Second, to provide technical expertise in fields such as the monitoring of oil production or the demarcation of boundaries. The third function was specified in the Security Protocol of the CPA in the following words: "The parties agree to request the UN to constitute a lean, effective, sustainable and affordable UN peace support operation to monitor and verify this agreement and to support the implementation of the CPA as provided under Chapter VI of the UN Charter" (UNSC 2005: 106).

However, the implementation of this peace support operation was hampered by rifts within the Security Council. In the case of UNMIS, the early draft of resolution 1590, which set up the mission, had more than one hundred "brackets," reflecting specific objections Council members wanted to raise. It is therefore not surprising that the resolution finally approved shows diplomatic language where political positions should have provided clarity. The political and operational consequences of a decision reached by a deeply divided Council were felt at each and every step of the operation, from mandating the mission to the negotiation and approval of the budget, and from oversight and political support to the actual deployment of peacekeepers.

The mandate of UNMIS reflects a dilemma underlying many peace support operations. Experience from the last decades indicates that peace agreements negotiated under the pressure of international mediators often stall conflicts rather than resolve them. They can also create and entrench new political realities by privileging a certain set of actors over others, "legitimizing" certain armed movements and promoting them to internationally recognized partners, while demoting others to little less than terrorist organizations. The CPA's exclusive focus on negotiations between the Government of Sudan and the SPLM/A became a problem for the Sudanese peace process, and it did not make the work of UNMIS any easier.

UNMIS thus had to deal with serious challenges from day one. UNAMIS, the "advance mission" that preceded it, was intended to carry out the necessary mission planning and preparatory work. However, the senior mission staff soon was fully absorbed by the rapidly evolving crisis in Darfur, where armed conflict and the large-scale displacement of civilian population had reached unprecedented proportions. Accordingly, the first UNAMIS field presences were opened in El Fasher, Nayala and El Geneina – all of them in Darfur. Even after the signing

of the CPA, it took UNMIS until the middle of 2006 to establish an operational presence throughout Southern Sudan and until mid-2007 to complete establishing a network of field offices and team sites in all the sectors.

Three other factors undermined the work of UNMIS over the following years. First, UNMIS struggled from the outset with a highly complex and untested organizational model, the concept of an "integrated mission." The latter mandated the Secretary-General's Special Representative in Sudan (SRSG) "to coordinate all the activities of the United Nations system in Sudan" and "to facilitate coordination with other international actors, in particular the African Union and IGAD" (Security Council Resolution 1590, Art. 3). The organizational structure of the mission was based on a template imposed by the Department of Peacekeeping Operations derived from other missions. This approach resulted in a proliferation of mission functions, not only creating a host of managerial challenges and coordination fatigue, but limiting the ability of the mission to focus on priority tasks resulting from arrangements agreed upon in the CPA. The highly centralized reporting and decision-making processes in both administrative and program areas further contributed to "stove-piping" and limited the ability of the mission to respond quickly to emerging requirements.

The second issue concerns the performance of functions related to security. Resolution 1590 defines four security-related tasks: to monitor and verify the implementation of the ceasefire agreement and to investigate violations; to liaise with bilateral donors on the formation of Joint Integrated Units; to observe and monitor the movement of armed groups and the redeployment of forces; and to assist in the establishment of disarmament, demobilization, and reintegration programs (DDR).

However, the military component of UNMIS, and to a certain extent also the police, struggled to coordinate operations with the civilian functions of the mission. The UNMIS Force Commander organized and deployed his forces in close consultation with the Sudan Armed Forces (SAF) Command and the SPLM/A leadership. Coordination with UNMIS civilian functions, including the UN country team, on the contrary, left much to be desired. Force deployment in support of civilian-led operational activities was the exception. From 2006 to 2008, following the end of the pre-Interim Period, the UNMIS military played an important role in assisting the parties in the complex process to redeploy forces according to the arrangements under the Security Protocol, and in mediating when disagreements arose between the SAF and SPLM. However, during the same period, the support provided to other elements of the mission was marginal and in general not encouraged by the military leadership. The relationship between the military and civilian components of UNMIS can best be described as parallel operations within one organization.

