

SUDAN PEACE PROSPECTS AT A CROSS-ROADS

An Overview

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The longest, most costly internal conflict in the world today continues to rage in the Sudan, with challenging political and humanitarian consequences, not only for the country, but also for the region and the international community. The peace initiative undertaken by the neighboring countries of the Inter-Governmental Authority for Development (IGAD) since 1993 brought promising signs and gained considerable international support, especially from the Friends of IGAD, a group of Western donors concerned with the cause of peace, stability, and development in the Sudan. They recently reconceptualized their role as that of IGAD Partners, with a greater level of involvement and support for the IGAD process. However, it is now widely accepted that the process is severely flawed and needs to be reinvigorated and reinforced with new approaches. This overview paper tries to address critical questions related to the IGAD process, the agreed upon issue of self-determination for the South, the perspectives of the principal actors, the choices open to the country in the framework of self-determination, and the role the international community is called upon to play to push the peace process forward.

The IGAD Mediation Process

When IGAD neighbors of the Sudan first became involved in the search for peace in the country, they brought into the equation several advantages. Some of them had been supported by the Sudan Government in their war against the Mengistu regime in Ethiopia and were therefore “friends” who could count on the cooperation of the regime in Khartoum. The new leaders in Ethiopia and Eritrea had lived in the Sudan and were well informed on the sources of the conflict. They realized that the problems of the region were interconnected and that the peace, security and stability of the neighboring countries were indivisible and should be approached regionally. They also realized that for any peace arrangement to succeed and endure, it had to address the deeprooted causes of the conflict. They saw the justified grievances of the people of the South as the underlying cause of the conflict which had to be addressed. They sought to achieve this goal

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through the Declaration of Principles (DOP) which upheld the right of self-determination for the South, but postulated national unity as an objective that should be given a chance. This required creating appropriate conditions for a mutually agreeable unity. When the mediators realized that the Government of the Sudan was reticent in creating those conditions, and seemed to rely on a military solution, they relaxed their diplomatic efforts and sought to influence the balance of power in the field with the view to persuading the parties that the war was not winnable and that they should therefore embrace a negotiated settlement in earnest. It was believed that the collective will of the regional powers would eventually bring pressure to bear on the parties and ensure a just and lasting peace.

Optimism about the IGAD process is now fading. As the Resource Persons Group which has been assisting the process behind the scene noted in a recent evaluation of the process, in spite of some important achievements, such as securing agreement on self-determination for the South, the mediators have not been able to follow through with new initiatives or consolidate the gains made. The structure of the process itself has been cumbersome, requiring the simultaneous presence of five foreign ministers, with the attending complications and time pressures this entails. The process has no functional secretariat to follow up the results of the meetings and prepare for further rounds. With the ministers pressed for time, the sessions have been too brief, leaving little time for an in-depth exploration of positions, and the intervals between rounds too long.

Some regional actors, including the mediators, according to the Resource Persons, also have their own agendas, which make the serious quest for peace less of a priority. Differences between the mediators on the pace, modalities and even the objectives of their mediation effort have contributed to the paralysis of the peace process. Recent conflicts between the mediators themselves have further undermined the efficacy and credibility of the process. The international community has so far shown lack of interest, partly in deference to regional actors. In view of the glaring inadequacy of the current process, the worsening of the humanitarian situation, and the escalating cost of the war in terms of civilian suffering, the international community is no longer justified in leaving the challenge of peace solely to IGAD. Since the current stagnation seems to serve the purposes of those involved, no progress is possible without a rigorous and sustained involvement from outside the region.

Substantive Issues in the Peace Process

The consensus that has emerged around the principle of self-determination for the South is a major element of progress that tends to be overlooked or underestimated. This consensus was,

however, arrived at with considerable difficulty and is still subject to various interpretations. The fact that self-determination has been a persistent demand by the South that the North has resisted and is only now accepting grudgingly means that the debate over the concept and its applicability to the country is not yet over.

Although the configuration of the Sudanese conflict and its demographic characteristics are immensely complex, the history of the Sudan shows that the North and the South constitute relatively distinct “peoples”, that the North was involved in the process that led to self-determination and independence, while the South was excluded, and that the people of the South have been fighting for over four decades for that right. As noted above, the IGAD Declaration of Principles recognized the right of self-determination for the South, although it recommended that unity be given a chance, and suggested arrangements that could facilitate unity. These include separation of religion and state, regional decentralization, pluralistic democracy, and respect for fundamental rights and civil liberties. These principles were endorsed by the 1995 Asmara Declaration of the National Democratic Alliance (NDA) in which all the opposition groups from the North and the South are members. The internal settlement of April 1997 between the government and factions of the SPLM/SPLA that had defected from the movement also concedes the right of self-determination to the South. And in the Nairobi talks of April 1998, the government also accepted self-determination for the first time in direct negotiations with the mainstream SPLM/SPLA.

