

AFRICAN ISSUES

**The Root Causes
of Sudan's
Civil Wars**



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The Segmentation of SPLA-United & the Nuer Civil War

Between 1992 and 1995 the split in the SPLA was entrenched by further defections of dissatisfied commanders to the Nasir faction, and through it to the government. Government support kept the new factions supplied in the field. These defections were not matched by the changing of allegiance of entire military units, or by substantial sections of the civilian population. Rather, as fighting between the SPLA factions intensified, both sides faced continuous desertions as demoralized soldiers refused to fight other Southerners and left their units to return home. Inter-factional fighting was superimposed over the fault-lines of the civilian population, as each side attempted to mobilize civilian opposition against the other.

8.1 Collaboration & defections

The central paradox of the Nasir faction was its military alliance with the government in pursuit of the goal of total independence of the South. It was a paradox that ultimately cost its leaders their political credibility and destroyed their movement.

Throughout the remaining months of 1989 the new military government categorically and publicly refused to compromise on *shari'a* or the Islamic state, closing off any room for compromise on that issue. As the government failed to make any military headway in 1990 they hinted to several quarters that the war could be resolved by granting the South its independence, which was not then a stated objective of the SPLA. But a peace proposal based on this understanding, crafted by US Assistant Secretary of State Herman Cohen, was rejected outright by the government in March 1990.¹ What the government had in mind by 'the South' was, however, considerably less than the old Southern Region. A government official casually revealed to a visiting American journalist at this time the acceptable boundaries of an independent South, which excluded all of its northern oil fields: a proposal reproducing Turabi's 1980 map submitted to the National Assembly (Section 4.4.1).²

In their contacts with the Nasir commanders prior to the coup, it is very likely that the government offered a general prospect of inde-

¹ Stephen Wöndu & Ann Lesch, *Battle for Peace in Sudan: An Analysis of the Abuja Conferences, 1992-1993* (Lanham MD, 2000), pp. 15-18.

² Deborah Scroggins, *Enna's War: Love, Betrayal and Death in the Sudan* (New York, 2002).

pendence for an undefined South. As subsequent events were to reveal, what the Nasir commanders thought they were going to get was always much less than the government was willing to concede. Negotiations between the two sides shadowed political developments in the Sudan. The NIF strengthened its hold on the economy and proceeded with the adoption of its Islamist project for the whole country which, once in place, effectively precluded the type of arrangement the Nasir faction publicly espoused.

Inside the movement, there seemed to be two parallel approaches. Riek Machar may have genuinely believed in the strategy once espoused by the politburo of the old Anyanya-2: that the adoption of an unambiguous independence platform would ultimately lead to the defection of the entire SPLA to their side, giving them the military clout to break with the government and declare independence. Lam Akol, who took charge of direct negotiations with the government, seems to have had more limited and pragmatic aims. Judging his movement's military capabilities more accurately, he seems to have adopted the strategy of holding out for independence in the hope of obtaining a more secure autonomy in a future federal Sudan.

The dilemma of the Nasir commanders was that by entering into separate negotiations with the government and weakening the SPLA, their own programme became unobtainable. They served the NIF's long-term objectives – to entrench the Islamic state in the North – but they did not have the power to extract further concessions for themselves. As they soon became tied to the government for their own survival, they were tugged back into line each time they attempted any independent move on their own. This was demonstrated early in 1992 with the Frankfurt Agreement and the first Abuja talks.

Collaboration between the Nasir faction and Khartoum was publicly formalized with the agreement between Lam Akol and Ali al-Hajj Muhammad at Frankfurt in January 1992. This two-page public document, which was released, made no mention of independence, containing only a vague reference to deciding the 'special political and constitutional status' for the South in a future referendum. Nevertheless, the Nasir faction presented the agreement as a commitment to self-determination. That the government did not intend this referendum to go so far was later made clear by Ali al-Hajj at Abuja when he declared that the Frankfurt Agreement provided only for a referendum on the degree of decentralization in the South and did not compromise the unity of the country. His offer to table the full text of the agreement, which had not been previously released, and which detailed the extent of collaboration between SPLA-Nasir and the government, was declined by Lam Akol.³

