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Sudan Peace Agreements: Current Challenges and Future Prospects

Abdel Ghaffar Mohamed Ahmad

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Sudan Peace Agreements: Current Challenges and Future Prospects

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Abstract

Since achieving independence, Sudan has been burdened with many conflicts which have hindered its economic, social and cultural development. While some of these problems can be attributed to colonial policies within the country, many have been created by the post-independence governing elite. Several attempts have been made to resolve conflicts by way of agreements which have either been partially implemented or abrogated by one of the signatory parties. At present, the country is at a crossroads and faces the danger of disintegration if the latest peace agreement, namely the Comprehensive Peace Agreement (CPA) of 2005 is not implemented. Many scenarios for addressing the challenges and future prospects that the country faces can be entertained depending on the political will of its major political actors, including: a) halting implementation of the CPA with all the expected consequences which that entails; b) holding the referendum scheduled for 2011 on time, thereby leading to agreed unity or secession, and c) secession, which will either be agreed to or contested. A proposal for extending CPA implementation is currently being debated to allow time for all parties to rethink their position and consider other possibilities such as agreeing on a confederal arrangement.

Key words: Sudan peace agreements, conflict resolution, Sudan scenarios, colonial administration, political elite

Introduction

As the largest country in Africa, Sudan is characterised by geographical diversity, which is reflected in its multicultural, multiethnic, and multilingual population. During the closing decades of the 20th century, the country felt the burden of dealing with complex religious and political issues while striving to preserve its dignity. Nevertheless, despite the various agreements which have recently attempted to address the country's multiple conflicts and settle civil unrest in its various regions such as the Comprehensive Peace Agreement (CPA), the Darfur Peace Agreement and the East Sudan Peace Agreement, stability has so far not been achieved and the political landscape is more fragile than ever before (Ahmed, 2009:129).

Since gaining its independence in 1956, Sudan has been among the African countries which have exerted a massive amount effort in attempting to bring about a peaceful coexistence and harmony among its various groups within the population, as well as aspiring to mould inclusive identities in

order to accommodate existing similarities and differences. However, this has not been an easy task. The country is continuously being challenged to overcome conflict among its different groups, and to a large extent, the governing elite has failed in redressing historical injustices and inequities which have accumulated as a result of past practices. Sudan is currently witnessing a widespread national disaster that perturbs the entire nation, pushing the country towards the abyss. Though the manifestation of this disaster is manifold, current problems include: a) a stifling economic crisis, evident in dramatic price increases, b) the devaluation of the Sudanese pound versus other currencies, c) importation difficulties, d) ailing industries, e) failing agriculture, and f) an increasing unemployment rate. In addition, there are the intricacies of implementing peace agreements signed between the central government and different parties active on the political scene, as well as rebel groups waging armed conflict. Throughout the past few years, the country has been suffering from a lack of political will in resolving the Darfur crisis, which has opened the door to regional and international intervention with no real breakthrough achieved thus far. This situation has been further escalated by a lack of trust between the major partners in the national unity government, namely the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM), thereby leading to muted and incoherent efforts in resolving the crisis which has ultimately resulted in the lack of a legitimate government and security collapses in certain regions of the country.

This paper aims to briefly review the response to the agreements signed between the central governments in Sudan and the different parties that were opposing the dominance of the ruling elite since independence. This has to be seen within the context of the historical development of the country, its social, cultural, political and economic diversity and complexity. It looks into the challenges that faced such agreements and the extent to which they managed to address the crisis as well as putting forward anticipated scenarios for the near future.

Evoking history: the slave trade, identity and marginalisation

It is important to address historically untouchable events which mar healthy relations among the various ethnic groups determined to coexist in Sudan. This includes the era when the slave trade flourished in certain parts of the country, leading to a massive amount of inhuman acts and the destruction of many local communities. This trade did not begin in the 19th century but instead dates back many centuries, forming the economic backbone of both the Funj and Fur kingdoms and the preceding forms of governments in the Nile basin (cf. Nugud, 2003; Ahmed, 2008).¹ In this context, evoking history becomes a necessity for shedding some light on the current crisis in addition to forecasting the future. The beginning of this national predicament has been caused by historical injustices resulting from prevailing relationships in the aforementioned periods in a country which enjoys environmental, ethnic and cultural diversity and a multiplicity in the systems of livelihoods, which have produced a wide array of lifestyles, productive activities and processes of identity formation. Despite the continuous interaction among different ethnic groups throughout its history, an all-encompassing Sudanese identity² has yet to be formulated or agreed upon. Consequently, Sudan has never been a nation-state in which equal citizenship is the basis for the relationship of individuals and society (cf. Siddig, 2005; Gasim al Seed, 2008).

The failure to arrive at an inclusive Sudanese identity and a just national state could in part be attributed to the performance of the political elites both prior to and after independence in the middle of the last century. Even so, the root causes of these crises date back many centuries as has

¹ For further details on the slave trade and its impact on economic and social ties among the various groups in Sudan, see Abdel Ghaffar M. Ahmed, (2008), 'Roots and Dimensions of the Crisis', Chapter Two, pp. 55-97. More details can also be found in Abdel Ghaffar M. Ahmed (2007).

² The term Sudan was affixed to all the African Sahel from Senegal and northern Nigeria to the west, up to the western boundaries of the Ethiopian plateau to the east. This was apparent in the writings of Arab scholars, travellers and geographers such as Ibn Khaldoun and al Tunisi and others.

been previously mentioned. Throughout the history of the territory which came to be known since the 19th century as Sudan, the relationship of the periphery with the governing centre has been characterised by the slave trade, exploitation and marginalisation. During these early days, the most damaging aspect was the history of human trafficking. This formed the lifeline of both the domestic and foreign trade of the Fur and Funj kingdoms and continued during the Turkish rule (1821- 1894), the Mahdist State (1895- 1898) and up to the early part of the 20th century during the first two decades of the Anglo-Egyptian rule, commonly known as the Condominium 1898-1955. (cf. O’Fahey and Spaulding, 1974; O’Fahey, 1980; Spaulding, 1985).