Consequently, despite the presence of close to 10,000 blue helmets and over 650 police officers, the protection of the civilian population – which was at a constant risk of attacks from the Ugandan Lord's Resistance Army, other armed groups, but also marauding SPLA fighters – was not considered a priority task

of the mission. The consequences were severe: During 2008, but even more so during 2009, more civilians were killed in Southern Sudan than in Darfur.

Finally, despite a sizeable operation with a large-scale presence in Khartoum, five field offices, and mobile teams throughout Sudan, the civilian component of UNMIS was equally lagging behind. Public information campaigns through Radio Myraya only started to reach Southern Sudan's population outside Juba from 2008 onward and are still obstructed in the North. Security sector reform programs did not progress much beyond the conceptual level and DDR programs have not made a tangible difference. The majority of UNMIS-led civilian programs focus on "monitoring and observation," in addition to humanitarian programs implemented by the UN Country Team. Reconstruction and development programs take place outside the purview of UNMIS and depend on voluntary funding sources. These programs are increasingly affected by the Government of Southern Sudan's persistent lack of public administration capacity on the one hand and increased insecurity on the other.

Although UNMIS has become a large-scale, well-funded, and by now well-established mission, its results are mixed and disproportionate to the resources received since 2005 of more than $1 billion per year. The full redeployment of the SAF and SPLM is still contested, and the joint integrated units are far behind schedule. The Government of South Sudan is not in a position to live up to its responsibility to protect the civilian population living on its territory. The judiciary is not functioning in an independent manner, and police services remain fragile.

Six years into its existence, UNMIS and its support infrastructure at the UN headquarters in New York show all the signs of a "successfully failing venture" (Seibel 2007). The mission has often proven unable to fulfill its mandate, yet there is little political will to address the programmatic ambiguities that undermine the mission, stemming from the contradictory expectations of key member states. The Security Council, in particular, seems to have accepted that UNAMID will continue to fail to protect the civilian population from atrocities in Darfur, and that UNMIS will provide some kind of support within its limited capabilities and priorities in South Sudan.

Sudan policies of key international actors

The lack of concerted action thwarting the work of the United Nations and its missions in Sudan is due in large part to the multitude of (sometimes irreconcilable) national interests and agendas behind it. As outlined above, a variety of international actors – states as well as multilateral and non-governmental organizations – have become involved in Sudanese politics, and in the CPA process in particular. Not all of them carry the same weight, however. Some actors do not have the means to effectively influence the main political players in Sudan. Others, such as the European Union, lack a clear and coherent vision that

would allow them to assume a more prominent political role and thus confine themselves to humanitarian operations and occasional diplomatic appeals.

Two states have been of particular importance since the signing of the CPA and will remain key for its future: the United States, whose heavy diplomatic investment in the Sudanese peace process has at times been jeopardized by its own security agenda; and China, which has important economic interests in Sudan but still adheres to a policy of non-interference in Sudanese politics.

The US policy on Sudan has long been full of mixed messages, both for the public at home and for Sudanese politicians. The economic, political, and military means employed so far by the US government range from playing an active role in the oil business to military-style intervention,[1] from constructive engagement and deliberate isolation to appeasement and raising tensions. Following the terrorist attacks of September 11, 2001, relations with Sudan took yet another turn. While the State Department was accusing the Government of Sudan of "genocide" in Darfur,[2] cooperation between the Pentagon and the highest levels of the national intelligence and security services reached unprecedented levels. This included several visits by Major General Salah Gosh, chief of the Sudanese intelligence services, to meet his counterparts in Washington. A letter from Secretary of State Condoleezza Rice to the Government of Sudan from April 2005 calls for steps to end the conflict in Darfur but also states that the administration hopes to establish a "fruitful relationship" with Sudan and a "close cooperation" in the fight against terrorism (Democracy Now 2005).