The obvious deficiencies of the Frankfurt Agreement led to the first defections from the Nasir faction, as two Dinka members of the delegation resigned in disgust. But the Nasir faction abided by the unpublicised terms of the agreement, allowing the Sudanese army safe passage through their territory to attack the SPLA (Section 7.5) and dispatching a force of their own to Ekuatoria in June. During this time, both the Nasir faction and Khartoum attempted to encourage defections of other dissatisfied

³ Wöndu & Lesch, *Battle for Peace in Sudan*, pp. 50–60.

SPLA officers, and at Abuja they focused their attention on William Nyuon Bany.

Nyuon was then a key figure in Garang's strategy of combating the Nasir split, since he was not only a popular and successful commander, but a Nuer. Garang employed Nyuon in salient and visible positions, appointing him Chief of Staff and choosing him to lead the SPLA-Torit delegation to the first Abuja peace talks in May 1992. These were political decisions which had unsettling consequences. Nyuon had been an aggressive field commander but was only semi-literate and did not command respect as Chief of Staff among many other subordinate commanders in the SPLA. At Abuja, Nyuon was offered financial inducements by the leaders of the government and Nasir delegations to leave the SPLA.⁴ After his return to the SPLA's headquarters in the South, Nyuon and his bodyguard withdrew from the SPLA, in September 1992. (He also released a number of political prisoners, including Joseph Oduho, Kerubino Kuanyin and Arok Thon Arok.) Nyuon's force was ambushed and harried by the SPLA before linking up with Riek's men in Eastern Equatoria.

The diversion of troops to the Equatorial front had not been popular among the Nuer of the Sobat. Riek had employed the services of a Nuer prophet, Wut Nyang, to raise this force, and he was among those most vocal in criticism of the Equatorial strategy, especially as he had been led to believe the force was intended to take Malakal. Wut Nyang subsequently launched his own, unsuccessful, assault on the town, little knowing that the Nasir commanders had never seriously meant to attack it.⁵ Revealingly, the attack was hailed by Garang's SPLA as a positive contribution to the liberation of the South, and hastily repudiated by the Nasir commanders, who then relapsed into an embarrassed silence.

The ostensible reason for the Nasir faction establishing a presence in Eastern Equatoria was to open a supply route to the Ugandan border. Many within the Nasir faction questioned this reasoning, since there was no indication that the Ugandan government was willing to supply them. Prevented by the SPLA from reaching the border, Nyuon contacted the Sudanese army in January 1993, and he and other commanders moved in and out of government garrisons (including Juba), establishing links with the Ugandan opposition Lord's Resistance Army and facilitating its incursions into Uganda. For the next two years Nyuon worked in close collaboration with the government with the full knowledge of Riek Machar, who continued to send him Nuer reinforcements. Many of Nyuon's attacks on the SPLA were coordinated with government offensives, and Nyuon's base at Jabal Lafon secured a route for government convoys through Eastern Equatoria.

Equatorial disillusionment with SPLA-United only deepened with time. Independence was brought no closer; inter-factional fighting increased and, what was worse, was being fought out in Eastern Equatoria. Despite the movement's rhetoric, Nyuon's troops were guilty of many atrocities against civilians.

⁴ Nyuon had a large and impoverished family in Nairobi. On his return from Abuja he bought a house for them in Nakuru and invested in a *matatu* mini-bus.

⁵ Douglas H. Johnson, *Nuer Prophets* (Oxford, 1994), pp. 348–51; Sharon Hutchinson, *Nuer Dilemmas* (Berkeley, 1996), pp. 338–9.