In spite of the emergence of a presumably enlightened national elite concerned with the national cause and seriously engaged in strengthening fraternity and building one country, there has been no serious attempt to reflect and learn from past experience. There has been no leader to step forth with either the will or political vision to apologise for the inhuman practices of the past and convince others to do the same, while paving the way to rectify historical injustices and start a new page of fraternity, cooperation, justice and equality.

The Condominium rule used the history of the slave trade as a catalyst for designing policies that claimed to support victims of that period, though without any positive results. The colonial administration then adopted a method which ultimately resulted in the creation of opposing identities, thus paving the way for a possible separation between the north and south. In order to accomplish this, it promulgated a number of decisions and laws aimed at explicitly isolating the southern part of the country from the north and curtailed any cultural or social move that could have led to future integration and unity. Thus, it issued the Passports and Licenses Act (1922) which denied access of northern traders into the south, followed by the Closed Districts Ordinance (1929) which closed the entire south to northerners so as to prevent any trace of Arab Islamic culture coming into geographical proximity, while giving the activities of the churches unhindered access to the south (see Beshir, 1968, Abdel Raheem, 1970, Ahmed, 2008). Under such circumstances, some administrators were overzealous in their hostility towards people from the north, in addition to their beliefs and culture. For example, the commissioner of west Bahr el Ghazal forbade the *Azzan* (call for prayers) in Raja as well as the use of northern costumes and Arab Muslim names.³ Administratively, the Tribal Chiefs’ Courts Ordinance of 1931 was put into place, giving support to these decisions (Bashir, 1968:38-53; Abdel Raheem, 1970: 19-20).

The creation of ethnic boundaries was further exacerbated by the focus on enforcing unequal development between the north and the south. While the administration was keen on supporting the irrigated agricultural sector, the greatest gravity irrigation scheme in the world was established in the Gezira between the White and Blue Niles in 1925 in order to supply cotton needed by the British textile factories (Barnett, 1977: 3-6), as well as other schemes on the Nile banks or in the rain-fed plains in the central region. On the other hand, the south did not have anything worth

³ The aim behind this was to prevent contact between southerners and their northern brothers in preparation for annexing the south to a union the British were dreaming of imposing on Central and East Africa. Mudathir Abdel Raheem (1970) states, ‘and accordingly, administrative laws and regulations dictating the prohibition of entry of southerners into Northern provinces and entry by northerners into Southern provinces. The sons of the same homeland were prevented from natural interaction but only within narrow limit which were further narrowed with the passage of time. The British administration showed creativity in designing procedures aiming at severing cultural ties between the two parts of the country and at deleting Islam and Arabic language: southern citizens were prevented from having Islamic and Arab apparel and names and were administratively forced to adopt European clothing and names. Instead of Arabic, English was made the language of administration and education at most of its stages’ (pp. 19-20).

Mohamed Omer Bashir (1968) similarly elaborates on the same topic in his book: ‘the Southern Sudan: background to conflict’ in pages 38 through 53, and describes the method followed in creating an uninhabited land between Arab groups in southern Darfur and neighbouring southern ethnic groups.

sharing except for the Zande scheme, which was established in the late 1940s and early 1950s and sought to achieve a limited amount of local integrated development (cf. Reining, 1966).⁴

Through such policies, education in the south was monopolised by Christian missionaries (Nyaba, 1997:14) who acted in accordance with their individual capacities, which made them resort to an educational system that was not the equal of the relatively advanced government-supported system in the north. In addition, the colonial administration in the south discouraged the public “from engagement in politics, political debate and action, and anybody seen practicing political dissent was punished and dismissed from school or employment” (Nyaba, 1997: 15), although this was not the case in the north.⁵ Therefore, when the growing political movement in northern Sudan led by the educated elite, who formed the Graduate Congress in 1939, started to push for the liberation of Sudan in the period following World War II period and explored the opinion of the southern elite in discussing the future of Sudan, there was no parity among the various levels involved, which was evident in the Juba Conference in 1947.⁶ Future relations between the two parts were shattered when the senior government posts were distributed at the time of the Sudanisation process during the self-rule period of 1954-55. Poor education was the most crucial factor in granting the south only eight out of the 800 posts available to the Sudanese educated class. This disparity created a bitter feeling of injustice and inequality that erupted months prior to the declaration of independence in the form of a rebellion of the Southern Corps of the Sudan Defence Force, which started in Torit town on August 18 1955 and resulted in the deaths of many northerners and southerners.⁷ At the time, the national government failed to respond appropriately, and rather than using peaceful dialogue, it resorted to the use of excessive force with extreme sentences that violated human rights. A promise was made to give the south the right to have a federal government in case the southern members of parliament voted for independence. The southern MPs kept their promise while the northern leaders dishonoured their vow, which proved to be only the beginning in terms of dishonouring many agreements (Alier, 1990: 24-26).⁸

In the context of these continuous changes in the realm of governance and development projects, little or no significant reference has been made to the northern, eastern or western parts of the country which were equally subjected to these processes of marginalisation. The elite of these

⁴ The British policy in South Sudan focused on not offering equal pay similar to those appointed to government staff positions in the north so that employees do not head for the ‘*joys of civilisation*’. This is clearly manifested in the sort of pay applied in 1930 (see Mudather Abdel Raheem (1970) pp. 103-107 and Abdel Ghaffar M. Ahmed, (2008), p. 77.

⁵ The educational policy which was assigned to Christian missionaries aimed at graduating an employee who does not engage in politics, accepts the status quo and is not allowed to challenge the authorities. Should they attempt that, they are subject to penalties amounting to dismissal (see Peter Nyaba (1997) ‘the Politics of Liberation in South Sudan’, pp. 14-15.