America's Sudan policy has changed relatively little under the Obama administration, despite initial indications that Sudan might become a priority issue. On October 19, 2009, the US government unveiled its new strategy for Sudan, entitled "A Critical Moment, A Comprehensive Approach" (US State Department 2009). It rests on three principal strategic goals: first, a definitive end to conflict, gross human rights abuses, and what it has called "genocide" in Darfur; second, an implementation of the Comprehensive Peace Agreement that results in a peaceful post-2011 Sudan, or in an orderly path toward two separate and viable states at peace with each other; third, the United States seeks to ensure that Sudan does not provide a safe haven to international terrorists.

The document contains a very detailed description of "key implementation elements" under each strategic objective. While these details reflect important operational elements of the CPA, there is no overall policy framework describing the strategic direction of the US policy. In particular, the US strategy on Sudan does not refer to the principles of the Machakos Protocol, neither to the aspiration for a democratic transformation of Sudan nor the quest for a secular state. It thus perpetuates the policies of the former Special US Envoy John Danforth, appointed by George W. Bush. On US cooperation with the UN Mission in Sudan,

1 Examples are the bombing of the El Shifa pharmaceutical factory in Khartoum in August 1998, as well as military support to the SPLA from 2005 onward (author's own sources).

2 This refers to Colin Powell's statement in front of the US Senate Foreign Relations Committee, September 9, 2004.

the policy is rather vague, while it does include some references to the work of UNAMID. Overall, however, it seems that the US government does not accord great importance to the role of the UN in the Sudanese peace process.

No more than a few weeks after the announcement of the New Sudan strategy, it became clear that the latter is encountering implementation obstacles within the administration. In particular, disagreements have surfaced between the new Special Envoy on Sudan, former Air Force Major General Scott Gration, and the UN Ambassador, Susan Rice (Rogin 2010). The argument is over the "carrot and stick" approach applied at the moment, with Khartoum feeling more comfortable with the Special Envoy, who at one stage argued in favor of reviewing the sanctions regime imposed under President Clinton.

China, on the other hand, has followed an entirely different approach in its relationship with Sudan. Both the Chinese government and its Sudanese counterpart have long concentrated on their considerable economic interests, while keeping a low political profile – something that has only recently started to change.

The Chinese presence in Sudan dates back to the late 1950s. However, it was not until the 1990s that the exchanges between the two sides intensified. From 1995 onward, China's engagement in the Sudanese oil sector increased steadily. Today, the China National Petroleum Corporation (CNPC) owns the largest part of shares of the two most important oil syndicates in Sudan – the Greater Nile Petroleum Operating Company and Petrodar. Sudan exports less oil to China than Angola, but it still accounts for a substantial 6% of all Chinese oil imports. At the same time, Sudan remains the number one African country for Chinese investments in oil exploration, oil production, and refinery, as well as transport. Over the years, Chinese state corporations began bidding for contracts outside the oil sector as well, increasing the total volume of commercial transactions. Military cooperation, including the sale of arms initially funded by Iran, became an important aspect of this sector (Large 2007), with regular deliveries including modern equipment such as MiG jet fighters and attack helicopters .

While its economic interests are very visible – not only in Khartoum but throughout the country – the Chinese government has long maintained a low political profile. Besides the usual diplomatic activities, China cultivates the impression of a non-political actor and does not comment publicly on Sudanese political affairs. Only in recent years, and very gradually, has China assumed a more active political role in Sudan. This is mainly due to three factors.

First, from 2005 onward, China increasingly came under international pressure for not using its influence on the NCP and the Government of Sudan in the context of the Darfur conflict. China was exposed to critical questions from members of the UN Security Council and was increasingly accused of averting Security Council measures meant to force Khartoum to reign in the wave of violence in the region. The accusations culminated in the threat by civil society organizations to use the 2008 Olympics in Beijing as a platform for their criticism of China's Sudan policy.

