From one Sudan to two Sudan: from war to peace?(*)

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Abstract

Since July 9, 2011, South Sudan is an independent country. The split of Sudan was probably the only possible outcome of a long history of marginalization, oppression and war, but will it be enough to create a stable and durable peace? Separation in itself doesn’t seem to fully address the people’s claim for a more equitable and representative governance. While the North is trapped by a combination of armed uprisings and economic crisis, with the “Arab spring” looming at a not-too-distant horizon, the South is faced by the huge challenges of state-building and by the need to establish a full sovereignty after having attained formal independence.

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(*) The opinions expressed herein are strictly personal and do not necessarily reflect the position of ISPI.
Introduction

“We, the democratically elected representatives of the people, based on the will of the people of Southern Sudan and as confirmed by the outcome of the referendum on self-determination, hereby declare Southern Sudan to be an independent and sovereign state”. On the 9 of July, this solemn declaration announced the birth of the Republic of South Sudan, Africa’s 54th state and the United Nations’ 193rd member state. The independence celebrations were held in Juba, South Sudan’s capital, while a jubilant crowd of Southern Sudanese was flooding the streets of the city chanting slogans and waving the flag of the new state. A large parterre of guests of honor attended the official ceremony, including thirty African heads of state, the Secretary General of the United Nations Ban Ki-moon and delegations from all over the world. The protocol of the ceremony was complicated by Western delegates’ explicit desire to avoid any contact with the Sudanese president Omar al-Bashir due to the arrest warrant issued against him by the International Criminal Court (ICC).

The lowering of the Sudanese flag and the raising of South Sudan’s new emblem marked the turning of an historic page, not only for Sudan but for the whole of Africa.

Southern Sudanese were celebrating an achievement which had taken generations to be attained: decades of oppression, neglect and discrimination had been finally put to an end, as a result of a struggle which had claimed hundreds of thousands of lives. Nevertheless, everyone knew independence was not the end of the road, but rather it was the beginning of it.

“Southern Sudan is not starting from scratch”, announced an official communiqué from the Ministry of Information a few days before 9 July. It revealed the growing frustration and irritation of South Sudan rulers towards the sceptical and overly pessimistic conjectures on the country’s future. Foreign – and especially Western – observers have repeatedly emphasized the huge challenges ahead of Southern Sudan and the unpreparedness of the elite at power to cope with them.

South Sudan has roughly the same size as France and a population of 8 millions according to the 2008 census. An impressively low literacy rate (27%) and a dramatic 25% of infant mortality under five years of life testify to the lack of basic public services such as schools and hospitals. Modern infrastructures are almost absent, except from a few paved roads in the capital city. As for socio-economic indicators, 72% of the population is aged under 30 and 82% lives in rural areas, practicing subsistence agriculture and herding. At the macroeconomic level, the most striking element is the virtual monopoly of oil revenues in supporting the state budget, of which they account for 93%1.

These are not unexpected figures for a historically marginalized region which has lived almost forty of the last fifty years at war. What is unique to the South Sudanese situation is that the path that lies ahead is not just one of post-conflict reconstruction,

1 These figures are taken from R. DOWNIE - B. KENNEDY, Sudan: Assessing Risks To Stability, Washington D.C., Center for Strategic and International Studies (CSIS), June 2011, available at http://csis.org/files/publication/110623_Downie_Sudan_Web.pdf (last access July 2011), which quotes official sources. The under-five mortality rate is an estimate by the international NGO “Save the Children”, while the percentage of oil revenues on South Sudan’s budget is taken from the 2010 Government budget.
but it also necessitates a veritable process of state-building. In this perspective, if the figures summarized above aren’t tantamount to scratch, they are very close to it.

What many have failed to realize in the last months is the fact that, after 9 July 2011, two new states are born, not just one. The Republic of Sudan, or Northern Sudan, will be a “rump state” in need of a redefinition of its identity and of a reconfiguration of its political and economic system. The challenges awaiting the North may threaten the political survival of the current power block dominated by the National Congress Party (NCP). In particular, the success obtained by the South has reinforced calls for self-determination in other marginalized areas of the country. In South Kordofan and Blue Nile – two regions along the North-South border – civil war has erupted shortly after the South’s declaration of independence. Marginalized populations within the North are determined to change the centre-periphery unbalances which have historically characterized Sudan.

The fate of both states will depend on their internal evolution, but also on the kind of relation that they will choose to establish. In a way, separation has been an illusion. North and South Sudan are inextricably linked to each other. The split has even added new bones of contention between the two polities. What has radically changed is the nature of the relationship: from one of long-standing domination, it has become one of nominally equal status. On this basis, as witnessed by the Comprehensive Peace Agreement’s (CPA) interim period, matters can be solved through political dialogue rather than military means.

1. **A forced marriage**

Speaking during the independence celebrations, Southern President Salva Kiir declared with satisfaction: “We have waited for fifty-six years for this day. It is a dream that has come true”. He referred to the event that is usually considered as the sparkle of the first North-South civil war: the 1955 “Torit mutiny”, that involved an army garrison made up of Southern soldiers stationed in Torit (one of the southernmost towns of the country) that rebelled in response to rumors of a possible transfer to the North. The outbreak of a full-fledged civil war would only materialize in the first 1960s, but the timing of the Torit mutiny – a few months before Sudan declared its independence – revealed that the seeds of unrest had been already sowed. According to many Southern Sudanese, the beginning of oppression has to be traced back to the invasion by the Turkish-Egyptian troops in 1820. The expansionist ambitions of the khedive Mohammed ‘Ali Pasha were driven by the desire to establish Egypt’s dominance over the entire Nile valley and gain control of valuable resources such as ivory, gold and, most of all, slaves. Slave raids had already been common during previous centuries,

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2 It is necessary to distinguish between the political and geographic centre of the country. Although the geographic centre of Sudan may be located roughly in South Kordofan, what is called the “centre” or “central Sudan” by historian and political analysts is the central Nile valley and currently the Khartoum region in particular. This has been the political and economic “centre” of the country since the XIX century.

being part of the trans-Saharan trade which constituted the economic backbone of the eastern Sudanic kingdoms of Sennar and Darfur (XVI-XIX century). The southern savannah lands of the Sahelian belt slowly became what American historian Jay Spaulding has defined the “southern bleeding frontier”4. The Turkiyyah, as the Turkish-Egyptian regime era is usually recalled, unified under a single political authority roughly the same territories which would have later constituted the Sudan. In contrast with the general trend of the century, the slave trade in Sudan increased impressively during this period, forging North-South relations on a master-slave dichotomy. This would continue during the regime of the Mahdi, a sufi religious leader who led a victorious jihad against the foreign occupants and established an independent Sudanese theocracy in 1885. The enslavement of black African peoples of the South was religiously sanctioned, as it already had been in previous decades, since they were neither Muslim nor dhimmi5.

The Mahdiyyah has been later considered the first independent Sudanese state in a historical narrative which placed Islam at the core of the Northern Sudanese identity. This would have influenced the development of nationalism in the country, legitimizing calls by Northern religious parties to be the real representatives of the “nation” and excluding the non-Muslim Southerners from the nation-building process.

The end of the XIX century saw the defeat of the Mahdiyya by the Anglo-Egyptian troops, leading to the establishment of a “Condominium” over Sudan in 1898. It took the new colonial authorities twenty years to pacify the South. After that, a policy of separate development for the region was adopted and systematized during the 1930s under the label of “Southern policy”. The South had to be developed along “African” rather than “Arab” lines, and according to the so-called “Close District Ordinance” of 1922 no Northern Sudanese or foreigner was allowed to enter the region without a special permission. One of the envisaged outcomes of the “Southern policy” was annexing South Sudan to British East Africa, an idea which London later abandoned for fear of alienating the Sudanese (Northern) nationalists thus playing into the hands of Cairo, which was actively promoting the “unity of the Nile valley”. At the 1947 Juba Conference, South Sudan was finally declared an integral part of Sudan. The Conference also highlighted the scarcity of educated South Sudanese, a heritage of the colonial policy which had delegated education in the South entirely to the European missionaries. This meant that access to higher education was available only outside the South, while it also created a linguistic divide since Southern Sudanese had received their education in English, whereas the official language of independent Sudan was to be Arabic.

The birth of Sudan was marred by the first of a long series of dishonored agreements. Southern representatives to the provisional national Parliament supported the declaration of independence after receiving guarantees about the forthcoming introduction of a federal system. Otherwise – it was stated in the resolutions of a conference held in Juba in 1954 – Southern Sudan would have considered any other option to exercise its right to self-determination, including secession. Since the beginning, the latter was considered by Southern Sudanese as a sort of “exit option” in

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4 J. SPAULDING, The Heroic Age in Sennar, Trenton; Asmara 2007, pp. 73-74.
5 “People of the book” who are accorded a protected status under Islamic law.
case the right to a substantial form of autonomy was not recognized to them within a united Sudanese state. Federalism remained an illusion during the following years, as Sudan was not even able to approve a permanent Constitution until 1973, when it was introduced by the military regime of Jafar Nimeiry. Since independence, Sudan has never seen a Constitution adopted by a representative constituent assembly. The lack of an inclusive constitutional process is the main symptom of the historical inability of the élites in power to come to terms with the country’s inherent pluralism and of the persistent willingness by the dominant "centre" to prevaricate over the periphery.