⁶ The number of participants at the Juba Conference in June 1947 amounted to 28, and was headed by Administrative Secretary James Robertson and five Britons, three of whom were the governors of the southern provinces. Northerners numbered five and the rest (17 members) represented the south. Out of these, seven were tribal chiefs and two represented the churches, while the rest were junior employees. The five northerners had a high level of education, a matter which enabled them to steer the meeting in the direction they deemed appropriate and to confront the policy the representatives of the British government sought to be adopted by the conferees. (See minutes of the conference in Mohamed Omer Bashir (1968).

⁷ For details of the Torit events, refer to the report of the Committee of Enquiry into the events, formed and headed by the then minister of the interior Judge Gattran, Mr. Khaleefah Mhajoob, director general of the Equatoria Schemes Board, and the tribal chief Loleek Lado of Lira of the Equatoria province as members. The committee was asked to investigate and write a report on the incidents in southern Sudan and the causes for their occurrence (Report of Committee of Enquiry, August 1955, p.1)

⁸ In his book, ‘South Sudan: Many Agreements Dishonored’, published in English in 1990, while its Arabic translation by Bashir Mohamed Saeed was published twice in 1992 and 2005, Mr. Abel Alier undertakes to document this denunciation of covenants. The book elaborates on details of events in which Mr. Alier personally took part such as the Addis Ababa Accord and the events ensuing thereafter, his management of the Jongoli Project Commission and other incidents, all of which are well documented in the book.

disenchanted regions started to create forums to express their discontent, eventually leading to the emergence of armed movements in both the west and east to redress the accumulated injustices.

Agreements

Addis Ababa Accord

After the popular uprising of 1964 against the first military rule of General Abood, who was extreme in responding to the rebellion in the south by forcing Arabisation and Islamisation and expelling foreign missionaries⁹, a dialogue was initiated on issues of governance, identity and the accommodation of other ethnic groups which have cultural and organisational differences from those dominant in the centre. It was from this point onward that accords and agreements started to emerge within the Sudanese political scene.

Efforts made by the transitional government following the 1964 uprising, popularly known as the “October Revolution”, managed to halt the Anya-Nya’s first war which resulted from the Torit incidents and had a leadership consisting of military and civilian elites. This movement was led in part by some prominent southern Sudanese who believed in secession, Mr. Agrey Jaden and Mr. William Deng. Exerting considerable effort, the transitional government managed to attract a wide spectrum of politicians representing major political parties from both the north and south to join a round table conference to deliberate Sudan’s most pressing issues of the day. Since it was not able to reach a final conclusion, the conference was suspended and its work was delegated to a 12 man committee composed of representatives of the various political parties. The committee debated on the best possible solutions to relieve the ills of the country¹⁰ and came out with many recommendations that unfortunately were never implemented by the ruling regime at the time. Among others, these included the transfer of some powers exercised by the central government to the regions, that the south was to preserve and develop regional languages and cultures, and a regional legislative body was to be established in each of the southern regions. (Alier, 1990:34). The assassination of William Deng in May 1968 during a tour of the south intensified the civil war and led to a loss of confidence between the southern leadership and their northern counterparts. At this juncture, the South Sudan Liberation Movement (SSLM) was formed, drawing its rank and file from the Anya-Nya movement. After five years of fighting between the SSLM and the central government, change came about as a resulting of a military takeover at the centre. The new regime announced the June 1969 Declaration which recognised the multiple differences between the north and the south, and granted regional autonomy to the south. A dialogue between the SSLM and the central government was resumed in which the World Council of Churches and Emperor Haile Selassie played a pivotal role in bringing the two parties to the table. The negotiations culminated in the Addis Ababa Accord of February 1972 which paved the way for stopping the war and

⁹ The first military government (1959-1964) focused on harassing the opposition in the north and south, determining the spread and use of Arabic and Islam in the south and establishing *khalwahs* and schools as the most appropriate means to preserve the unity of the country. The government also harassed the missionaries and expelled 300 of them from the south, but did nothing to those operating in the north, which amounted to 282 (Mohamed Omer Bashir (1968).

¹⁰ The Roundtable Conference decided to form this committee in March 1965 and assigned it the following tasks:

- a) look into the constitutional and administrative situation whereby the interests of the south are guaranteed, as well as guaranteeing the interests of the country in general;
- b) to form a monitoring committee to supervise the implementation of the political procedures agreed on;
- c) to plan for a means to get the situation in the south back to normalcy and to examine required steps to lift the state of emergency in the south, the spread of security and the rule of law.

Partaking in the conference were the *Jabhat al Meethag al Islami*, the National Unionist Party, the People’s Democratic Party, *Jabhat al Hay’at*, SANU, the Sudan Communist Party and the Umma Party. The People’s Democratic Party and the Communist Party left the committee prior to the presentation of its final report.

establishing regional autonomous rule in the south,¹¹ marking the most important achievement of the military rule headed by Jaafar Nimeiri.

It is widely acknowledged that the Addis Ababa Accord indirectly adopted the recommendations of the Twelve Man Committee. The Accord recognised the root problems and attempted to provide serious solutions, thereby initiating autonomous regional rule which provided the southern people enough space for self-determination and guaranteed all rights included in the June 1969 declaration. Nonetheless, the drafters of the Accord were unable to modify the political orientation of the governing system at the centre. Ten years of stability passed during which the south was politically more democratic than the rest of the country, although economically it was a toothless tiger subject to the hegemony of the centre, which affected all prospects for development.¹² It did not take longer than these 10 years before the agreement was dishonoured. The central leadership, which was credited with bringing peace to the country and was expected to guard the Accord, was the one that abrogated it, thus causing the resumption of the north-south civil war and a break in the trust between the northern and southern elite.