This pressure may have resulted in a change of approach, but not in a change of policy. Chinese diplomats became more active, with Special Envoy Ambassador Liu Guijin visiting Khartoum and Darfur regularly. Unofficial pressure on the NCP leadership increased and was accompanied by a more engaged debate at the UN to find a solution to the Darfur crisis. It was the Chinese representative at a high-level AU/UN meeting in Addis-Ababa in late 2006 who proposed a hybrid AU–UN operation in Darfur in response to President Bashir's call for an "African character" of the international peace operation. The proposal was immediately accepted by the UN Secretary-General Kofi Annan and Lam Akol, Minister of Foreign Affairs in the Government of Sudan, as well as by the members of the UN Security Council.

A second development that increasingly challenged China's posture of political neutrality were attacks on Chinese assets during the Darfur conflict. A key event was the kidnapping of nine Chinese workers from an oil installation operated by CNPC in South Kordofan (BBC News 2008). Five workers were killed, ordered by a commander who claimed to be part of the Justice and Equality Movement (JEM), and who accused China of supporting the government in Khartoum militarily. China was increasingly concerned of becoming a military target in the escalating fight between JEM and the Sudanese army, in particular following the JEM attack on Khartoum in April 2008. It was thus forced to balance the policy of non-interference with the increased threat against CNPC oil operations and the growing risk to its long-term investments.[3]

Finally, China had to further adjust its policies in view of the emergence of the Government of Southern Sudan, in addition to the Government of National Unity in Khartoum. The SPLM had made it very clear to a Chinese delegation visiting Juba in 2007 that according to the CPA, the GoSS was entitled to establish its own relations with external actors for the purpose of developing economic relations in support of development programs in Southern Sudan. Soon after this, Salva Kiir was invited to visit Beijing, where he led a delegation that included officials from the GoSS and the Minister for Energy and Oil of the GoNU.

China has since then invested political capital to strengthen its relations with the SPLM and the GoSS. These are clear indications that China is getting prepared for the post-referendum period.

Outlook: Upcoming challenges for international actors

The current debate on the future of Sudan after the end of the CPA Interim Period focuses to a large extent on the likely options arising from the referendum on Southern independence scheduled for 2011 (see Hansen and Weber 2010, among others). Will the possible secession of the South spark a new war, or will

3 It is interesting to note in this context that President Bashir involved himself in the negotiation and signing process of an agreement between JEM and the Government of Sudan in Doha in February 2010.

it proceed peacefully? And in case the vote is for unity, will Sudan manage the transition to stability and peace, or will it remain unstable and conflict-ridden?

Important though these questions are, they run the risk of overlooking the structural problems and contradictions that Sudan and its environment are unlikely to overcome soon: the incompatibility of the understandings of statehood held by the NCP and SPLM, or the protracted set of conflicts in the Horn of Africa at large, for example. These structures, however, define – and limit – the policy options available to the international community. Recent statements from international actors involved in Sudan – the UN as well as other key stakeholders – profess the willingness to remain engaged. Yet their planning seems to focus exclusively on the tactical and operational level. If international actors want to make a lasting contribution to peace in Sudan, however, they will have to bear in mind three points in particular.

First, international actors – especially the United Nations – must make sure to match promises with actions. UNMIS has been set up and mandated by the UN Security Council to implement its resolutions. However, Resolution 1590 has only been partially implemented, as have subsequent ones, despite the presence of more than 12,000 personnel and an exceptionally comprehensive and well-funded mission infrastructure. There is one general lesson to be drawn: UNMIS has to focus on what is needed, not just on what is possible. Member states have to demonstrate that they "own" the mission and respond forcefully when their political and material investment to end civil war in Sudan is under threat. Should they not be prepared to do so, the UN Security Council should review and, if necessary revise, its decision accordingly.

The consequences are obvious. A disengaged and overly compromising international engagement condones the marginalization of CPA principles and acknowledges emerging realities and practices. This is currently the case with both UNMIS and UNAMID. Accordingly, the international community has largely failed to hold the parties accountable for what they agreed in the Machakos and Naivasha protocols. Both the NCP and the SPLM have cooperated with the UN and other actors when they saw an advantage for their own cause. At the same time, they have shown little interest in the role of international actors as mediators and brokers of an honest peace.