The situation in the South worsened under the military dictatorship of Gen. Ibrahim Abboud (1958-1964), who was determined to quell the unrest with force and, at the same time, imposed a campaign of Arabization and Islamization of the region. The result was an escalation of the uprising to a civil war which would have come to an end only ten years after.

Sudan lived its second democratic parenthesis between 1965 and 1969. The "October revolution" – the first peaceful popular uprising to topple a military regime in Africa and in the Arab world after the independences – which had overthrown Abboud had raised huge expectations. Prominent among these were the drafting of a permanent Constitution, the development of the economy and a final settlement to the war in the South. The revolution had been the result of increased activism on the part of the self-defined “modern forces” of society, mainly students, members of professional associations and trade unions. These claimed an inherent right to govern in the name of the need to modernize Sudan, but failed to broaden their appeal outside the urban milieu and lacked the resources to carry out political mobilization on a vast scale. Thus, politics in Khartoum soon fell again in the hands of the two religious parties which had dominated the political scene since before independence. These were the Umma and the National Unionist Party (NUP)\(^6\), which owed their electoral weight to their identification respectively with the Ansar – followers of the descendants of the Mahdi – and with the Khatmiyyah, a powerful Sufi brotherhood established in Sudan in the early 19th century. As the majority of the Sudanese was affiliated with one or the other religious organization, Umma and NUP could mobilize wide constituencies through the intermediation of religious leaders. Moreover, through their affiliates the Sufi brotherhoods controlled huge agricultural and commercial activities, which provided them with the resources needed for an effective political action. The religious parties were the only real mass movements in the country, but their inherently sectarian outlook rendered them unfit to solve problems which were national in their nature. The inability of the traditional parties to cope with the main unsolved challenges of the Sudanese state and the ineffectiveness of the "modern forces" in posing as a viable alternative were the main causes of the failure of democracy in Sudan, which paved the way for three successive military coups.

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\(^6\) The National Unionist Party (NUP) was born shortly before the self-government elections held in 1953. The reference to unity at that time concerned the eventual union between Sudan and Egypt, but the party retained the denomination even after independence. An internal split had led to the creation of the Popular Democratic Party (PDP), but eventually the two factions reunited to contest the 1968 elections under the name of Democratic Unionist Party (DUP), which it has retained until now.
The Addis Ababa Agreement, which put an end to the civil war, was signed in 1972 under the military government of Jafar Nimeiry. The Agreement was mediated by Emperor Haile Selassie, anticipating the triangulation between Ethiopia, Sudan and Israel – which didn’t take part to the negotiation but was the strongest supporter of the Southern Anyanya rebels – which would have culminated in the famous “Operation Moses” of 1984.

Although nominally the Anyanya had been fighting for secession, what they obtained through the signing of the peace agreement was an autonomous status for the South within a united Sudan. The southern provinces were unified into a single region with an autonomous executive and a Parliament. For the first time since 1956, South Sudan enjoyed a time of relative stability. However, the expected development failed to materialize. This was due to the meager resources transferred to the region from the central state, and to the internal squabbles which undermined the cohesion of the already weak Southern Sudanese political elite. Personal rivalries between competing Southern leaders soon acquired an ethnic connotation, setting the Dinka – the biggest ethnic group in the region – against the so-called “Equatoria”, meaning the minority populations settled in the southernmost provinces. Nimeiry found it easy to exploit these rivalries and eventually – agreeing to a request which had been repeatedly formulated by Equatoria representatives – decided to re-divide the South into three provinces. This implied the cancellation of the special autonomous status of the region and thus constituted a de facto abrogation of the Addis Ababa agreement. The move was paralleled by an increased Islamic radicalization of the regime, which led to the introduction of shari’a punishments in the penal code in September 1983.

In the South, the situation was already very tense. A few months before, an army battalion stationed in the Jongley region had refused to be transferred to the North. The officer sent from Khartoum to negotiate with the mutineers, Colonel John Garang, had fled with them to the Ethiopian highlands. In July 1983, the manifesto of the Sudan People’s Liberation Movement/Army (SPLM/A) was issued from Addis Ababa, and after some time Garang emerged as the leader of the new rebel movement. Apart from the socialist overtones of the document, which were a tribute the SPLM/A had to pay to its Ethiopian mentor, the Movement was striving for its demand for a democratic, pluralist and secular “New Sudan”, and not for an independent South. Many thought that this was due to pressures from the Derg, which was fighting against Eritrean secessionism. Nevertheless, the SPLM/A unionist stance would prove to be something more than just the product of political opportunism. It was rooted into Garang’s vision of the future of Sudan. Educated in Tanzania and the United States, “Dr. John” – as he’s usually recalled in South Sudan – combined a strong admiration for Western democracy with a pan-Africanist inspiration. He was convinced that a united Sudan had the opportunity to play an influential role on the continent. At the same time, Garang was a military man, endowed with a very good sense of strategy but inclined to exercise a dictatorial control on the Movement. This would sow the seeds of division within the SPLM/A, resulting in

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7 Colonel Jafar Nimeiry came to power through a coup d’état in May 1969. He stayed in power until 1985 in what is currently remembered in Sudan as the “May regime”.

8 The operation was aimed at smuggling of Ethiopian Jews – known as falasha – to Israel through Sudanese territory, in order to save them from the acute famine affecting Ethiopia at the time.
a war within the war which would have inflicted tremendous suffering to the people of the South during the early 1990s.

The unionist vision of Garang testified how the unity of the country was still deemed possible, although it had to be built on new foundations. The boundaries of Sudan were artificial as those of every other African post-colonial state. Nevertheless, Sudan could trace its origins back to an ancient tradition of statehood in the Nile valley and the Sahelian belt. In this sense, although it would be forced to speak of a shared Sudanese national discourse, North and South Sudan have a common history, marred by blood, chains and prejudices, but also by trade, mixed marriages and cultural metissage.

The second North-South war saw a much more clear-cut and articulated ideological opposition between the two sides, particularly after an Islamist regime ascended to power in Khartoum in 1989. Brigadier Omar al-Bashir was chosen as the public face of the “Revolution of National Salvation”, but the real power behind the operation was the National Islamic Front (NIF). The NIF was heir to a religious-ideological tradition which traced its roots back to the Egyptian Muslim Brotherhood, and had become a full-fledged and independent political party under the leadership of Hasan al-Turabi, a charismatic lawyer with a Ph.D. from the Sorbonne. Against Garang’s “new Sudan”, the NIF regime opposed its “civilizational programme” (mashru’ al-hadari), aimed at reshaping the socio-political institutions of the country according to an orthodox and modern Islamic discourse.

Ideological polarization was sided by an increase in the intensity and scale of violence, leading to the progressive rupture of any bond between North and South but war. When the Comprehensive Peace Agreement (CPA) was signed in Kenya, Sudan had already very little chances to continue to exist as a unified state.

2. The long road to peace

The Comprehensive Peace Agreement was the result of a long and difficult negotiation, mediated by the Inter-Governmental Authority on Development (IGAD)\(^9\). IGAD started its first attempts to mediate between the parties in 1994, after several other external mediators had failed. The real boost to the peace process came after 2002, with the decisive engagement by a “troika” formed by the United States, Great Britain and Norway. Italy also took part to the negotiations, as co-chairman of the Igad Partners Forum – a sort of “financial lung” of the organization – but notwithstanding the valuable expertise and capabilities of its delegation, Italy didn’t consider Sudan as one of its strategic priorities and thus choose not to engage with its full political weight into the process.

\(^9\) IGAD is the sub-regional organization gathering the state of the “greater” Horn of Africa. Headquartered in Djibouti, its members are Sudan, Eritrea (which suspended its participation in 2007), Ethiopia, Uganda, Somalia and Kenya. For a review of the IGAD negotiations since 1994 see R. IYOB - G. KHADIAGALA, Sudan: The Elusive Quest For Peace, Boulder 2006.
Peace was made possible by a convergence of external and internal factors. Among the first ones we should remark the changing regional context, where the “frontline states” – those that Washington had supported as a “safety belt” to contain the expansionist ambitions of the Sudanese Islamists regime – were no more compact against Khartoum. The 1998 Ethiopian-Eritrean war had shattered the US-allied front and the intervention by Uganda and Rwanda in the Democratic Republic of Congo had undermined their ability to stay focused on Sudan.

These changes convinced the United States of the need to establish a relation of “constructive engagement” with Sudan, if any because after the September 11 attacks required Khartoum’s cooperation in the “war on terror”. At the same time, key constituencies of the new American administration led by George W. Bush – the Christian evangelicals and the oil lobby among others – pushed for a deeper engagement of the US in the peace process.