Sudan People's Liberation Movement and the Peace Agreements

By dishonouring the Addis Ababa Accord, the Nimeiri military regime (1969-1985) ushered in the way to Sudan's longest period of civil war. The civil war resumed after 10 years of relative tranquillity, security, and stability and effectively stopped work on major developmental projects such as the Jonglei Canal project, which was hoped to eliminate marginalisation and poverty in the south. The Sudan People's Liberation Army/Movement (SPLA/SPLM) came into existence in 1983 with a clear manifesto that distinguished it from all other active groups in the south. Contrary to the aspirations of the first and second Anya-Nya movement leadership and some other southern civilian leaders, SPLA/SPLM's new inclination originated from the call that the problem was not one of just the south, but rather a problem for the whole of Sudan (cf. de Mabior, 1995; Akol, 2001). This approach clearly reflects the debate around the 1964 uprising and the line of thinking of Joseph Garang, the first minister for the south after its declaration of regional autonomy in 1969 (Garang, 1971). The SPLA/SPLM leader, John Garang de Mabior, had been inspired by an accurate interpretation and clear understanding of how to use history to explain the present and forecast the future. This enabled the movement to obtain a better grasp on both historical and contemporary diversity and how best to present the concept of the "new Sudan", a Sudan of justice, equality and true citizenship (Kameir, 2005:70-92). He had to convince his fellow southern comrades of the idea that calls for the unity of the country before addressing the northern political spectrum.¹³

¹¹ The first to publish the Addis Ababa Accord was the Anya-Nya quarterly journal (whose editor-in-chief was Madeng de Garang, who later became the Minister of Culture & Information at the beginning of the regional self-rule implemented pursuant to the Accord). The journal, which was called *the Grass Curtain*, published this in its last issue in May 1972.

¹² It can be said that the June Declaration (1969) was an implementation of most of the resolutions of the 12 Committee. Joseph Garang was the minister assigned with implementing these resolutions. However, he did not last long in the post, and when the Accord was signed, the reins were in the hands of other political forces. Although the regional governance appointed at the time allowed an excellent opportunity for political activity, it did not find the economic support to enable it to propose effective developmental projects, as the centre was in control of that aspect. (See Peter Nyaba (1997), pp. 19-21).

¹³ Joseph Garang is of the view that when southerners portray the issue as a southern one, they are perplexed in a way. This problem is one shared by Sudan in general. (See Joseph Garang, 1970). This is the same view later adopted by John Garang de Mabior (Kemir, 2005, pp. 78-81). The presentation of the idea of a new Sudan stems from an understanding of history based on an understanding of historical and contemporary diversity, which is the understanding that John Garang sees as the basis for unity (*ibid*, p. 80).

This was not an easy task, and there was internal conflict over this matter which led to a lengthy debate and occasionally violent outcomes within the movement itself. Such was the case after the announcement of the Nasir coup/ Declaration (1991) against John Garang that was jointly led by Riak Machar, Lam Akol and Gordon Koang Chol, which had an ethnic dimension that later manifested itself.¹⁴ The Khartoum and Fashoda Peace Agreement of 1997, which was signed by Riak Machar and Lam Akol with the Khartoum government, was an offshoot of that clash. Nevertheless, the two agreements failed, and the two leaders broke away from the central government and rejoined the SPLA/SPLM.

A number of meetings aimed at reconciling the position of the parties to the armed conflict took place, including the Bergen Forum (Feb. 1989) in which all the major political actors met to address the issue of managing the crisis, as well as the Ambo meeting (1989) between the SPLM/SPLA and representatives of northern political parties and civil society organisations, whose goal was to find ways out of the dilemma facing the country. The Mirghani-Garang Agreement (Nov. 1989) was the last attempt toward reaching a settlement of the conflict during the last democratic regime which was toppled by the military coup in 1989 that brought the Islamists to power and ushered the way for *Jihad* (religious war). Over time, war fatigue forced the regime in Khartoum and the SPLM/SPLA to start lengthy rounds of negotiations toward a settlement, starting with the Abuja meetings in the early 1990s and culminating in the signing of the Comprehensive Peace Agreement in 2005.

The Comprehensive Peace Agreement

The Comprehensive Peace Agreement (CPA), also referred to as the Naivasha Agreement, is the most crucial milestone in the ongoing political development of Sudan. Reaching this agreement was not an easy task and took almost 10 years of dialogue in which many external actors took part. The serious beginning of this dialogue was initiated through the IGAD Declaration of 1994, an approach endorsed by Ethiopian Prime Minister Meles Zenawi and the Eritrean President Asaias Afewerki, both of whom are experts on Sudanese affairs due to their long stays in Sudan while leading the struggle to remove Mengistu Haile Mariam from power in Ethiopia.¹⁵ Added to this initiative was the support received from the friends of IGAD known as the troika, (USA, UK and Norway), who were later joined by Italy. The group contributed to maintaining continuity in the dialogue as well as providing an element for the guarantee of its results.

Events took their course, from the Abuja talks and the like, which culminated in the signing of the Machakos Protocol in 2002 that represents the foundation on which other protocols (in terms of power and wealth sharing, security and the three areas) were based. Together, they comprise the backbone of the Agreement which was signed in 2005 in the hopes of establishing a comprehensive peace intended to be a tool of transformation from the “old Sudan”, with all its tragedies and failure, to a “new Sudan” in which citizens would enjoy the right to equal citizenship, freedom, equality and a decent life. The Comprehensive Peace Agreement (CPA) aimed at identifying the root causes of the harmful political conflict, eliminating historical injustices and avoiding the losses of wars and destruction. The ending of the war, which went on for two decades in its last round, was a historical gain for all parties to the conflict and was joyfully welcomed by all Sudanese regardless of their

¹⁴ In his book published in 2003, *‘SPLM/SPLA: the Nasir Declaration’*, Lam Akol documents the declaration elaborately. The group entered into a bloody conflict which took the nature of a grouping of the Nuer and Shilluk against the Dinka Bor, with many lives wasted, including many unarmed civilians.