Second, international actors engaged in Sudan must pay closer attention to the regional dimension of the Sudanese conflict. In addition to the complex internal root causes of Sudan's predicament, the country is part of a regional conflict system that covers the entire "Greater Horn of Africa," including Somalia, Djibouti, Ethiopia, Eritrea, Chad, and the Central African Republic, as well as Libya and Egypt (see also the chapter by Roland Marchal).

Since Sudan will find it difficult to achieve stability if the region does not, security and cooperation in the wider Horn of Africa are issues that international actors need to engage with more vigorously, and with a long-term commitment. Regional organizations such as the Intergovernmental Authority on Development (IGAD) and the African Union need the support of international actors

to perform regional stabilization functions. This should be a priority for the United Nations, especially after the referendum and the end of the CPA interim phase. The political skepticism and internal bureaucratic opposition to create the AU–UN Mission in Darfur continues to affect the capacity of both organizations at the policy-making level and even more so at the operational level. The consequences are dire. Improving relations between the UN and the AU, both on a political and on an organizational level, is thus of the utmost importance. Examples from other regions have shown the potential of regional conflict management: The Organization for Security and Co-operation in Europe is certainly not a blueprint for the IGAD region, but its success illustrates that the regional approach to security can work and create the conditions to facilitate the resolution of internal conflicts.

Finally, and perhaps most importantly, international actors need to subscribe to a common political vision beyond 2011. Neither the slogan "one country – two systems" nor support for separation address the security needs of the people living in various conflict zones, including Southern Sudan. They do not address the underlying problems of marginalization and underdevelopment in most parts of the country, either.

During 2004 and 2005, when the war in Darfur was escalating, the opinion gained ground among key international actors that conflict in Sudan could only be ended through an externally sponsored regime change in Khartoum. The international community rejected this approach with respect to the prospects for peace in the South and instead chose a more cooperative approach. "Regime change" from the outside, as witnessed in Iraq or Afghanistan, is not an option for international engagement in Sudan – and it must not become one after the end of the CPA Interim Period and the referendum on the future status of South Sudan.

While the ambition of the people of Southern Sudan is the right for self-determination, northern Sudanese people had put their hopes on an agreement that provided the basis for democratic transformation. So far, the CPA has not been an effective instrument to build trust between the parties. Rather, it has served as a useful instrument for the NCP and the SPLM to consolidate power and exclude other political groups from government.

This also means that the idea of statehood once envisaged in the Machakos and Naivasha protocols is increasingly being compromised – often enough with the tacit approval of the international community. The NCP in particular has proven tough to deal with: It has negotiated when opportune and waged (or sponsored) war when deemed necessary, and it has thus been able to fend off all calls for political and social change. The project of the Islamic nation state has survived and is regaining momentum within the ruling party, at the expense of prospects for democratic participation, religious tolerance, and respect for human rights. The international actors involved in the implementation of the CPA must ascertain that these core values enshrined in the peace agreement

are not being sacrificed for the short-term appeasement of the parties to the conflict.

References

Africa Confidential. 2002. Sudan: Unconstructive engagement – Western governments still don't get the measure of Sudan's resourceful rulers. Vol. 43, no. 4 (February).

Alier, Abel. 1990. *Southern Sudan: Too many agreements dishonoured*. Exeter: Ithaca Press.

BBC News. 2008. China condemns Sudan oil killings. October 28, http://news.bbc.co.uk/2/hi/7695020.stm

Center on International Cooperation. 2009. *Annual Review of Global Peace Operations 2009*. Boulder, CO: Lynne Rienner.