Parallel developments within the Sudanese regime helped Khartoum to normalize its foreign relations. In particular, the Islamist threat embodied by Hasan al-Turabi was defused and he was imprisoned following a bitter struggle with president al-Bashir between 1999 and 2001. Sudan restored good relations with its Arab neighbors. External pressure had become unbearable for the regime, and the ousting of al-Turabi was part of a broader strategy undertaken by the ruling group to abandon revolutionary Islamism and adopt a more conservative and pragmatic posture. In this context, peace became an attractive option for al-Bashir and his allies as it would have consolidated and legitimized their position on the external and internal fronts. The end of the hostilities would also have allowed oil exports – started in 1999 – to flow unhindered, as oilfields and pipelines were exposed to continuous acts of sabotage by Southern rebels. Sudan’s economy was in tatters, and the black gold was the only mean available to rebuild it quickly. Finally, a widespread war fatigue on both sides strengthened the belief that the moment was ripe for peace.

3. The Comprehensive Peace Agreement (CPA): “comprehensive” to what extent?

The CPA is a long and articulated agreement, made up by six protocols each dealing with a different issue of the North-South relations. The first fundamental step which broke the impasse in the negotiations was the recognition of the South’s right to self-determination to be exercised through a referendum, in exchange for the SPLM/A’s renunciation of its demand for a secular system of government and its acceptance of the maintenance of shari’a laws in the North.

The power sharing provisions established a collective presidency with a President of the Republic and two Vice Presidents. The First Vice President would also hold the office of President of the Government of South Sudan (GoSS), while the second Vice President would be chosen by the North. A Government of National Unity (GoNU) was established; al-Bashir’s National Congress Party (NCP) and the SPLM held 80% of ministerial positions while the rest was assigned to some junior parties. The South obtained a high degree of autonomy during the six-year interim period which would
have preceded the referendum. A Government of South Sudan (GoSS) and a South Sudan Legislative Assembly (SSLA) were established. The Southern region was allowed to have secular legal and banking systems and, most notably, to retain the SPLA as its own army. The Sudan Armed Forces (SAF) and the SPLA were requested to redeploy on the two sides of the 1956 North-South border\textsuperscript{10}, which would have been patrolled by ad-hoc Joint Integrated Units (JIUs) formed by mixed soldiers. The two regions would have shared on an equal basis the natural resources found on Southern soil, including oil: revenues were to be split 49%-49% between the central government and the GoSS, while the remaining 2% was to be distributed to the producing local states.

Possibly, the thorniest sections of the CPA were the protocol on Abyei and that on Southern Kordofan and Blue Nile, the so-called “three areas”. These territories were part of North Sudan, but the majority of their population had fought on the side of the SPLM/A during the war. In the case of Abyei, the very territory of this oil-rich area was claimed by the South since it was the historical homeland of a powerful branch of the Dinka tribe, the Ngok. The Abyei protocol gave the inhabitants of the area the opportunity to decide whether to remain part or the North or be annexed to the South during a referendum to be held together with the self-determination vote in South Sudan. As for Blue Nile and Southern Kordofan, the CPA accorded them the ordinary degree of autonomy granted to all the other states\textsuperscript{11} plus a participation in the management of land issues, much sensitive in the two areas. A vaguely defined process of “popular consultation” was to be undertaken in the two states, in order to ascertain if the CPA had met the aspiration of the people or if it needed a “rectification” by the state’s authorities.

The sensitivity of these areas was due to the fact that they revealed how the Sudanese crisis was not reducible to a North-South cleavage, but traced its roots to a broader centre-periphery imbalance which would have required a radical transformation of the structure of governance in the country, something that the ruling elite was in no way willing to accept. Abyei, Southern Kordofan and Blue Nile were included in the negotiations because they were home to important constituencies – in both political and military terms – for the SPLM/A, but this was not the case for other historically marginalized areas of the country. Eastern Sudan, where the Beja tribe – an autochthonous non-Arabized group – had fought with its militias along with the SPLM/A, was excluded from the talks in Kenya. The same was true for Darfur, which was showing growing signs of unrest due to the deteriorating living conditions and the persistent neglect shown by the central government towards the development of the region. The exclusion of these marginalized areas from the peace talks had the effect of stirring up armed opposition. In the East, anti-government forces united under the banner of the “Eastern Front” in 2005, while Darfur was engulfed by a full-blown war since early 2003.

\textsuperscript{10} The decision to withdraw the SAF from the South was particularly sensitive for Khartoum as it was an implicit recognition of their status as occupying forces in the region, though legally the SAF soldiers were the legitimate national army in both North and South Sudan alike.

\textsuperscript{11} In 1991 and 1994, two Constitutional Decrees introduced a federal system in Sudan, which is since then divided into 26 states.
The bilateral nature of the CPA has led many to criticize its pretence of being “comprehensive”\(^{12}\). Although negotiated on a bilateral level, the CPA was much more than a North-South peace agreement. The provision of the possible secession of a sizeable portion of the country’s territory was enough to make the agreement national in its scope. Moreover, the CPA was accorded constitutional value by the Interim National Constitution introduced in July 2005. This led to repeated complaints by non-Southern regional actors and other opposition parties alike, which felt the peace negotiations were consolidating the political duopoly created by the war. Since 1995, the Umma and the DUP had been allied with the SPLM/A under the banner of the National Democratic Alliance (NDA) and expected John Garang to support their participation in the negotiations, though when the IGAD talks were revitalized in 2002 the NDA was little more than an empty shell.\(^{13}\) Northern opposition parties also looked with favor to a Libyan-Egyptian initiative that tried to compete with IGAD. Irritated by the exclusively “African” ownership of the process and suspicious of Southern self-determination – which for Egypt meant a threatening destabilization of the Nile basin – Cairo and Tripoli launched a parallel process in 1999 proposing the involvement of a larger number of actors. The Libyan-Egyptian initiative eventually failed, making the path towards peace just more tortuous and fragmented.

Western powers were determined to support the IGAD peace process, and viewed maintaining the talks on a bilateral level as a matter of realism. The intention of the negotiators was that of settling every aspect of the North-South civil war by brokering a compromise between the main power holders in the two camps. Nevertheless, the mediators were aware that a profound transformation of the structures of government was required in order to bring a durable peace to the country. It is for this reason that they insisted for general elections to be scheduled before the end of the interim period. The elections, it was thought, would have allowed the participation by all the political forces and would have constituted a decisive step toward a full democratization of the country.

The “embedment” of democratization in the peace process has proved to be a basically flawed and even counterproductive choice. The CPA provisions on power sharing allowed both the NCP and the SPLM/A to consolidate their hold on the institutions and the economy of their own sphere. War had engulfed politics in Sudan since 1989 and military actors had overshadowed political parties. The opposition would have needed much more time and resources to reorganize itself. It is no surprise thus that the April 2010 elections allowed the NCP and the SPLM to strengthen their dominance – and more importantly to legitimize it - in the North and the South respectively, even erasing the already low quotas reserved to the minority parties by the CPA.

Another common belief among the CPA mediators was that the Agreement would have provided a methodological model and an institutional framework for the solution of other regional crises. In May 2006, a Darfur Peace Agreement was signed in Abuja.

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\(^{13}\) The Umma had withdrawn from the NDA in 2000, accepting separate talks with the regime which soon ended in a deadlock.
between the Government and one of the rebel factions active in the region, followed by a peace agreement for Eastern Sudan signed in Asmara the following October. Their implementation proved ineffective for many reasons, not least the fact that no rebel movement had a political and military power comparable to that of the SPLM/A, whose strength on the field had allowed it to negotiate with Khartoum on an equal standing. The inclusion of a few Eastern and Darfurian rebel leaders in the Government was the only tangible outcome of the two agreements. In this way, the NCP used the institutional framework created by the CPA to divide the armed groups by co-opting part of their leadership within the system.

4. The CPA: lights and shadows

Much of the criticism directed to the CPA is due to the excessive expectations raised by the Agreement. The legacy of protracted war and authoritarianism was unlikely to be washed away in just six years, and the centre-periphery unbalances were so rooted in the Sudanese state that nothing short of a really inclusive constitutional process could have redressed them.

Apparently, the mediators had placed too many hopes on a single man: John Garang. His “New Sudan” vision was appealing to many Sudanese outside the South, and it was expected that in his position of First Vice-President he would have brought the plight of the other marginalized areas to Khartoum, creating the conditions for radical changes at the centre. Many even thought that he had good chances to win the presidential elections before the referendum. This would have probably been the only chance for unity to be preserved, as the “New Sudan” would have seemed less distant with “Dr. John” as President. According to the accounts of his closest collaborators, this was the strategy he had envisioned for the interim period, keeping secession as a safe exit. It vanished on the night of the 30 of July 2005, when the Ugandan presidential helicopter which was taking him back from a meeting with president Museveni crashed on the mountains of South Sudan.