¹⁵ Mansoor Khalid states that ‘the IGADD declaration came to presence in March 1994, drafted by two men: the Eritrean president Isaias Afewerki and the Ethiopian prime minister Meles Zenawi, albeit attributed to all the IGADD states. The two men, out of all presidents of the IGAD, are the most knowledgeable of the ins and outs of northern Sudan politics’. (Mansoor Khalid, Al Akhbar newspaper, July 5 2009).

differing affiliations. Its clearest manifestation was in the reception given by the masses to the leader of the movement, John Garang de Mabior, at the Green Square (*Sahah Khadrah*) on the day he arrived in Khartoum in June 2005. However, this illustrious image was not destined to last long as Garang was killed in a helicopter accident one month after that memorable day – an event which took the CPA, and all of Sudan, into a dark tunnel from which each glimmering ray of light that appeared soon died out.

There are several causes for this, and chief among them is that the signed document carries a great deal of details which has led to numerous challenges. The most significant of these are:

First: there was a mismatch in the relative strength of the parties signing the CPA. While the National Congress Party (NCP) represents the more powerful partner that runs the government, SPLM appears as the weaker partner which is satisfied with its gains in the south without caring much for John Garang’s vision of the “new Sudan”.

Second: the agreement excludes other political forces, which makes it appear to have been designed for the interests of only two parties out of the entire nation. The NCP was quite clear on this point: it is an agreement between those who carried arms. That exclusion is one of the reasons that caused a leading advisor to the president of the republic to dub it “an accord that is neither fair nor comprehensive”.¹⁶

Third: it was followed by procrastination in the implementation of the requirements of various protocols as well as in reciprocal accusations by the two partners (NCP and SPLM), particularly in regard to making unity attractive. This became even more evident in the opposing views on the census results and other legislation concerning the referendum law.

Fourth: over and above all of this comes the greatest challenge of how the “consultation” stated in the protocol of the three areas (the Blue Nile, South Kordofan and Abyei) is going to be interpreted – a matter which strengthens the feeling that this is a dilemma that may lead to a disputed “third” Sudan, thereby leading to a new war between two states should the referendum result in separation, which appears likely as indicated by current matters.

If the Addis Ababa Accord of 1972 was “the greatest gift presented by Sudan to African unity” as African liberation leader Amílcar Cabral once said,¹⁷ it was recalled 10 years later by the same ruler who approved its signature in the first place. The procrastination in the implementation of the CPA indicates that it may be the meanest blow yet to the face of the continent should the agreement be dishonoured, causing a rift between Africa both north and south of the Sahara that would be difficult to mend.

¹⁶ Bona Malwal presented a critique of the CPA under the title of ‘Sudan’s Last Peace Agreement: An Accord that is Neither Fair nor Comprehensive: A Critique’, published by the Abdel Kareem Marghani Centre in 2005 as part of the works celebrating Khartoum as a capital of Arab culture in both English and Arabic in the same book. In his conclusion of his critique of the Accord, Bona Malwal states that ‘the two fighting parties in Sudan worked to close every opening for hope and every opportunity for the people to head for democracy by any means... the torturers of people have entrenched themselves in power through this peace agreement, without a mandate from the people. Should the people insist on their rights; they will have them’ (p.88).

¹⁷ In this regard, Mansoor Khalid states that ‘yet the most eloquent expression of joy upon that agreement was what the African liberation fighter and thinker Amílcar Cabral stated when speaking on behalf of all liberation movements at the African summit in Rabat. Pleading for the relief Sudan of contributing to liberation movements, Cabral said, ‘Sudan’s peace agreement is the greatest gift Sudan presents to African unity. Therefore, it is important that all the resources of Sudan are to be directed towards maintaining its unity. The unity of the Sudan is a triumph for African unity’ (Al Akhbar newspaper, April 23 2009).

If the CPA is considered the cornerstone of events shaping the future of Sudan, there are two other agreements which could make an important contribution insofar as what the situation will be like and the requirements that have to be met. On the 21st of February in 1989, one day after the armed forces presented a memorandum to the then prime minister Sadig al Mahdi, a meeting was held in Bergen (Norway) between representatives of the leading political parties at the time and those who represented the SPLM/SPLA with the hope that it would help to bring about a climate conducive to managing the crisis in Sudan. In the beginning of the deliberations, an attempt was made to draw attention to a conflict taking place in Darfur, although nobody listened until the conflict received international attention – meaning that it could then be easily addressed then.¹⁸ An agreement finally came more than 17 years later (in May of 2006), though there was no one to sign it but a fraction of a rebel group out of several on the scene (amounting now to more than 20). Then there was the East Sudan Agreement (in October of 2006) which did no better since both agreements could proceed due to procrastination affecting their implementation.

It has been noted that all these agreements were dependent on external actors to manage their deliberations and draft their provisions, and they all enlisted the assistance of specialists in different fields to provide information that directed the decisions since the national contribution was poor if not nonexistent. In all these cases, this contribution failed to obtain any appreciation from the forces at the helm. Actors representing the regional and international community met with success in addressing the issues in Naivasha, but this was not the case in Abuja (on Darfur) or in Asmara (on East Sudan). The drafters of the Abuja Agreement admitted their errors and the fact that their effort appeared somewhat amateurish, and their efforts to seek help from those with in-depth local knowledge were limited.¹⁹ As to the Asmara Agreement, the interest of Sudan's neighbours and those of the central government prevailed and the interests of the people of East Sudan were forgone. Whereas those who drafted the Naivasha Agreement knew all the ins and outs of the situation they were addressing, those connected with Abuja acted like amateurs and those dealing with the east lacked the neutral elements that could have helped to draft an agreement which that addressed the outstanding grievances among the various peoples of the region.