Democracy Now. 2005. Bush Administration allied with Sudan despite role in Darfur genocide. May 3, http://www.democracynow.org/2005/5/3/ bush_administration_allied_ with_ sudan_despite

Hansen, Wibke, and Annette Weber. 2010. Countdown in Sudan. Between compromise and war – scenarios until 2011. SWP Comments, no. 2010/C 01. http://tinyurl.com/yla9ljc

Large, Dan. 2007. Arms, Oil and Darfur: the Evolution of Relations between China and Sudan. *Small Arms Survey*, no. 7 (August).

Lipson, Michael. 2007. Peacekeeping: Organized hypocrisy? *European Journal of International Relations*, vol. 13, no. 1.

Rogin, Josh. 2010. Stuck in the mud. The Obama Administration's civil war over Sudan. *Foreign Policy,* January 29, http://thecable.foreignpolicy.com/posts/2010/01/29/inside_the_nsc_deputies_meeting_on_sudan

Seibel, Wolfgang. 2007. The "responsibility to protect" and modern protectorates – UN peace operations as successfully failing ventures. Unpublished paper presented at the conference *The new protectorates: International administration and the dilemmas of governance.* University of Cambridge. June 6–8.

United Nations Security Council. 2005. *Annexure I: Permanent ceasefire and security arrangements, implementation modalities and appendices*. Document S/2005/78. February 10.

US State Department. 2009. *A critical moment, a comprehensive approach*. 19 October, http://www.state.gov/r/pa/prs/ps/2009/oct/130672.htm

ANNEX

TIMELINE

	Early History
Ca. 58 000 BC	Archaeological findings indicate the presence of herdsmen, hunters, and fishers in the area known as Nubia, covering the South of present-day Egypt and the North of present-day Sudan
8th century BC	The powerful Kingdom of Kush emerges from a previous succession of kingdoms; its rulers temporarily conquer Upper Egypt and hold control over Thebes
	Nubian Kingdoms and Sultanates
Ca. 590 BC	The Kushite Dynasty withdraws to the South where it re-establishes its power around the town of Meroe
6th century AD	Byzantine missionaries spread Christianity among the Nubian aristocracy
7th to 15th century	A series of peace treaties with Arab commanders of Egypt and contact with Arab traders, as well as intermarriage, make Islam the dominant religion in the North
Ca. 1630–1874	The Fur Sultanate controls present-day Western Sudan

	Sudan under Foreign Rule
1821	Egypt, under its Ottoman-Albanian ruler, Muhammad Ali Pasha, conquers Northern Sudan; his sons go on to annex most of present Sudan
1881–1899	Muhammad Ahmad (''The Mahdi'') leads a revolt against Ottoman-Egyptian domination; his followers control substantial parts of the country until defeated by British troops
1899–1956	Sudan is ruled as an Anglo-Egyptian Condominium; de facto British officials occupy all notable positions in the administration The divide between a predominantly Arab and Islamic North and a black, animist, and Christian South is further accentuated as the regions are placed under separate administrations (until 1946) and Christian missionaries intensify their work in the South

	Independence and Civil Wars
1956	Sudan gains independence
1955–1972	First Sudanese Civil War between the Anyanya guerrilla movement in the South and Northern government forces
1958	Gen. Ibrahim Abboud stages a coup against the newly elected government of Prime Minister Abd Allah Khalil
1964	Starting from protests around the University of Khartoum and a general strike, the October Revolution forces Abboud's military regime to step down; the following years see a succession of civilian coalition governments
1969	Col. Gaafar Nimeiri leads a successful military coup
1972	The Addis-Ababa Agreement officially ends the First Sudanese Civil War, granting autonomy to the South
1983	The Second Sudanese Civil War erupts; the SPLM/A under John Garang takes on government forces after Nimeiri reneges on Southern autonomy and introduces Sharia law in the whole country
1985	In another coup, Nimeiri is removed from power by a group of military officers, led by Gen. Dhahab
1986	Elections bring about a civilian coalition government under Prime Minister Sadiq al-Mahdi
1989	The National Salvation Revolution, led by Col. Omar al-Bashir, takes power in a military coup
1993	Al-Bashir appoints himself president; in the following years, he increasingly turns Sudan into a totalitarian state, the National Congress Party (NPC) being the only party with members in parliament and government
1999	Sudan starts exporting oil
2002	As a result of a round of peace-talks under the auspices of the IGAD, SPLM and GoS sign the Machakos Protocol
2003	First rebel attacks in Darfur, followed by a violent counter-offensive of the Janjawiid militias, allegedly with support from the Government of Sudan
2004	Massive military operation by government forces in Darfur, followed by a large-scale humanitarian catastrophe and wide-spread displacement of Darfuris
2005	January: The Comprehensive Peace Agreement (CPA) (also known as the Naivasha Agreement) between SPLM and the government in Khartoum officially ends the Second Sudanese Civil War