After Garang’s death, the chairmanship of the SPLM/A, the presidency of the GoSS and the vice-presidency of the GoNU passed to his successor, Salva Kiir. It was not just a shift of personalities, it was a big change in the political design of the SPLM/A. Salva Kiir was a representative of the secessionist wing of the Movement, which constituted a majority – above all among the rank-and-file of the SPLA – but had been silenced by Garang thanks to his prestige and international support. The “New Sudan” was now out of the agenda, while the SPLM/A focused on attaining one single goal: independence through referendum. Southern representatives in Khartoum remained engaged in national politics as long as it had an influence on the prospects for Southern independence, but they abandoned any ambition of a radical change in the “centre”.

Against all odds, the referendum was thus held in January 2011, without any delay on the CPA schedule. This is in itself a great achievement, considering the long series of
dishonored agreements, missed deadlines and delayed promises which have punctuated the history of independent Sudan.

The resilience of the CPA is due to a number of reasons. First of all, with some notable exceptions – for instances regarding the “three areas” – the Agreement was generally well written, with a detailed implementation timetable that, although respected only in a few cases, served as a benchmark. Secondly, the collective institutions created by the CPA, and particularly the Presidency and the Assessment and Evaluation Commission, provided channels for a permanent dialogue at top and middle-ranking party levels. Moreover, the African Union High Level Implementation Panel on Sudan (AUHIP), originally designed for Darfur but later mandated to monitor the CPA implementation process as well, proved particularly important as an impartial forum during the last year of the interim period. Dialogue through these institutions has never been easy, but has allowed the NCP and the SPLM to solve their disputes through political rather than military means.

The role of the international community was important as well, although the implementation of the agreement went ahead even during times in which foreign engagement was minimal. This was the case between 2005 and 2007, when the Darfur crisis drew the general attention away from the CPA implementation process. The absence of international pressure was particularly feared by the SPLM, which well knew the ability of the NCP at muddying the waters. The Movement thus resorted to dramatic moves – such as the withdrawal of all SPLM ministers from the Government of National Unity in October 2007 – to ring alarm bells when it perceived the peace process could collapse. The Movement’s strategy proved successful in pushing the international “watchdogs” of the Agreement to refocus on the implementation process. External powers provided pressures and incentives for both parties, and guarantees to the weakest side, although when they tried to assume a more proactive role they obtained scarce results. Moreover, technical assistance from the UN and other international agencies proved essential for the timely organization of the elections and the referendum. On the contrary, the performance of the United Nations Mission in Sudan (UNMMIS) was severely disappointing in terms of civilians protection, which was the core provision of its mandate.

Eventually, the CPA didn’t derail because it set in motion a win-win process in which each party could attain its objective only by avoiding a return to war. For the South, the final goals were clear: referendum and independence. For the NCP, the overall objective was strengthening and legitimizing its power through a consolidation of the internal front and a complete normalization of its relations with the international community.

The CPA has succeeded in its primary objective: establishing and preserving peace between North and South and ensuring the exercise of the right to self-determination by the latter. However, the Agreement’s pitfalls and ambiguities remain and have emerged starkly with the outbreak of armed confrontations in Southern Kordofan and Blue Nile in June and September respectively. In particular, the CPA security arrangements in the “three areas” were shortsighted. SPLA soldiers in the Nuba Mountains and Blue Nile had been included into the “Joint Integrated Units” (JIUs), which were to be disbanded in case of Southern secession. Given the SPLA refusal to
comply with this clause and the NCP refusal to resolve the matter through negotiations, the Sudanese army has started a campaign of forcible disarmament which has escalated into a full-blown armed confrontation. Relations between the two peace partners were already tense due to the SPLM refusal to accept the results of the South Kordofan governor election held in May, which had seen the NCP candidate Ahmed Haroun victorious over the SPLM Abdel Aziz al-Hilu by a few thousand votes. Carter Center observers – usually not very complacent with Khartoum – had declared the vote free and fair, even though the SPLM had reported numerous irregularities.

Events in Blue Nile have evolved at a slightly slower pace, primarily thanks to the efforts of Malik Agar, a SPLM prominent leader and Governor of the region, to reach a negotiate solution until the end. The main bone of contention was again the future status of local SPLA units, and a generalized dissatisfaction with the inability of the Popular Consultation to address the grievances of the population. What exactly sparked the armed confrontations between the army and the SPLA that began in early September is subject to discussion. What is known, is that everyone on both side was ready for a new war.

Both with regard to the elections and the withdrawal of the SPLA forces from South Kordofan and Blue Nile, Khartoum was legally right, but its reaction to the Movement’s refusal to comply with these requests was blatantly oversized: mass displacement of civilians, targeted ethnic killings and aerial bombardments seemed to be part of a strategy planned since long time.

In the “three areas”, hence, the CPA showed to be little more than a temporary ceasefire. The Agreement’s provisions have ended up being insufficient to address the security situation and to meet the aspirations of the people. The right to “popular consultation” seemed a hollow promise from the beginning for its exclusively consultative character. As a matter of fact, though having been the most exposed on the front line, the Nuba were denied their right to self-determination during the CPA negotiations, owing to Northern intransigence and SPLM availability to compromise on what was not considered a vital Southern interest. Frustrated expectations have continued to burn as embers under the ashes during the last six years in Abyei, South Kordofan and Blue Nile, turning into fears of further oppression and discrimination after the Southern secession. Thus, when Khartoum decided to strike, the SPLA was not caught unprepared.

Events in South Kordofan and Blue Nile also reveal the deep emotional impact of the split of the country on the Northern elite. According to sources close to the army, the decision to attack the SPLA in the Nuba Mountains has been taken by the military establishment as a show of force meant to restore its own dignity. At the political level, the choice to strike in South Kordofan and Blue Nile seems aimed at teaching a preemptive lesson to the North’s restless peripheries. In this sense, the same dynamics of exclusion, centralism and discrimination which have been at the root of the North-South civil war are already reproducing within the new Republic of Sudan.

5. The North: waiting for the “Arab spring” wind to blow?

On July 9, the headlines of the few international media which reported about Northern reactions to Southern independence were focused on the street rallies organized by the tiny but vocal Forum for a Just Peace (FJP), which supported secession as a mean to get rid of the “South question” once and for all. The feeling of the majority, on the contrary, appeared to be one of regret. The split of the country has been perceived as a collective failure for which the current ruling class is particularly – although not exclusively – to blame. Sudan will cease to be the largest country in Africa and will have no borders with Kenya, Uganda and the Democratic Republic of Congo, prompting at the same time a downgrading and a re-orientation of its regional influence. Sudan will now head toward a full incorporation into the North African-Middle Eastern bloc, something which may revive the old project of a union with Egypt. For sure, it will have to abandon its aspiration to be a hegemonic power in north-east Africa – as a counterbalance to Christian Ethiopia – and a relevant player at the continental level.

Many ordinary people in the North are afraid of the economic consequences of secession, which have started to be felt since the end of 2010, when the Government lifted subsidies on basic commodities and fuel, triggering a soaring inflation. The figures released by the Ministry of Information are impressive: the loss of the South will mean for Sudan a reduction of 25% of its area, 20% of its population, 80% of its forests and 75% of its oil reserves. The Minister of Finances Ali Mahmoud has declared that this will translate into a 36.5% loss in state revenues.

Three days after the independence celebrations, Omar al-Bashir addressed the National Assembly in Khartoum. He announced the birth of the “Second Republic” of Sudan, whose main goal will be the search for “peace and development”. For the time being, nevertheless, he anticipated the introduction of a three-year emergency plan for the economy, including an array of austerity measures to be adopted very soon.

A disgruntled population, an authoritarian regime in decline and an economic crisis it would seem a “perfect storm” for a contagion by the “Arab spring”. Nonetheless, attempts by university students and opposition militants to stage street protest have up to now gathered just a few hundred people. The protests were easily – and very harshly – repressed by the police and security forces, but unlike what has happened in Tahrir Square in Cairo as in many other cities in North Africa and the Middle East, the regime’s violent response was not met by a radicalization and a spreading of the

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15 The FJP is led by al-Tayeb Mustafa, a close relative of president al-Bashir. It is made up predominantly by war veterans and war victims relatives who have been strongly critical of the CPA – thinking that the North has conceded too much – and have subsequently started to support separation. The FJP has publicly campaigned for secession through its newspaper, al-Intibaha, tinged with heavy racist tones against the Southerners.


popular uprising. Instead, repression succeeded in nipping the demonstrations in the bud.