Speaking in general terms, these regional and international dimensions became part of the daily routine for the major actors in the issues concerning Sudan, especially after the entry of the African Union, the UN security council and the ICC – a matter which makes getting out of this impasse an extremely difficult enterprise, if not totally impossible.

Which way Sudan?

First: all effective political forces in Sudan, particularly those who influence decision making at the centre, face the test of honouring the pledges they made in all these agreements no matter the cost. Otherwise, trust (or whatever remains of it) will collapse. The likely consequence of all this is that the gradual disintegration currently witnessed everywhere in the country will be followed by chaos, insecurity and perhaps a drive towards “Somalisation”.

¹⁸ It was apparent that there was a beginning of a conflict over resources as a result of drought and desertification in all the regions of the Sahel, and that there was a demographic mobility resultant of the obvious increase in the numbers of humans and animals which leads to conflict over resources, which started to have the nature of violence due to the availability of arms because of the civil war in Chad and the regional and international support for the emerging conflict. However, reference to this matter did not attract the attention of the then representatives of the political parties. (See Abdel Ghaffar M. Ahmed and Gunnar Sorbo, 1989, p. 5).

¹⁹ At a meeting organised by the office of the UPeace University in Addis Ababa, July 21-23 2009, three members of the mediation team of the Abuja agreements signed by one faction of those active in the conflict were there and admitted its total failure. They were Abdul (Abdulkader) Mohamed, Ambassador Boubou Niang (Senegalese) and Pekka Haavisto (former Finnish minister and MP, Finland).

Second: it is imperative to agree on what can be done in practical terms throughout the remainder of the transitional period. The time factor stated by all agreements, with a special emphasis on the CPA, remains a decisive one. Should they all believe that there are actual difficulties hindering the implementation of some of these requirements and entitlements, it is imperative to seriously discuss and ultimately agree on methods whereby the situation can be reviewed.

Third; in the face of such reality, a number of future scenarios can be identified and their outcome anticipated as has already been about by some researchers (cf. Schwartz, 2009; der Lijn, 2009).²⁰ While one agrees with the facts and uncertainties as well as the assumptions presented in these scenarios, the argument here is to give weight to the historical development which led to the grievances and the extent to which they influence the outcome of such scenarios. Given the presentation above, it is possible to short-list the four most likely scenarios that may occur.

Still, before presenting these scenarios in a simplified manner it pays to indicate that the lack of implementation in the peace agreements is directly associated with the state of stagnation looming over talks on the Darfur conflict, a lack in the clarity of vision and the initiatives which have brought about no effective results. Added to this, a great deal of frustration has accompanied the process of implementing the Three Areas (Nuba Mountains, Blue Nile and Abyei) Protocols. Despite the issuance of a decision in relation to the international arbitration on the Abyei issue and reaching a compromise agreement by the two parties (NCP and SPLM), its acceptance is marred by some hesitation from many of those concerned at the local level, bearing signs of yet another forthcoming conflict. Furthermore, there is the appearance of features of a new proposal, albeit timidly, by some leading elements in the three areas and Darfur. There are those who deem that self-determination is imperative for the aforesaid areas and should be expressed in a clear manner, rather than talking about a “consultation” without being more specific. This drive finds support in some tepid statements from influential leaders in the SPLM who talk about the possibility of declaring separation from within the parliament in South Sudan. All these indicators clearly show that the general situation has reached a degree of complexity which dictates the need to find urgent solutions. The situation indicates that the country is being dismantled from its periphery and needs a reformulation of all its components, whether they are cultural, economic or political, so that peace, justice and equity can be achieved in the long run whether in one or more parts of Sudan.

²⁰ A number of scenarios that addressed the future of Sudan in general and its southern region in particular are now in circulation. Chief among these are:

1. Alan Schwartz (August 2009), ‘Scenarios for Sudan: Avoiding Political Violence through 2001.’ Special Reports, United States Institute for Peace;

2. J  ir van der Lijn (September 2009), Sudan 2012: Scenarios for the Future, IKV Pax Christi.

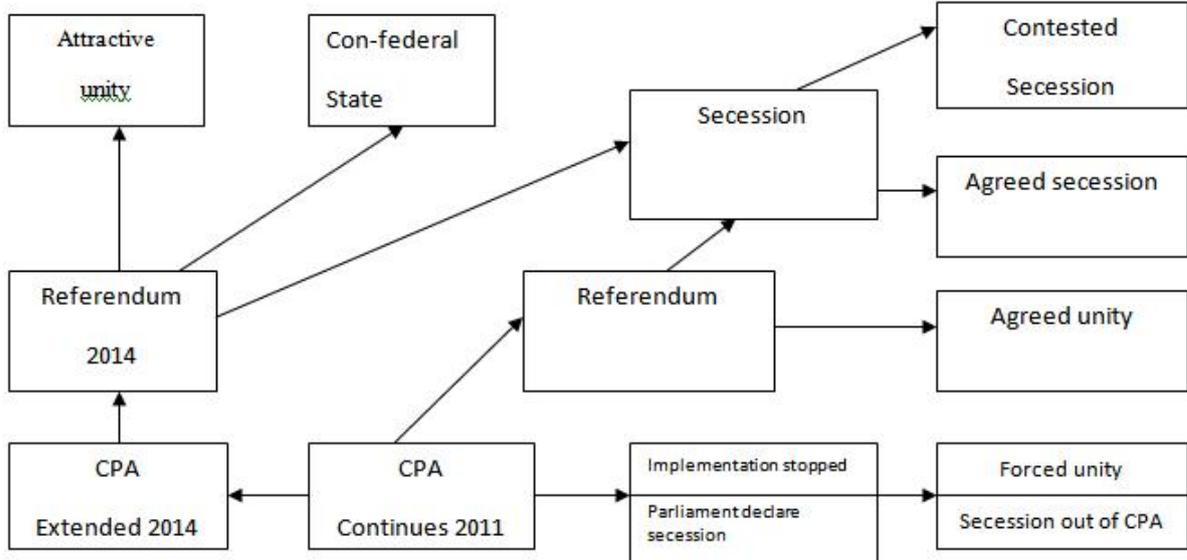
The first report presents a number of assumptions and elements which govern the course of events and how actors deal with them, basically focusing on the situation in South Sudan and portraying three scenarios: 1) costly secession, even if the north does not intervene or aid from donors stops; 2) going back to war, due to a lack of confidence both before and after the referendum, and 3) with intensified effort and an effective contribution from the international community, some progress is realised in pivotal issues, a matter which helps the country to avoid a bloody conflict on a larger scale.