	After the CPA
2005	March: The Security Council mandates the UN Mission in Sudan (UNMIS) to support the implementation of the CPA June: The Constitution for Southern Sudan is signed; John Garang assumes the office of vice president of Sudan July: Garang dies in a plane crash; Salva Kiir is sworn in as his successor September: A Government of National Unity in Khartoum, and a new Government of Southern Sudan in Juba are appointed
2006	May: The Darfur Peace Agreement (DPA) is signed between SLM-Minnawi and the Government in Khartoum; violence continues as other rebel groups reject the peace deal November: New clashes between Northern and Southern forces kill hundreds around the Southern town of Malakal
2007	July: The Security Council formally authorizes UNAMID, the first UN-AU peacekeeping operation October–December: SPLM temporarily pulls out of the power-sharing government, blaming Khartoum for not adhering to the terms of the CPA
2008	April: Counting starts in a landmark national census; the results are later challenged by the SPLM June: Al-Bashir and Kiir endorse international arbitration after repeated violent encounters between SPLM and Northern forces in Abyei (Abyei Roadmap Agreement)
2009	March: The ICC issues an arrest warrant for al-Bashir on charges of war crimes and crimes against humanity July: The ruling of the Permanent Court of Arbitration on the Abyei border is endorsed by North and South September: Candidate nominations for the 2010 general elections begin November: Voter registration is initiated
2010	April: After several delays, general elections are scheduled for April 11; the current UNMIS mandate ends on April 30 July: The current UNAMID mandate expires
2011	Referenda are scheduled on the future status of South Sudan, and on the future status of Abyei July: The CPA's Interim Period ends

LIST OF ACRONYMS

ABC	Abyei Boundary Commission
APC	Armoured Personnel Carrier
AU	African Union
BoSS	Bank of Southern Sudan
CNPC	China National Petroleum Corporation
CPA	Comprehensive Peace Agreement
DDR	Disarmament, Demobilization, and Reintegration
DPA	Darfur Peace Agreement
DUP	Democratic Unionist Party
ELF	Eritrean Liberation Front
EPLF	Eritrean People's Liberation Front
GoNU	Government of National Unity
GoS	Government of Sudan
GoSS	Government of Southern Sudan
ICC	International Criminal Court
IGAD	Intergovernmental Authority on Development
IMF	International Monetary Fund
JEM	Justice and Equality Movement
LRA	Lord's Resistance Army
NCP	National Congress Party
NDA	National Democratic Alliance
NEC	National Elections Commission of Sudan
NIF	National Islamic Front
NUP	National Unionist Party
OAG	Other armed groups
ODA	Official Development Assistance
OLF	Oromo Liberation Front
OSCE	Organization for Security and Cooperation in Europe
PCP	Popular Congress Party
PDP	People's Democratic Party
SAF	Sudanese Armed Forces
SANU	Sudan African National Union
SCP	Sudanese Communist Party
SLM	Sudan Liberation Movement (Darfur)
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SRSG	Secretary-General's Special Representative

SSLM	Southern Sudanese Liberation Movement
SSU	Sudan Socialist Union
TPLF	Tigrayan People's Liberation Front
UNAMID	African Union – United Nations Mission in Darfur
UNAMIS	United Nations Advance Mission in Sudan
UNF	United National Front
UNMIS	United Nations Mission in Sudan
UNSC	United Nations Security Council
USAP	Union of Sudan African Parties