Nevertheless, the positions of the parties remain ambiguous on the issue of self-determination due to a combination of factors, some of them internal, and others external to the country. A common element in these factors is the general assumption that self-determination is synonymous with secession which is generally not favored. Unity is of course inherently desirable, other things being equal. In any case, no dominant group ever wants to lose its control over subordinate groups. The North is therefore naturally resistant to the secession of the South. But since it cannot use that as a legitimate ground for opposing self-determination, it must advance arguments that are more credible on face value.

One of these arguments is the generally shared fear that self-determination might lead to the fragmentation and disintegration of the country. This danger is compounded by the immense diversities that characterize both the North and the South. It has been argued that without the South there would be no North.¹ This is even more true of the South; without the confrontation with the North, the still vivid history of slave raids, which contemporary experience has rekindled, and the attempts by post-independence governments to subdue, dominate, and assimilate the

Southern people, there would be no South as a viable political entity. It is feared that once the North-South confrontation is removed, divisions within the North and the South would proliferate and aggravate internal conflicts. Internal divisions within the SPLM/SPLA have already resulted in factional fighting that has caused much loss of life and suffering for the civilian population. But the North too is sharply divided and, at least in the Southern Blue Nile, the Nuba Mountains, the Beja region and Darfur, has experienced deadly conflicts of a racial and ethnic nature. There is also the argument that neither the South nor the North is economically viable alone. During the colonial period, it was the South which was regarded as dependent on the North and non-viable as an independent entity. But more recently, with the discovery of oil reserves in the South in commercial quantities, the mammoth Jonglei project aimed at retrieving the vast waters of the Southern Sudd region for irrigation in the North and Egypt, and the vast arable land with adequate rainwater, not to mention the yet unexplored mineral resources believed to exist in abundance, the South has emerged as a potential source of wealth. The concern for non-viability has therefore shifted to the North. Beyond the national interests of the Sudanese themselves, there is also a general concern that partitioning the Sudan would not only break a vitally important Afro-Arab strategic bridge, but also open a Pandora's box that would encourage a separatist wave across the continent.

Most observers would, however, agree that Africa has consolidated the principle of preserving the colonial borders so that with very few exceptions, the legitimacy of those borders is no longer in question. More pertinently, voices are increasingly being heard in Africa and internationally arguing that the Sudanese, particularly in the South, have suffered too much for far too long in the name of a national unity that has proved to be ill-founded, that unity is not an end in itself, and that it is time to give the people of the South the right of self-determination, which all would agree they have never freely and genuinely exercised.

It is becoming increasingly evident that the principle of self-determination, applied justly to the North and the South, makes unity an elusive goal. As a Northern Sudanese Islamist scholar has noted, "What we are witnessing is the clash of two antagonistic cultural outlooks, both of which are experiencing a revival."² Addressing the progress of Islam and Arabism among the Northerners in the face of the increasingly self-assertive Africanism among the Southerners, he argued that "The close association between Islam and Northern Sudanese nationalism would certainly rob Islam of an advantage [in the South as] it remains beset by problems similar to those that limited the appeal of the SPLA's Africanism [in the North]."³ In his view, "Northern Sudanese, who strongly identify with their Arab heritage, are in no danger of being seduced by Africanism. Far from being inclined to sing with Césaire 'Hurrah for those who never conquered

anything,' their poets have long boasted about `our many exploits in Spain who showed the Franks who they really were.' But, equally, Islamic ideology is by definition, unacceptable to non-Muslims. Its association with Arab Northern self-assertion makes it even more unpalatable to Southerners."⁴ Even before the National Islamic Front (NIF) seized power to establish an Islamic state, Crawford Young made this assessment:

The integral Islamic state desired by some in the north is beyond reach. Whatever its ethical virtues, such a political formula can never be imposed on the south, either by military force or by a now-shattered state apparatus. The alternative to splitting the Sudanese state is a political settlement acceptable to the south. The SPLA leadership's commitment to unity is not shared by many of its cadres and the rank and file. It cannot persist indefinitely if the dominant Islamic-oriented forces in the northern political equation continue to insist on that which they lack the means to enforce and can never achieve by persuasion.⁵