One of the reasons for the apparent resignation seen in Khartoum is that the Sudanese – as, for instance, the Algerians – have been witnessing too much bloodshed in recent years and, having just come out of a long war, don’t want to find themselves embroiled in civil strife again. The “Arab spring” blew at a very sensitive moment for the country. The months prior and after the referendum were characterized by a climate of widespread fear of violence and a general feeling of uncertainty. Although opposition leaders believed it was the right time to hit the regime, it is likely that many thought it was not responsible to stab an already agonizing country, risking to plunge the country into anarchy. Such a belief was reinforced by the lack of credible personalities capable of leading the transition to democracy. Umma Party leader Sadiq al-Mahdi, though being respected for his elderly age and charisma, is deemed to be one of the primary responsible for the failure of democracy in the 1960s and the 1980s, when he was Prime minister. Hassan al-Turabi, now at the head of the Popular Congress Party (PCP), has not been able to convince the populace of the genuineness of his late “conversion” to democracy and pluralism.

Against such weak opponents, the NCP can instead count on a strong constituency. Maintained through ties of loyalty or simple patronage, the popular base of the regime appears to be strong in central Sudan, the so-called “Hamdi triangle” where the regime has invested political and economic resources. Although many are not fully satisfied with the NCP, they would not fight against a ruling group which, however corrupt, protects the interest of the “centre”.

The only party which could attract consensus as a real alternative to the current political system is the northern sector of the SPLM, now turned into a full-fledged independent organization. The SPLM-N could appeal to many youths and to some secularized section of the educated urban class, but it would gain considerably in political strength if it resorted to the old Garang’s call for a “coalition of the marginalized”.

In this perspective, Sudan could more likely witness a “Libyan scenario” – an armed revolt of the neglected areas of the country against the centre of power – rather than an Egyptian one – a civil uprising from the centre. The forging of an alliance between the SPLA-N and different factions of the Darfur rebels, sealed in August, could point in this direction. The degree of coordination and cohesion of the rebel alliance, nevertheless,

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18 Speaking at an internal NCP workshop in 2005, former Finance Minister Abdel Rahim Hamdi advised the party to concentrate its efforts — in terms of political and economic investments — on the Dongola-Sennar-Kordofan triangle, which thereafter came to be known as “Hamdi triangle”. According to Hamdi, this was the historical centre of the Sudanese state, a densely populated area with a large educated population and a relatively homogeneous society in ethnic and religious terms. Alex De Waal has reported that this area has attracted 60% of the total investments by the Government of National Unity during the CPA interim period. A. RAHIM HAMDI, Future of Foreign Investment in Sudan: A Working Paper Delivered by Abdel Rahim Hamdi, a Member of the National Congress Party (NCP) and an ex-Minister for Economy and Finance, Khartoum, 11-12 September 2005, in «Sudan Studies Association Newsletter», 24, 1, October 2005, pp. 11-14; A. DE WAAL, Sudan’s Choices: Scenarios Beyond the CPA, in VV.AA., Sudan: No Easy Way Ahead, Berlin 2010, pp. 9-30, available at http://www.boell.org/web/145-531.html (last access August 2011).
is still unknown. Anyway, it seems unlikely that the Sudanese rebel movements could enjoy the same wholehearted support that their Libyan fellows have obtained from the West.

The “coalition of the marginalized” has been Khartoum’s worst nightmare for the last twenty years, and it’s for this reason that the NCP has moved preemptively to repress potential unrest in the Nuba Mountains. The Government decided to act just a few weeks before July 9, when it knew Juba would not have come to the rescue of its northern brothers for fear of putting its own independence at risk. The subsequent banning of the SPLM-N in early September and the heavy repression in Blue Nile confirmed these assumptions.

At present, it seems that the NCP still has the reins of the country in its hands, and it’s up to its leaders to decide the future direction of the Republic of Sudan. Many reports have stressed the existence of splits within the ruling class, usually described according to a simplistic “doves” vs. “hawks” contraposition\(^\text{19}\). According to these analyses, while the “doves” would be available to start a real dialogue with the opposition, provided that the NCP maintains its central role within the political equation, the “hawks” would be eager to persist with an approach based mainly on repression and co-option. It is plausible that there are different opinions within the NCP about the strategy to adopt at such a delicate moment, but the ruling party knows that it will in any case dictate the conditions for dialogue from a position of power. Another source of internal squabbles may be the presidential succession. Omar al-Bashir has declared his intention not to run for the next presidential elections in 2015. It is nonetheless unlikely that personal ambitions will be allowed to threaten the unity of the ruling party. The history of the Sudanese Islamist movement – in whose tradition the NCP places itself – has more than once seen the expulsion of members guilty of having advanced their own personal interest at the expense of the movement or in violation of its internal discipline\(^\text{20}\).

Another recurrent rumor during the last month concerns the possibility of a coup in Khartoum. It is something which cannot be ruled out given the history of the country and the current regional context. Officials are growing impatient with politicians, whom they see as too prone to compromise. By all accounts, military circles were the most wary toward the CPA since the time of the negotiations. The loss of the South has been regarded by army officials as an humiliation, which needs the dignity of Sudan to be restored by showing an iron fist against the other regions asserting autonomist claims. At the same time, many military men hold economic stakes in the regime and are by no means willing to put them at risk with a destabilizing action. The ruling elite encompasses different groups – army officials, politicians, hard-line Islamists, businessmen – whose boundaries are blurred and whose interests overlap. During the last two decades, although being often considered little more than a figurehead, Omar al-Bashir has been a key mediator between these different power circles. He’s always protected the interests of the army, but the CPA transitional period has seen him wearing civilian clothes more often than in the past, ensuring him a full recognition as a

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19 R. DOWNIE - B. KENNEDY, Sudan: Assessing Risks..., cit.
20 This seems to be the case with the recent ousting of Salah Abdallah “Gosh”, once powerful director of the National Intelligence and Security Services.
politician. Thus, his position – and the need to keep it in the future – could be strengthened by the post-secession power balances in the North, as there’s no other figure able to play this kind of mediation role.

Finally, more than twenty years after the coup which brought to power al-Bashir and his acolytes, a generational change is slowly but inexorably underway, and is a factor that has always played a major role in the history of the Islamist movement, not least during al-Turabi’s demise at the end of the ‘90s. A new breed of NCP cadres is emerging, characterized by a capitalist-oriented but not necessarily pro-Western outlook and a modern, conservative and pragmatic Islamist ideology. They are part of a broader – but not much large – middle class which benefits from the NCP patronage network but has an interest in a further opening of the economic space and in achieving a full normalization of Sudan’s foreign relations.

The future of what al-Bashir has inaugurated as the “Second Republic of Sudan” will depend on this complex interplay between the persistent unrest in the “peripheries”, the economic consequences of secession and internal NCP power dynamics. Now that the “Southern problem” has disappeared, for the first time the North will have to confront its own questions, and it may regret the times when a common enemy made a compromise much easier.

6. South Sudan: challenges and expectations

The last months have seen an incessant flow of analyses and reports outlining the huge challenges ahead of South Sudan. These are often pessimistic, as if South Sudan was doomed to become Africa’s next failed state. Although the main arguments of these studies are reasonable and founded, there are some basic assumptions which need to be reviewed critically. The first concerns the time frame. Many reports give the impression that everything has to be done now or in the forthcoming months, in line with the expectations of the populations, which are understandably high but often unrealistic. The time frame that has to be considered for a process of state-building is the long term. In this sense, it is not useful to list all the challenges that Southern Sudan will have to face: rather, it would be much more helpful to prioritize them. Secondly, many observers base their pessimist assessments on the performance of the Government of Southern Sudan during the interim period, which is widely perceived as deficient. This is indeed another misleading consideration, as Salva Kiir and his fellows achieved what no other of their predecessors had, namely independence. The whole Southern ruling elite has been focused, during the last six years, on the single goal of preserving the referendum from being delayed or sabotaged and ensuring that its outcome was recognized. To this end, the SPLM/A has constantly watched over the implementation of the CPA, keeping pressure on its peace partner and engaging the international community when necessary. Moreover, the GoSS has created an institutional framework at the national level, although much remains to be done to

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21 The lifting of American sanctions holds a particular importance in this regard, as they still keep Sudan isolated from the world’s financial markets, though this could be considered an asset in recent times.
establish an effective administration on the territory. Many resources have been dedicated to security, in order to circumscribe eruptions of violence which would have certainly delayed the attainment of independence. Conversely, much more could have been done in terms of service delivery, in order to make visible the “peace dividends” to the population. Nevertheless, 9 July has distributed the most awaited dividend, freedom, and it’s from now onwards that the Government shall be really held accountable for the building of the country.

The most pressing issue confronting the Government is without doubt that of security. One of the collateral effects of the April 2010 elections has been the eruption of several armed rebellions led by defeated candidates or disgruntled SPLM members. Violence at the local level is also associated with inter-tribal cattle raids, a common occurrence in Southern Sudan’s history which has nevertheless been made much more disruptive by the ample availability of weapons and the abandonment of traditional mechanisms of local conflict-resolution.

On the Independence Day, at least seven rebel movements active in South Sudan could be identified, and the number of victims of intra-South clashes in the first half of 2011 was estimated at 2,300. Salva Kiir has consistently displayed a conciliatory attitude towards these factions, in contrast to Garang’s renowned intransigency. Since 2006 various “other armed groups” (OAGs, as the CPA defined them), many of which had been supported by Khartoum during the war, have joined the SPLA. Moreover, Kiir’s declaration of an amnesty in October 2010 has guaranteed a peaceful conduct of the referendum, though the truce did not last beyond February.