THE AUTHORS

Atta El-Battahani

Prof. Dr. Atta El-Battahani is a senior adviser for the Sudan program of the International Institute for Democracy and Electoral Assistance (IDEA). A former head of the Department of Political Science at the University of Khartoum, he published on a number of issues such as Sudanese politics, armed conflict, and political Islam. El-Battahani has been a regular consultant for various regional, international, and non-governmental organizations and is an associate of Partners in Development (PID), the Gender Centre for Research and Training (GCRT), and the Rift Valley Institute (RVI).

Roland Marchal

Roland Marchal is a senior fellow at the Center for Scientific Research (CNRS) in Paris, based at the Center for International Studies and Research (CERI/Sciences Po). His focus as a researcher and author is on the conflicts and politics of the Horn of Africa. Marchal has worked as a consultant for a number of French and international organizations, including the World Bank, the European Union, and United Nations. He also was editor-in-chief of the French academic quarterly *Politique africaine*.

Marina Peter

Marina Peter is the director of Sudan Focal Point – Europe, an international ecumenical network under the umbrella of the World Council of Churches. In this capacity, she was involved in the IGAD and Abuja peace talks, as well as in the People to People peace process in Southern Sudan. She is a regular consultant for German and international organizations and has published in various journals and books on Sudan and issues of conflict resolution. In 2008, Marina Peter was awarded the Federal Cross of Merit in recognition of her work.

Peter Schumann

Peter Schumann is a Senior Fellow at the University of Konstanz, working primarily on international peacekeeping missions and their internal operational complexities. Until August 2007, he served as Regional Coordinator and Representative of the United Nations Mission in Sudan (UNMIS) in Southern Sudan. Schumann worked for the United Nations for more than 25 years, and was frequently seconded to UN peacekeeping operations, including postings to Kosovo and Somalia.

Alex de Waal

Dr. Alex de Waal is a program director of the Social Science Research Council and senior fellow of the Harvard Humanitarian Initiative. He has written or edited 13 books, most with a focus on Sudan. His most recent publication is *Darfur: A New History of a Long War* (2008). He served as adviser to the African Union mediation team for the Darfur peace talks (2005-06) and the AU High-Level Panel on Darfur (2009). He was on the *Prospect/Foreign Policy* list of 100 public intellectuals in 2008, and the *Atlantic Monthly* list of 27 "brave thinkers" in 2009.

John G. Nyuot Yoh

Dr. John G. Nyuot Yoh is a lecturer of African and international politics at the Department of Political Science, University of South Africa (Pretoria), where he also obtained his PhD. From 1997 to 2003, he worked as a resident research associate at the Royal Institute for Inter-Faith Studies in Amman, Jordan. Yoh regularly travels between South Africa and Southern Sudan. He is the author of several books and articles on Sudanese, African, and international politics; issues of conflict management and resolution; and Christianity and Islam in East Africa. His most recent book is *Southern Sudan: Prospects and Challenges* (2009).

As the six-year transitional period defined in the Comprehensive Peace Agreement draws to a close, Sudan is sliding into another crisis. The agreement has largely failed to realise democratic transformation and to make the unity of the country attractive. Political tensions in the run-up to the elections this year indicate that older conflicts still persist – a bad sign for the referendum on the future status of South Sudan that is scheduled for January 2011. It is possible and interesting to delineate potential scenarios, and to identify the political options they open up for different actors in Sudan. Anyway, the international community can play a constructive role in facilitating workable post-CPA arrangements.

The Heinrich Böll Foundation, which has been working both with civil society partners in Sudan and on Sudan-related issues in the German context for several years, has put together this publication in order to reflect on such scenarios.

Heinrich-Böll-Stiftung
The Green Political Foundation

Schumannstr. 8, 10117 Berlin
P 030-285340 **F** 030-28534109 **E** info@boell.de **I** www.boell.de

ISBN 978-3-86928-030-1