This assessment, carried to its logical conclusion, makes the quest for a uniting national identity sound increasingly utopian and unrealistic. This is indeed the conclusion which some scholars and politicians from the North have reached. One scholar observed that "it is virtually impossible for a viable system of government and administration to be created, let alone survive, in a deeply divided and heterogenous nation in which political parties are primarily organized on sectarian, ethnic, and religious lines."⁶ According to another, "It is thus unlikely in the given circumstances, that the conflicting demands of the two major camps could eventually be satisfied within one state. . . . A multi-state solution may be the only way to preserve what is left of that once much loved oasis, and could be the only substitute to an illusory `united country.'"⁷ In a book published before the NIF seized power, Abel Alier, the highly respected senior statesman who, apart from President Nimeiri himself, made the 1972 Addis Ababa Agreement possible, argued prophetically that "a violent and reactionary revolution in the northern Sudan determined to adopt a theocratic system of government and an all-out Arab nationalism making no provision for African nationality ... could well spell the end of a Sudanese nation-state."⁸

Perspectives of the Principal Actors

These dilemmas have had considerable impact on the perspectives of the parties, the mediators, and other interested actors in the peace process. Rather than confront the issues and available options realistically, the peace process has become a game of wits, semantics, and tactical moves. The SPLM/SPLA is aware that the overwhelming majority of the South, given a genuine

choice, would opt for secession, but realizes that for precisely that reason, the North will never sincerely grant the South the right of self-determination, unless it is absolutely compelled to do so. Otherwise, the North will give only lip-service recognition of self-determination and hope to manipulate the process to predetermine the outcome. Meanwhile, to win allies in the North against the Government in Khartoum, the movement emphasizes unity as a goal, while advocating the right of the South to self-determination as a residual, fall-back option. The message that comes across is inherently and perhaps intentionally ambiguous. The undeclared strategy or the hidden agenda seems to be that the South could only exercise the right of self-determination meaningfully, that is to have the choice of secession open to it, if and when it has liberated itself militarily.

In the course of the struggle, the SPLM/SPLA leadership sees fighting for justice as more likely to win sympathy and support than calling for secession. In their calculation, even the separatists stand a better chance of achieving their objective within the framework of equitable unity, cooperating with those motivated by the prospects of a national alliance behind the goal of a new democratic, secular, and pluralistic Sudan. The SPLM/SPLA, at least the leadership, is thus following within the unitary framework a multifaceted policy that does not exclude, and probably even prefers, separation as the ultimate goal, despite its statements to the contrary. And yet, there are Southerners, admittedly a small minority, who believe that Sudan is African, that they have a sizeable population of assimilated “Southerners” among the so-called Arabs of the North who should not be abandoned, and that in the long run there is more to be gained from unity than from secession. By the same token, this unionist sentiment from the South, especially when espoused by the leadership of the SPLM/SPLA and backed by credible military force, threatens the Arab-Islamic establishment in the North and radicalizes even more the Islamists who are set on creating an Arab-Islamic state in the Sudan. Ironically, this radicalization also tends to divide the North profoundly.

Northern opposition parties in the National Democratic Alliance (NDA) confront a similar dilemma and adopt comparable tactics. On the one hand, partly as partners with Southerners in the opposition and partly out of conviction about the legitimacy of the Southern cause, they have come to accept the right of self-determination as a matter of principle. But they remain committed to the unity of the country, not only as an objective, but also as a self-fulfilling prediction in the exercise of self-determination. Since most Southerners are known to prefer secession, this confidence in the predictability of unity either betrays the lack of sincere intention to let the South exercise that right or a blind faith in the declared position of the SPLM/SPLA and the belief that the leadership of the movement will somehow deliver the South.

The Government, seeing self-determination for the South endorsed by all the major political forces in the country and by the international community, decided to join the game. First, it offered an alternative process which ostensibly recognizes the Southern right to self-determination through an agreement with defectors from the SPLM/SPLA, who had paradoxically endorsed the Government agenda for the country. These splinter groups, while demanding independence for the South, agreed on a referendum to be exercised at an appropriate time, after the country had achieved a satisfactory degree of stability and reconstruction. In the meantime, they would join forces with the Government to preserve the unity of the country against enemies inside and abroad, a euphemism for the SPLM/SPLA and its allies. When that process was exposed and discredited as flawed and disingenuous, the Government decided to accept self-determination through the IGAD process. Even then, it is still widely believed by the SPLM/SPLA and its NDA allies that this acceptance of self-determination is merely a tactic to buy time for military advantage.