Although many different reasons overlap – ethnic tensions, distrust between former militia and SPLA officers, interference by Khartoum, etc. – much of the internal instability recently experienced by South Sudan has to do with unsettled disputes within the SPLM/A itself, embroiling the very elite which is supposed to settle them. Similarly, rebel officers cannot count upon strong claims to legitimate their actions: although they try to build on popular discontent, particularly among of regions and ethnic groups who feel marginalized, they are blatantly moved by personal grievances and ambitions. For this reason, a coalition of these rebel groups against Juba, which seemed a realistic prospect in the first half of 2011, did not materialize as there is no common political platform on which such an alliance can be based.

The two broader issues at stake are the reform of the SPLA from a liberation movement to a professional army and the transition of the SPLM to a full-fledged political party. As far as the former is concerned, the CPA has turned the SPLA into the regular army of South Sudan, an already ambiguous provision per se as the SPLA could not be considered to represent the whole Southern population. After the integration of the OAGs, it has become an gigantic force made up of around 150,000 soldiers of which, possibly, only the 30% would be effectively controlled by the central

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22 The estimate was put forward by the UN, which reported 500 violent deaths in the last two weeks of June alone. J. CLARKE, Tribal, Rebel Violence Kills 2,300 in South Sudan - U.N., in «Reuters», July 7, 2011, available at http://uk.reuters.com/article/2011/07/07/uk-sudan-south-violence-idUKTRE7661F920110707 (last access August 2011).
command\textsuperscript{23}. Many officers and former warlords have retained personal ties with their battalions, while ethnic bonds and the protection of local communities by army units whose soldiers originate from the same area are still relevant dynamics in the SPLA, preventing it from assuming a really national character. The huge size of the armed forces is justified by the threat of a new war against the North, but it’s a heavy burden for a newborn state, accounting for nearly a quarter of national budget\textsuperscript{24}. The SPLA is by far the largest employer in the country - maybe the main factor preventing its reformation. The Disarmament, Demobilization and Rehabilitation (DDR) program provided for by the CPA and backed by the UN has been very ineffective until now, particularly in his “R” component. SPLA soldiers have a mandated minimum wage equivalent to 100$ per month, a good salary by Sudanese standards, which makes it difficult to find civil alternatives at the same level. Parallel to the DDR program, civilian disarmament is also one of the most urgent priorities for the Government’s security policy. It is estimated that 720,000 weapons are privately detained in South Sudan, while disarmament operations have often faced stiff opposition due to self-defense needs by local communities and inter-ethnic tensions.

If the SPLA reform process is complex and multi-faceted, a full political transition of its civil branch, the SPLM, will require time and efforts to be achieved. Many other experiences in Africa have shown how long and complex the transition of a rebel group to a civil political party can be. The SPLM/A was a formidable military machine, but few of its cadres possess a higher education and the majority of the current ministers and MPs received their formation in the bush. Since 1983, John Garang preferred to focus almost exclusively on developing the military capabilities of the SPLM/A while delaying the promotion of a strong political organization. Within the Movement, discipline always took precedence over openness and transparency, and authoritarian-style leadership over democratic norms. The military aspect was of course a priority in a situation of war, but at the same time Garang exploited the prestige of being the only real politician within the Movement to avoid challenges to his leadership. The SPLM/A held its first national convention in 1994, eleven years after its founding. Since then, a higher attention to the civil aspects of the struggle has been paid, however the military commanders have maintained the upper hand within the “liberated areas”.

It’s thus reasonable to expect that the SPLM/A political transition will be accomplished only after a complete generational change, and this may not be enough if resources are not invested in the training of the future ruling class and capacity-building of administration. Nowadays, a lot of expectations are placed upon the Southern Sudanese coming back from the diaspora. Many have acquired important experiences and capabilities abroad, have a discrete financial availability and foreign connections. Nevertheless, past experiences – as for instance in Eritrea – are not encouraging in


this regard, as relations between those who have stayed and those who have fled are marred by mistrust and mutual grievances.

The issue of a ruling class fit to run the country has to do with the question about the SPLM/A will to accept and foster a truly democratic system. The Movement has virtually monopolized all the institutions of the state as a result of the dominant role it played during the war, creating de facto a single party rule. The Movement has already shown an inclination to suppress dissent and exclude the opposition from the political process. The drafting of the Interim Constitution was an example of this attitude, with the SPLM/A reneging on its pledge to gather an inclusive constitutional conference and entrusting the drafting of the provisional Charter to a narrow technical committee essentially made up by members of the Movement. The final document granted wide prerogatives to the President: he can dissolve the Parliament and fire state Governors, declare war and the state of emergency (art. 101) – including the power to dissolve any public institution and to suspend the Bill of Rights (art. 190) – without a previous Parliament approval. Most notably, he is elected for five years without any limit to the number of presidential terms (art. 100).

At a first glance, South Sudan is following the path of its neighbors, where rebel leaders who came to power after successful military campaigns entrenched themselves in the palace creating authoritarian regimes characterized by different degrees of stiffness, from the paranoid prison-state established by Isaias Afwerki in Eritrea to the ambiguous “no-party democracy” of Yoweri Museveni’s Uganda. This is a dangerous omen, as South Sudan is characterized by a degree of pluralism which needs to find a fair representation within the political arena. Otherwise, there are already strong indications that the economic and political grievances will express themselves through radical and violent forms of opposition to the ruling party.

It is widely believed that tensions could be eased if the Government, together with providing protection from violence, started to concentrate on service delivery. Infrastructures, education and health figure prominent among the expenditure items of the GoSS Budget, and funds allocated for them are bound to increase in the future according to the declarations by the Finance Minister. However, for the rural population – 80% of the total – tangible signs of the state presence are lacking. Resources fail to flow outside Juba, and when they do they stop at the states’ capital cities. Salva Kiir’s 2010 elections slogan, “take the towns to the rural areas”, has not materialized.

This vacuum is being filled by foreign NGOs, which have flocked to South Sudan by the thousands. Although their presence is essential for the provision of basic services to many communities, it may give rise to serious political and economic distortions, already experimented during the first peace interlude lived by South Sudan in the ’70s. Foreign organizations have the tendency to establish personalized relations with state authorities, when not to act independently from them. In this sense, they contribute to hinder the creation of an effective and professional public administration with clear and impersonal procedures. Moreover, it is inviting for the state to save money by delegating some of its basic functions to NGOs, although this risks to undermine its very legitimacy to the eyes of the people, particularly since public services are perceived as the concrete everyday expression of the social contract between the state and the citizens. The erosion of the state’s legitimacy is further compounded by the
huge resource at disposal of foreign NGOs, far superior to those available to public authorities, and particularly to local ones. Finally, NGOs tend to drain the already depleted ranks of the local educated class, offering salaries that are well above the level of public wages.

The Government is responding to this “NGO wave” by applying heavy taxes on their activities and allowing local authorities to do the same. This nevertheless may give rise to problems of corruption and will increase the rentier character of the Southern Sudanese economy. Currently, 93% of the state revenues come from oil, putting South Sudan in a condition of serious vulnerability to the world’s market fluctuations. For instance, due to global recession GoSS oil revenues almost halved from 2008 to 2009. Although this can be overcome by devising a financial stabilization mechanism, the need to pursue an economic policy of diversification cannot be deferred. As summarized by Aly Verjee and Zach Vertin, “Sudan is only a middle rank oil producer, and most producing fields are already declining in production. Much of the oil is of low quality, trading at a substantial discount to global benchmarks. Only a small number of Sudanese are employed in the industry. New discoveries are possible on both sides of the border, but this is not a resource that will provide for generations”25.

Although oil can be a blessing for a country needing resources in the short term, observers are unanimous in considering agriculture and herding the sectors that shall boost the economy in the future. On the contrary, investments in agriculture have declined since the starting of oil exports in 1999, and production is much below the levels of the 1970s, when Jafa’ar Nimeiry pursued the ambition of turning Sudan into the “breadbasket of the Arab world”. Many reports have started to ring alarm bells on the land acquisitions by foreign investors, which between 2007 and 2010 have obtained concessions for 2.64 millions of hectares of land – an area larger than Rwanda – in South Sudan alone26. The trend to “externalize” agriculture policy through these operations it’s a dangerous one for South Sudan, especially since much of the country’s land is considered to be of communal property. For a people which has struggle so long to be the master in his own land, the leasing of this very land by the Government would sound like an unbearable hoax.

The SPLM/A will be judged on security, the protection of civil liberties, service delivery and economic diversification. The ruling elite is committed to the cause and determined to prove pessimists wrong. Its achievements will depend on its capacity to exercise self-restraint in the enjoyment of the fruits of the struggle and its willingness to allow generational change and pluralism. Furthermore, a process of demilitarization is required at all levels – from civil disarmament to the abandonment of military symbols and rhetoric in the public arena – to consign war and its mentality to the past.