After specifying its research methodology, the second report talks about four scenarios, placing in each its required assumptions, required facts and how actors deal with them. These scenarios are: 1) going back to war, 2) border war between two neighbouring states, 3) a federal unity to include the north, south, Darfur, Kordofan, the east and Khartoum, and 4) anarchy through secession outside the framework of the agreement.

- The four scenarios presented in this paper have been based on the assumptions and facts indicated by the reports cited above.

Alternative scenarios

Closely following social, economic and political developments in today's Sudan, one notices that there are several possible scenarios that may take place over the next few months. The following figure summarises different possible courses of events:



It is noteworthy here that for any of the said scenarios to take place, a number of possibilities that may be attained have to be taken into consideration. It also poses several questions about the general situation, particularly as it regards the possible democratic transition, freedom of expression and how the regional and international actors, as well as neighbouring states, may respond to what takes shape near the end of the transitional period. Four such scenarios can be outlined:

First scenario: Freezing the CPA
Assumes that there is a conflict between the two partners' attempts to halt the pace of implementing the CPA by slowing or totally stopping the process of implementing the other agreements, without taking into consideration what impression this may leave, particularly with neighbouring states and the international actors involved. There are indicators suggesting the direction of this trend such as the dispute over the census and the registration for the expected elections. This may involve the centre insisting on imposing unity by force or that the SPLM will declare independence from its current regional parliament – as some of its leaders have already indicated. With no elected national and regional parliaments in place, the CPA would be void of its requirements – a matter which will negatively reflect on the other two peace agreements and lead to total disintegration and a lack of connectivity between regions and the centre.

Second scenario: United Sudan
That the referendum will take place as scheduled in the CPA (at the end of 2011), which favours the unity option. This assumes that all effective

forces in the political arena, headed by the NCP and the SPLM, manage to make unity attractive as well as providing a climate of reciprocal trust between the two partners that can be extended to respond to the worries of other parts of the political spectrum. If this were to happen, which is unlikely as seen by the presence of a lot of negative indicators, it will pave the way out of the current bottleneck. It will also usher in the emergence of a new Sudan, based on genuine citizenship, justice, equality, democratic governance and the removal of all that divides various ethnic groups. Under such circumstances, it is envisaged that all the requirements of the other agreements will be honoured, and security and stability will spread over all regions of the country. All efforts will then be directed towards development, in addition to allocating resources for development hitherto spent on instigating conflict.

Third scenario: The referendum shall be conducted as scheduled in the CPA, with citizens of the south opting for secession. At that point, there will be two possibilities:

Two countries

- a. There will be general acceptance by leaders in the north and south of the status quo, with preparations made towards a peaceful coexistence and some form of cooperation between the two newly emerging states. Borders of the two states shall be demarcated taking into account the interests of different ethnic groups in the frontier borders who have had common interwoven interests throughout history;
- b. Secession takes place due to conflict over wealth-sharing (represented by oil fields) and border demarcation. Conflict will continue based on where certain ethnic groups and local districts belong, as is the case in Abyei, irrespective of the outcome of arbitration. Generally speaking, the three areas will continue to be a source of conflict between the north and south – a matter which indicates the existence of a third “disputed” Sudan.

This will be followed by a lack of agreement on the meaning of the popular “consultation” as stated in the CPA. This matter can be spearheaded by other groups (from the north, east and west) who demand a review of their situation. They may attempt to demand self-determination, though at that point the “old” Sudan will have totally disintegrated, while the “new” one will have yet to be born.

Fourth scenario: That active national political forces, in conjunction with other civil society organisations, conduct a dialogue with the NCP and SPLM, the signatories to the CPA, with the intent of reviewing the implementation of the agreement and coming up with a new, more realistic and inclusive formula without prejudice to the basic principles embodied in the agreement. The time factor has become especially decisive since according to reports of the Assessment and Evaluation Commission (2007; 2008), most requirements indicated in the agreement have not been implemented. This comes in addition to the lack of development with regard to addressing conflicts in the rest of the country, particularly what is taking place in Darfur, the three areas, the ethnic conflict in the south and the recent emerging conflicts in relation to the construction of dams in the north.

The ideal option that the entire spectrum of political forces may opt for is:

To agree on extending the transitional period at **least another three years**, rendering it possible to implement and fulfil all the requirements and entitlements stated in the CPA. This can be done by involving the political forces who are non-signatories to the agreement with close supervision by IGAD, the African Union, the friends of IGAD and the international partners who acted as guarantors when the agreement was signed so that the signatories do not see this as merely being an extension of the period to allow for more of their old method of dealings marred by procrastination.

This has to be followed by an effective effort to resolve the issues of conflict that the agreement has yet to address elsewhere in the country, particularly in Darfur and East Sudan, where the region-specific agreements face many difficulties.