Parallel to the Eastern Equatorial strategy was the use of Kerubino Kuanyin to destabilize northern Bahr al-Ghazal in 1994–7. Kerubino advanced into northern Bahr al-Ghazal with his own army from western Upper Nile in July 1994 but was defeated by the SPLA and forced to retreat to Abyei, in government territory, where the government subsequently announced his reinstatement to the army. He returned to Bahr al-Ghazal with a newly outfitted force re-styled 'SPLA-Bahr al-Ghazal' (recruited largely from his home area but subsequently reinforced by Paulino Matip's Bul Nuer militia). Operating in conjunction with units of the PDF and the army garrison in Gogrial, Kerubino disrupted the relief effort in northern Bahr al-Ghazal, contributing greatly to the further displacement of the Dinka there (Section 10.3). Kerubino's targets were entirely civilian; he did not seek out and attack SPLA units.

8.2 Civilian fault lines

The split in the SPLA reintroduced fighting into areas which had been relatively free from violence for some time. Not only did the two factions of the SPLA fight each other, they encouraged civilian involvement. Nuer civilians from Ayod and Akobo joined the attack on Bor; Nuer and Dinka civilians from western Upper Nile and Lakes began raiding each other; and the Torit-faction garrison at Pibor encouraged the Murle to begin raiding into the Nuer districts of Akobo and Waat.

Even civilian areas not directly touched by the factional fighting were affected. Supplied by the army in Juba, the Toposa around Kapoeta became more active against the SPLA. The SPLA had never adequately addressed the problem of Toposa hostility, which was based in part on Toposa particularism, but also on the SPLA's seizing control of the Toposa gold fields. The SPLA alternated between subjugating the Toposa militarily, and wooing them with promises of deliveries of relief supplies. They had only just recently abandoned one attempt at forceful pacification for a more conciliatory approach, but the new vulnerability of the Torit faction persuaded many Toposa that they had nothing to gain by making their peace with the SPLA.

The Nasir commanders were not necessarily personally motivated by anti-Dinka sentiment, but their appeal inevitably attempted to play on anti-Garang and, by extension, anti-Dinka feeling. To everybody's cost, they found that they had overestimated the former and succeeded only in inflaming the latter. As the Nasir faction began to lose southern Sudanese sympathy both inside and outside the Sudan, their internal support was progressively confined to the Nuer, and they began to take on the appearance of a tribalist movement. The wholesale attack on Dinka civilians in Kongor and Bor in 1991–2 helped to rally support for Garang among the Dinka of Bahr al-Ghazal, who were otherwise disappointed in the SPLA leadership for having neglected them, especially in the establishment of relief priorities. Attacks by Nuer on Dinka cattle camps in the eastern Bahr al-Ghazal near the border with Upper Nile only confirmed early suspicions that the real motives of the Nasir faction were tribal, whatever their public professions. So, as in the final years of the Southern

Regional Government, the political debate, this time centred on widely-held grievances against Garang, was diverted and obscured by the resurrection of a tribal idiom.

8.2.1 *The 'hunger triangle'*

The fracture line between the Nasir and Torit factions of the SPLA (as they were styled throughout 1992 and early 1993) became the Nuer–Dinka frontier within Jonglei Province. The Kongor area had been virtually abandoned by its civilian population as a result of the 1991 attacks, and was consequently thinly defended by an SPLA which was concentrating its forces around Juba and confronting a resurgent Sudanese army in Eastern Equatoria. With people displaced away from the immediate border, the area contained between the points of Kongor, Ayod and Waat was soon to become the focus of what one UN field worker later styled a 'resource war'.

The largest concentration of persons receiving food aid in 1992 was in Waat. Only a small portion were displaced Dinka, though more were reported to be coming in by the end of the year. Most of the rest were Lou Nuer, suffering from continued food shortages, and an increasing number were refugees from fighting around Malakal. Most deaths were reported among the Dinka. Riek's English wife, Emma McCune, actively lobbied for the opening of new relief centres in Ayod and Kongor.