One of the issues blocking progress was the definition of the borders. The SPLM/SPLA claimed the Nuba Mountains of Southern Kordofan, the Ingassana Hills of Southern Blue Nile, and the Dinka area of Abyei now administered as part of Southern Kordofan. The Government, on the other hand, insisted on the 1956 borders, which excluded these areas. During the August 1998 talks in Addis Ababa, the border issue was moderated by the declaration of the Nuba and Ingassana commanders in the SPLM/SPLA that they did not want to be an obstacle to the Southern right to self-determination and therefore would accept the 1956 borders. That left only the Abyei issue pending. The other issue was the relationship between religion and the state. The SPLM/SPLA called for a secular system, while the Government remained committed to its Islamic agenda. The talks once again stalled on this issue and were deferred.

By moderating their stance on the border issue, and with the religious question unresolved, the Northern members of the SPLM/SPLA were essentially saying that even if the South were to exercise the right of self-determination and secede, the liberation struggle of the non-Arabs and the secularists in the North would continue. The implication is that a peace settlement between the Government and the South will not necessarily bring peace to the country. Not only will the Northern opposition parties continue their struggle for power against the NIF regime, but the non-Arabs too will continue to fight either for their own self-determination or for a new Sudan in which Arabism and its association with Islam will not provide bases for their marginalization or discrimination.

Viewed from the perspective of the Government, none of the options placed before it can provide a comfortable basis for a negotiated settlement to the conflict. Clearly, the Government

would not want to accept responsibility for a process that might lead to partitioning the country, even if they saw that as the ultimate way out of the national predicament and may indeed be their secret preference. At the same time, it is difficult to see how the NIF regime, whose *raison d'être* is the creation of an Islamic state, can compromise enough to win the South within the framework of unity without losing its power base; nor can the South be expected to endorse the Arab-Islamic agenda of the regime as a basis for unity. Furthermore, any settlement between the government and the SPLM/SPLA that maintains the unity of the country, but excludes Northern opposition parties from sharing power is certain to be opposed by them. Only a settlement that enjoys a national consensus would be sustainable as a basis for a durable peace and unity in the country. On the other hand, how practical is such a national consensus? Certainly not on the basis of the declared positions of the parties.

A major paradox of self-determination as an element in the peace process is that while it gives the South the right to secede as a choice, the SPLM/SPLA also wants a system that can make sustainable unity possible, both during the interim period and in case the South opts for unity. It is in this context that the issue of separation between religion and the state remains pertinent. But this approach makes the South come across as wanting to have its cake and eat it too, to have the choice to secede and yet demand from the North a unitary system based on accommodating the South. This is a genuine dilemma. If unity is an option in the exercise of self-determination, it makes sense to negotiate the appropriate framework for sustainable unity. But on the other hand, why should the Arab-Muslim North make compromises to restructure a framework that is most likely to be discarded by the South, if the referendum would predictably result in partitioning the country?

To complicate the picture even more, regional actors are not necessarily in accord with a concept of self-determination that might lead to partitioning the country. Egypt, operating individually and through the Arab League, has campaigned vigorously against self-determination, fearing that it would lead to the secession of the South and the creation of a non-Arab state in the upper Nile region, where it has strategic water interests. This is in addition to its interest in protecting the Arab-Islamic identity of the Sudan, its historic claims over the Sudan and its geopolitical interests in the country and in the larger region. As for the IGAD neighbors, their principled support for the Southern right to self-determination also runs against their national interest in curtailing the regional threats of Islamic fundamentalism in the Sudan, which is better attained by removing the NIF regime and replacing it with a more ideologically amicable alternative. Ironically, self-determination that might lead to the secession of the South risks strengthening the regime to continue its Islamic agenda at both the regional and international levels.

Since the Government has been accused of involvement in international terrorism, this regional concern is shared by significant elements in the international community, foremost among them the United States and the West in general. Paradoxically, these elements, while opposed to the Government and its alleged connection with international terrorism, do not want to be perceived as anti-Islam or anti-Arab, since that would alienate some of their closest allies in the Arab-Islamic world, foremost among them Egypt and Saudi Arabia. Their interest in the South, largely humanitarian, with a human rights dimension, is marginal. Consequently, their overall position toward the Government and the cause of peace appears ambiguous and ineffective.