Foreign support has been strong until now and the creation of a United Nation peacekeeping mission for South Sudan seems to suggest that the international community is determined to help the world's youngest state to take its first steps.

7. The future of North-South relations

Until the outbreak of the hostilities in Southern Kordofan, the separation between North and South Sudan had defied the most pessimistic predictions and seemed to proceed as a peaceful divorce. Events in the Nuba Mountains have been preceded by Khartoum's military occupation of Abyei, which caused the displacement of nearly all the population of the area, between 40 and 80,000 people. These events, given the unprecedented – since the signing of the CPA – scale of violence displayed, casted a shadow over the South's independence celebrations and over the future relations between the two countries.

Official talks on both sides seize every opportunity to stress the importance of establishing a relation of good neighborhood and cooperation, but facts on the ground deny these pledges. Shortly after July 9, the two countries were already engulfed in a currency war, with Khartoum accusing the South of issuing its new currency before the terms agreed and Juba replying that the North was waging an “economic war” against it by asking exorbitant fees for oil exports. In the background of this disputes lay the negotiations on post-referendum agreements. Dealing with citizenship, security, economy, foreign relations and legal issues, they are underway in Addis Ababa since June 2010, with the African Union High Level Implementation Panel, headed by Thabo Mbeki, as facilitator. They were supposed to produce one or more agreements aimed at settling the different issues raised by the partition of the country, but up to now they have achieved little, prompting the parties to take unilateral actions. Regarding citizenship, for instance, the South has declared that it will grant Southern citizenship to individuals of Northern origin, while the North has modified its immigration law to strip Southerners of their Sudanese citizenship and has suddenly fired all the public employees of Southern origin.

Both sides, and particularly the South, would like to proceed with it alone but cannot do so because they are bound by a strong relation of mutual interdependence. This is often reduced to a matter of oil, but the reality is much more complex. The management of the Nile waters, trade flows, the return of refugees, just to quote but a few, require a negotiated solution in the interest of both parties. Unfortunately, the old liberal assumption that interdependence fosters peace has been repeatedly denied by history, and everybody is now conscious that interdependence creates a situation of mutual vulnerability which may be conducive to either cooperation or conflict. Interdependence increases the costs of war and the benefits of cooperation, but war is not a rational choice. In the case of Ethiopia and Eritrea, for instance, currency was

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27 Although most of the oilfields are in the South, oil needs to be refined and transported trough infrastructures owned by the North.

one of the sparkles that led to the rupture of relations and to the subsequent war. The challenge is thus not only that of finalizing deals on the aforementioned issues, but to devise permanent institutions which can serve as channels for a constant dialogue between the parties.

Finally, the thorniest issue in North-South relations is the management of border areas and of the border itself. The “three areas” still remain major hotspots in this regard. As for Abyei, Khartoum has repeatedly obstructed a final settlement of the issue, first by objecting at the definition of the territory of the area as suggested by a CPA-mandated commission and then by insisting to ensure the Misseriya – a government-allied nomadic tribe which transits through Abyei for its seasonal migrations – the right to vote in the final referendum. Juba has made things worse with provocative declarations, the latter – and more serious – being the explicit proclamation of Abyei as Southern Sudanese territory in the Interim Constitution. The Abyei referendum has been indefinitely delayed, creating a state of permanent crisis which has peaked with the occupation of the village by Sudanese troops last May. The parties have subsequently found an agreement stipulating the withdrawal of their respective military forces from the area and the deployment of a UN interposition mission made up by Ethiopian soldiers. This is probably a good way to restore peace, but it will create a limbo situation with no deadline nor clear way out. Reaching a final settlement on Abyei is much more important for the SPLM/A, of which many Dinka Ngok are high ranking officials, than for the NCP, which may continue to drag its feet and eventually give up on Abyei asking for some major concession from the South.

Southern Kordofan and Blue Nile have attracted less attention by international media than Abyei, although stakes there are much higher. Khartoum sees these regions as the first piece of a mosaic which may break into a thousand pieces. On the Southern side, Salva Kiir has saluted during his independence day speech “the freedom fighters from all over Northern Sudan who joined the SPLM and are still yearning for true peace, justice and democracy”. To support the forces of the SPLM/A in the Nuba Mountains and Blue Nile would be an act of loyalty on the part of Juba, but also a very dangerous move. It would certainly expose the South to retaliatory attacks by Khartoum-supported militias, triggering a proxy-war which could lead to a full-blown interstate conflict.

Apart from these three major hotspots, the overall demarcation of the border still constitutes a bone of contention, and the Ethiopian-Eritrea experience has showed how even an insignificant portion of land can be provide a *casus belli*. There are currently five sections of the 2,100 kilometers long North-South border which haven’t been agreed yet. What is at stake is not just the definition of the border, but the way in which it will be administered. The area is crossed by semi-nomadic tribes which migrate seasonally to find grazing lands for their livestock. A “soft” border – easy to cross for traders, herders and migrants workers – would seem the best solution to avoid the rise to local conflicts which could easily escalate. In this perspective, the creation of an international interposition force in Abyei, though being perhaps the best solution to reestablish security in the area, has set a dangerous precedent of militarization of the border, and needs to be considered as a transitional and exceptional measure. Making the entire North-South border a buffer zone would be a disaster for local population: on
the contrary, every effort should be deployed by Khartoum, Juba and the international community, to make this 2000km-long boundary an “integration zone”.

8. Regional implications of Sudan’s split

Given the size of Sudan and its peculiar geopolitical position, events in the country have always reverberated on a wider region. Egypt is for sure the most important foreign stakeholder in the country. It’s no coincidence that Egypt’s new Prime minister Nabil el-Arabi has chosen Sudan for his first official visit abroad, stopping both in Khartoum and Juba. The signature of the CPA had been a failure in itself for Cairo, kept out of the negotiations and unsuccessful in its attempt to avoid the prospect of an independent South Sudan. The central issue at stake for Sudan’s northern neighbor is the management of the Nile waters, currently the focus of a major dispute between upstream and downstream countries\(^{29}\). The new Government in Cairo has repeatedly declared its intention to adopt a more cooperative approach on the Nile issue, which could be interpreted as a sign of good will than as well as of growing weakness. Egypt’s uncertain internal political situation is impairing its already dwindling influence in the region at the advantage of its historical rival, Ethiopia. Having recovered from the ruinous intervention in Somalia, Ethiopia is keen to consolidate its role as hegemonic power in the Horn. The partition of Sudan not only eliminated the only real challenger to the realization of this ambition, but provided Addis Ababa with an opportunity to show its effectiveness as a regional mediator. The 4,200 troops which will form United Nations Interim Security Force in Abyei (UNISFA), aimed at creating a buffer zone in the contested area, will be entirely provided by Addis Ababa, as this was the only solution deemed acceptable by both North and South Sudan. Ties with Khartoum, which holds a fluctuating relationship with Eritrea, are mostly economic, granting Ethiopia access to Port Sudan and oil supplies at a favorable price. In the South, Meles Zenawi’s Government can count on a strong record of support for the SPLM/A\(^{30}\) ensuring it a strong influence on the newborn state which may turn into a patronizing relationship. South Sudan offers huge opportunities to Ethiopian companies and businessmen, and its oil reserves are a key asset for Addis Ababa. The same holds true for Kenya and Uganda as well. Plans for a pipeline to export oil through the Kenyan coast seem unrealistic, given the projected decrease in South Sudan’s oil

\(^{29}\) Led by Ethiopia, upstream countries claim a revision of the 1929 and 1959 Nile Waters agreements endowing Egypt and Sudan an exclusive right of exploitation of the water resources of the basin. In the 1990s, the World Bank launched the Nile Basin Initiative (NBI), aimed at promoting a shared revision of the colonial Nile Waters Agreements in the hope to reach a win-win solution. After repeated setbacks due to the intransigence of Egypt, in 2010 six of the nine countries adhering to the NBI signed a treaty allowing them to build dams and implement irrigation schemes without Cairo’s consent.

\(^{30}\) Ethiopia started to support the SPLM/A in 1996, after the Mubarak assassination attempt in Addis Ababa – for which Sudanese intelligence circles were deemed responsible – provoked a sharp deterioration of its relationship with Khartoum. This was in fact a complete reversal of the anti-SPLM/A position adopted by Meles Zenawi’s Government since his coming to power 1991, due to the Sudanese rebels’ close ties with the Derg regime overthrown by the Ethiopian People’s Revolutionary Democratic Front (EPRDF) led by the same Meles.
production. A number of infrastructural projects to connect South Sudan to East African countries appear more concrete and some are already under construction. While Kenya has been keen to maintain a measure of equidistance between North and South during the interim period, having been the host country of the CPA negotiations, Uganda has consolidated its long-standing alliance with the SPLM/A with a wide array of cooperation projects, being conversely the only country of the region with which Khartoum hasn’t been able to normalize its relations. The northern Ugandan rebels of the Lord’s Resistance Army (LRA) keep on terrifying the population of Western Equatoria in South Sudan, and are probably still receiving some support from Khartoum. Repeated military attempt to crush the LRA have failed to wipe it out, while a series of seemingly promising talks in 2006 halted over the issue of transitional justice. Neither Uganda nor South Sudan seem to be ready to reopen the peace process, making it likely that the LRA will continue to be a factor of destabilization on the Kampala-Juba-Khartoum axis.