Efforts are to be exerted to direct available resources to create a fair and equitable development, as well as a satisfying distribution of power and wealth to ensure security all over the country. Opportunities for a genuine democratic transformation are to be made available whereby everyone is allowed to freely express their views.

All forces in the political spectrum, including the NCP and SPLM, agree that the office of president of the republic, during the transitional period and up until to the referendum, be assumed by a southern Sudanese acceptable to all parties who has the charisma, wisdom, vision and impartiality – a matter which is likely to reinstate part of trust lost among the political elites in both the south and north.

This last scenario gives the opportunity for all actors to rethink their position regarding such issues as what can be done after the referendum assuming that the south votes for secession. Under such circumstances there shall be a need to reconsider the wealth-sharing formula as well as the national debt. There shall also be time to redraw the borders between the newly emerging states, deal with the possible accommodation of the people in the frontiers as well as considering the status of southern Sudanese in the north, whether they are old-time settlers or IDPs. Issues such as joint citizenship for northerners in the south and southerners in the north can be discussed as well.

More importantly, there shall be a chance to renegotiate matters such as opting for a confederal state like the one proposed by Garang (model below) that was presented by SPLM/SPLA to the 2nd Abuja meeting between the government of Sudan and SPLM/ SPLA in 1994. The call for a federal state had been proposed by southern Sudanese a few days before the country achieved independence of the country and was led by Benjamin Lwoki, Stansilaus Paysama and others (Khalid, 2010, Paysama, 1990). What Garang did is to represent that idea as proposed in his Model 2.

*SOLUTION MODALITIES FOR
THE SUDANESE CONFLICT*

MODEL 1:

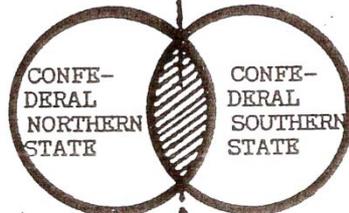
NEW SUDAN MODEL



MODEL 2:

CONFEDERATION MODEL

SUDANESE COMMONALITY
(CONFEDERATION)



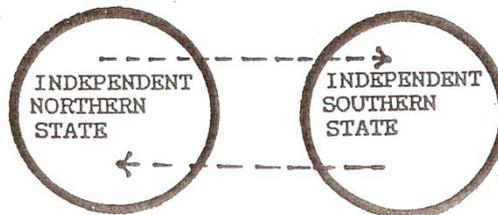
MODEL 3: ARAB SUDAN MODEL

MODEL 4: BLACK AFRICAN MODEL



MODEL 5

TOTAL INDEPENDENCE MODEL



11

The modality proposed here can be seen as a development and formalisation of the model of “one state - two systems” already in existence since the signing of the CPA. What is proposed is that “each Confederal State shall be sovereign in its laws and security. Hence, controversial issues shall

be handled separately by each state according to its constitution, and no state can compel the other against its will since security arrangements are separate. All matters where there is no mutual agreement are contained in the white areas of the diagram, while all such matters where mutual agreements are reached are contained in the shaded areas and constitute the “Sudanese Commonality” or Confederation” (de Mabior, 1995: 12). This idea for the confederation of the state has been recently gaining support among many intellectuals (Elnur, 2009: 168; El Gizuli, Nov, Dec. 2009), but as yet been responded to by the partners to the CPA and other political actors.

Concluding Remarks

Understanding the dynamics of what is taking place in Sudan requires an in-depth understanding of the history of the dominant relationship between the marginalised peripheries and the political elite at the centre. While the colonial administration may be blamed for mapping the road for possible negative development in the post-independence era, the national governments which followed are equally to blame for mal-development, mismanagement and a lack of ability to respond to local demands. Attempts to resolve various conflicts, some of which started a few months before the declaration of independence, were not followed through in a genuine manner, leading to a number of agreements that were signed and dishonoured.

Sudan is now at a crossroads, and once again the unity of the country is at stake. The current situation is futile and the state grows more and more fragile with each passing day. There seems to be a total confusion on the political scene and active political actors do not articulate a clear vision of alternatives to the status quo, thus opening the door for a number of possible short-term scenarios. This paper has attempted to present a brief outline of some of those scenarios predicated on some basic information and initiatives already proposed by various concerned actors. It does not pretend in any way to say that these are the only ones that can be entertained, but tries to show their possible direction and the impact they may have for the progress of country’s affairs in the near future. One more thing that needs to be mentioned here is that if secession takes place, Sudan could perhaps end up becoming more than two states given the fact that the CPA offers a recipe for a third one as indicated by the three areas protocol. More so is the case of Darfur, East Sudan and the far north. It should also be noted that a Somalisation of the country concerns not only Sudanese citizens, but would also have negative disintegrative effects on Sudan’s neighbouring countries

The scenarios outlined in this paper are some of the options, and it is up to the influential political actors involved to determine the standpoint they deem right and to work hard to convince others to agree on a safe way out of the current crisis. It is a challenging situation which requires a clear understanding of the problems at hand and a genuine interest in solving the conflict to work towards a new Sudan (or more than one) in which justice, equity and freedom are attained. “A lasting peace and transition to a truly democratic system will depend very much on a more comprehensive inclusive process at the national level but also in the South, North, East and in particular in Darfur” (Elnur, 2009: 165). It is also important that a more active role be taken by the major national political parties and civil society organisations, whose involvement in the transition process leaves a lot to be desired. There is a need to face the challenge of establishing a new basis for creating an inclusive Sudanese identity, as well as the need for creating a framework which allows for a diversified coexistence of the various ethnic groups throughout the country within a loose federal or confederal arrangement that can accommodate all parties as indicated in some of the outlined scenarios mentioned above. The other option is to opt for partitioning along a justified border, though failing to do so involves a return to a civil war which might be fought not only between the north and south, but might also include other regions and even spill across the country’s borders.

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