Despite these contradictions and ambivalences, what is needed to bring peace to the country is for the international community to genuinely support and promote self-determination for the people of the South, which has now become a common denominator in the peace process. From the perspective of the SPLM/SPLA, the way out of its own predicament between the known preference of the South for secession and the movement's tactical commitment to unity is to make self-determination genuine. And yet, if self-determination is to leave some room for the interest of the North, it must not be seen as synonymous with secession. Rather, it should be viewed as offering the South the opportunity to choose between unity and secession. To be meaningful, the choice must offer competing advantages. Secession then becomes an option which people adopt because unity does not adequately serve their interest.

If unity is to be desirable enough to win voluntary support from the South, rather than an imposition by the North, self-determination should motivate the North to strive harder to offer conditions for unity more desirable to the South than they have so far done. This is possible only if the threat of secession is real. To rule out secession as a matter of principle is to remove pressure on the Government and endorse the status quo against the south. The only other alternative would be to bring about a radical change of Government that might create a new political climate more favorable to unity. But this cannot, of course, be an object of negotiations or third party mediation.

Making the unity option more attractive would also improve the prospects of the non-Arab North, such as the Nuba and the Ingassana, to choose to remain within a united Sudan, even if the South were to opt for secession. Indeed, they could become a stronger link between the North and the South than they have been in the past.

Moving the Peace Process Forward

It is now widely accepted that the war in the Sudan has gone on for far too long and has cost far too much. It must be stopped. The most practical way to stop it is to build on self-determination for the South, which all parties in the peace process have agreed upon. The practical steps forward must be based on the following principles:

First, self-determination for the South must be stipulated as a genuine goal to which all the parties must sincerely and transparently commit themselves. In particular, since there is credible evidence that the stated goal of the SPLM/SPLA leadership for the creation of a new united Sudan emanates from lack of confidence in the commitment of the Government to the right of self-determination for the South and since this stated position does not represent the aspirations of the overwhelming majority of the people of the South, both the Government and the SPLM/SPLA must reaffirm their unequivocal and credible commitment to self-determination for the South.

Second, self-determination should not be viewed as synonymous with secession, but, instead, should be seen as offering a genuine choice between unity and secession. This should motivate those desirous of national unity to strive harder to create conditions favorable to the option of unity in the referendum on self-determination. But negotiating the unity package should not become an obstacle to peace. The Government should be asked to table the best package it is prepared to concede and have that as the alternative to secession in the referendum.

Third, despite reservations from some quarters, both parties want the United States to be more actively involved in the search for peace. Accordingly, the United States, in collaboration with IGAD and its Partners, should organize a peace conference in which top leaders must take part, to commit themselves to these principles and their urgent implementation and with the OAU and the U.N. as essential observers.

Fourth, for self-determination to be credible, international mechanisms for observing and monitoring its structures and procedures of implementation to ensure that it is free and fair, must be agreed upon and put in place in collaboration with the OAU and the United Nations. The required steps now should include international guarantees for a sustainable cease-fire, negotiating an interim administration and security arrangements in the South, and initiating the process for an internationally supervised referendum in which the choice will be between secession and the best unity package the Government is prepared to offer without protracted negotiations.

In conclusion, it should be reiterated that the parties now know all the dimensions of the conflict and what is required to bring an honorable peace that all can accept without undue loss of face. Only a credible and sustained involvement of third parties, representing the international community, can ensure a face-saving achievement of peace with justice.

ENDNOTES

1. John Obert Voll, "Northern Muslim Perspective," in John V. Montville, ed., *Conflict and Peacemaking in Multiethnic Societies* (Lexington, Massachusetts/Toronto: Lexington Books, 1990), p. 389.
2. Abdel Wahab El-Affendi, "Discovering the South: Sudanese Dilemmas for Islam in Africa," *African Affairs*, (Vol. 89, No. 358, July 1990), p. 371.
3. El-Affendi, "Discovering the South," pp. 371, 387-88.
4. El-Affendi, "Discovering the South," pp. 371, 387-88.
5. Crawford Young, "Self-determination and the African State System," in *Conflict Resolution in Africa*, Deng and Zartman, eds. (Brookings, 1991), p. 345.
6. Kamal Osman Salih, "The Sudan, 1985-1989: The Fading Democracy," *The Journal of Modern African Studies*, vol. 28, no. 2 (1990), pp. 199-224.
7. El-Affendi, "Discovering the South," pp. 388-89.
8. Abel Alier, *The Southern Sudan: Too Many Agreements Dishonoured* (Exeter: Ithaca Press, 1990), p. 277.