South Sudan is integrating into East Africa at a fast pace. Ugandan and Kenyan car plates are ubiquitous in Juba and migrants from neighboring countries have flocked in by the thousands to set up all kinds of services – from transports to restaurants – to local citizens but mostly to the ever-expanding expatriate community. The southward reorientation of the country is broadly felt as a “natural” development in Juba, although it risks entailing the marginalization of the northernmost regions of South Sudan, stuck between a hostile Sudan to the North and the sudd swamps to the South. This in a way reveals the ambiguity of the split of Sudan. Although many see it as the right – and late – repair of a colonial wrong, it creates a new boundary which is no less artificial than the one imposed by the British.

After July 9, Sudan has lost its role as a hinge between the Arab world and Sub-Saharan Africa. The partition of Sudan has been perceived by many politicians and intellectuals in the Arab-Islamic world as both a failure and a threat. It is a failure for the incapacity of the Northern Sudanese elite to come to terms with the country’s plurality through its purportedly “Islamic” model of government. It is seen as a threat inasmuch as other countries could follow the same path, leading to a further fragmentation of the Arab nation and of the Islamic umma. Iraq, with its shaky federal system, and especially Libya, where the historical tension between Cyrenaica and Tripolitania has erupted into a civil war, seem the most likely candidates.

The political defeat has been made even bitterer for the North by Israeli rejoicing at South Sudan’s successful exercise of the right to self-determination. Israeli flags were seen waving in Juba on July 9, witnessing the long-standing bonds between South Sudan and the Jewish state, which date back to the first civil war.

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32 The sudd is a huge swamp straddling the Equatoria and the Upper Nile-Bahr al-Ghazal regions which is created by the waters of the White Nile. There are currently no paved roads crossing the sudd, making it impossible to reach the northernmost areas of South Sudan from Juba – particularly during the rainy season – except by river or air.
Eventually, the North-South Sudan split risks being interpreted through the “clash of civilizations” paradigm, as the result of a cleavage between irreconcilable cultural and religious identities. Drawing this kind of generalizations from the Sudanese case could lead to the conclusion that Arabs and Africans, Christian and Muslims, cannot live together within the boundaries of the same state, as they espouse opposing world-visions and political aspirations. Turned into political ideology, such a belief could undermine the socio-political cohesion of a number of states straddling the Sahelian belt, where the same intermingling of indigenous African peoples and Arab settlers is present. The issue of Christian-Muslims relations is even more complex and goes well beyond the boundaries of Africa, having been one of the central subject of debate during the last decade. Although Africa has witnessed centuries of peaceful coexistence between Christians and Muslims, events in Sudan and in other countries such as Nigeria and Ivory Coast indicate a rise of religious tensions. These are linked to wider global trends and in some cases even connected to trans-national religious activism. Furthermore, conflicts have been recently exacerbated – some say as a self-fulfilling prophecy – by Western-backed military operations aimed at repressing the activities of Islamist-inspired terrorist groups in Somalia and the Sahel. A full normalization of diplomatic relations between the United States and Sudan could avoid the North-South border becoming the last front of this confrontation. Failure to maintain engagements in this regard on the part of the US and the increasing take-over of power by radical NCP and army elements in Khartoum, however, seem to point to another direction for the near future.

Although identity has been a central factor in the Sudanese context, the many crises – not only the North-South one – experienced by the country should always be analyzed considering the centre-periphery dichotomy as the key explanatory concept. The management of socio-cultural pluralism is one of its multiple aspects, along with political representation, resource sharing and many others. Authoritarian centralization has been one of the common feature of the independent African state and one of the worst legacies absorbed by early African nationalism from colonialism. Its destabilizing effects have been felt most within big-sized states which, irrespective of their ethnic or religious composition, have faced similar problems of marginalization and conflict. A distinct feature of the post-Cold war environment, however, has been the tendency to resign to and even prop up this kind of state failure – an ambiguous expression in itself – and to pursue the partition of existing polities into smaller units as the only viable alternative.

9. Conclusions

Eritrea, Timor Leste, Kosovo and now South Sudan. It wouldn’t be correct to talk about a “chain effect”, but the last two decades have witnessed an increasing trend towards the formation of small states resulting from secession processes. In Africa, the uti

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possidetis principle enshrined in the Charter of the Organization for African Unity (OAU) has been breached, with Somaliland and Western Sahara waiting for their turn to come.

Political fragmentation goes against the post-1989 tendency towards an ever-more integrated economic system, and this contradiction seems to play at the advantage of the non-state power circles which thrive in the global economy. Small states – especially when they are newborn and underdeveloped – are prompted to delegate some of their exclusive prerogatives to non-institutional actors: international financial organizations, NGOs, private security companies, etc. Sometimes, international organized crime flourishes within such institutional vacuum. State-building in South Sudan seems to adhere to this pattern, proceeding as a patchwork of international assistance, NGO assumption of state prerogatives and private initiatives over which the public institutions don’t seem to be neither able nor willing to exercise any meaningful form of authority, coordination and supervision. Instead, what they seem to be predominantly interested into is extracting resources from these actors in order to nurture a “centre” which appears to be already isolated from the rural “periphery”.

The erosion of sovereignty in what is seen as a post-Westphalian international order counters with the general perception of secession as the ultimate form of self-determination. In a globalized world, economic interdependence undermines political independence in its substance, although borders still preserve its form. The recent debt crisis has shown the validity of this assumption even for world superpowers like the United States and European nations: thus, in the stormy sea of globalization, small states risk becoming drifting boats prey to currents they cannot control. The only way for peoples to recover a real hold on state sovereignty seems to be that of pursuing regional integration, which entails a delegation of sovereignty – and thus its apparent loss – to a higher authority endowed with a stronger influence on a global scale. This is nonetheless hindered by the persistence of the myth of the nation-state, a XIX century creation which is hard to disappear notwithstanding the millions of victims it caused. The idea of the nation-state adds to the contemporary misconception of self-determination, reinforcing calls for secession as the only mean to regain lost sovereignty. Moreover, secession is presented as a mean to solve conflicts by creating homogeneous polities. This is largely an illusion, as dividing states is often the same as dividing a magnet: the two parts will always have a plus and a minus, a majority and a minority. The ongoing wars in Darfur, Southern Kordofan and Blue Nile, and in some way even the activity of rebel movements within South Sudan, show how Sudan is not an exception to this rule. Intra-North and – to a lesser extent – intra-South conflicts won’t be addressed through the creation of new borders, but with the development of more effective and representative political systems.

As already said, a substantial exercise of sovereignty requires governments to be able to project their power on a global scale, something which can be achieved only through an enhanced integration between states. At the same time, if sovereignty has to be exercised by the people, structures of governance have to be designed according to principles of democratic representation and resource sharing. This is what international law defines as “internal self-determination”, and it’s against the background of a long-standing history of denial of this right that South Sudan has opted for – and has been legally allowed to opt for – the exercise of its “external self-determination”, i.e.
secession. Nevertheless, the path toward self-determination is still long and the 9 July was but one important step on this way for Southern Sudanese. The coming constitutional revision will be the next one: its conduct will show if the authoritarian tendencies of the SPLM are doomed to persist or if the ruling elite is able to exercise a measure of self-restraint for the sake of the people it has liberated.

On the Northern side, the “Arab spring” has emerged as a loud call for internal self-determination by peoples whose rulers have for long exploited external enemies – be them Israel, the United States, terrorism or imperialism – in order to maintain oppressive structures of governance in place. The disappearance of the Southern problem may attract a contagion of the “Arab spring” to Sudan, although for a number of reasons this seems unlikely in the short run.

Western powers have lent their wholehearted support to the only struggle – the Libyan one – which puts at risk significant economic and strategic interests of the West, showing instead an ill-disguised fear of change in other scenarios which could lead to a profound reconfiguration of the undemocratic forms of government which have prevailed in the Arab world so far. Moreover, the Libyan uprising is the only one with a pronounced regional identity, and subsequent its evolution into a civil war could once again lead to believe that the only viable solution for the future is partition.

Western policies in North Africa and the Middle East have been led since long time by the will to preserve stability. In some cases splitting states may seem a quick fix, although it will lead to the proliferation of weak states. Fragmentation could be functional to the interests of some superpowers and non-state global actors, but will be detrimental to the interests of the peoples and the stability of the international order. The Sudanese case shows how division can be sometimes an unavoidable and perhaps necessary condition for peace, but it will never be a sufficient one.