The causes for distress among the displaced and local population in Ayod in December 1992 were clearly attributable to the reintroduction of fighting into the area in 1991–2. Grain stocks were already low because of the 1991 floods, and there had been losses of cattle to the 1991 outbreak of trypanosomiasis and retaliatory cattle raids from the Dinka in 1992. But the main burden local people faced was the influx of soldiers in the Nasir faction garrison, who fed exclusively off local livestock. As a result, many of those displaced by the fighting to the south were not staying around Ayod, but were moving further north, away from the frontline. A UN assessment team found no concentration of distress in Ayod in December, but reported, all too prophetically, 'There remains a belief among local authorities that UN teams need to see thousands of starving people clustered together in horrible conditions in order to recommend assistance – perhaps they have assessed us correctly.'⁶

The reasons behind the Nasir faction's occupation of Kongor at this time were political and logistical: a move out of the Nuer districts would demonstrate that the SPLA-Nasir was not solely a Nuer army. Further, the control of Garang's home ground would be a considerable propaganda victory, for it was a land link with government forces in Eastern Equatoria, and it would open up a new source of increased relief supplies. SPLA-Nasir occupied Kongor and neighbouring Panyagor in force early in 1993, called for relief agencies to establish programmes for the 'displaced', and then herded them into the area for the UN to see.

The movements into the Kongor area at this time were mainly military. The Nasir faction force at Kongor linked up with William Nyuon and received supplies from the government through him. The government also sent reinforcements to Bor by river, passing by this sector of SPLA-

⁶ PSV to DP/PO'B, Ayod Assessment, 16 December 1992, OLS document.

Nasir territory unmolested. A new headquarters was established at the former UNDP compound at Panyagor, which was also selected as the site of a conference in March 1993 to forge a new 'SPLA-United' out of the Nasir faction and various Equatorian and Dinka leaders, including those prisoners freed in September. The meeting was disrupted by a commando group sent by Garang, but SPLA-United soon reoccupied Kongor, again calling for relief agencies to feed the 'displaced' in the 'hunger triangle' camps at Kongor, Ayod and Yuai, on the Lou Nuer border.

The establishment of a new feeding centre at Yuai puzzled UN relief workers. It was not a population centre; they were aware that Riek was moving people deliberately in that direction; and the majority of beneficiaries were identified to be 'daytrippers', overwhelmingly male, from Waat. The SPLA, who launched a new offensive in April to break this supply link between SPLA-United's main force and Nyuon's in Eastern Equatoria, always regarded Yuai as essentially a military base, especially so after expelling SPLA-United from Kongor and capturing government vehicles and other equipment at Yuai. Riek simultaneously requested the government to airlift resupplies and ammunition to Ayod and Waat and the UN to send relief to the same places.

A ceasefire between the factions was brokered by the US Ambassador to the Sudan, Donald Petterson, in May 1993, but it was never implemented. SPLA-United troops moved back into the area, and SPLA troops fanned out from Kongor towards Duk Faiwil and Bor. Fighting continued throughout June and July and relief camps (with their concentration of supplies) became particular targets. SPLA troops advanced as far as Waat. SPLA-United faced near-annihilation, were it not for the timely intervention of Khartoum, who launched an unexpected rainy season offensive against the bulk of SPLA forces in Eastern Equatoria in June (Section 7.5), and resupplied SPLA-United with new weapons and stores from Malakal. Fighting shifted out of the hunger triangle area only when factions of SPLA-United in the Waat, Fangak and Sobat areas began fighting each other, and the SPLA shifted its attention to interdicting William Nyuon's convoys moving between Waat and Lafon.

8.2.2 *The Nuer civil war*

Nuer-Dinka hostility is an accepted fact in scholarly discourse on the Sudan. Anthropologists who might know nothing else about the civil war in the South will recognize in the tribal explanations of the SPLA split the familiar dogma of Nuer-Dinka opposition which has been repeated and elaborated on in endless re-workings of Evans-Pritchard's classic ethnography.⁷ In reality the attempt to rally the Nuer in support of the split through escalating Nuer-Dinka fighting only widened fissures within Nuer society, resulting in the renewal of a Nuer civil war. The end to that civil war was finally made possible only by linking it to the end of Nuer-Dinka raiding (Section 8.5).

⁷ This is not the place for a critique of the secondary literature on segmentary opposition and the ahistorical and essentialized image of the two peoples presented in the old Nuer-Dinka debate, exemplified in Raymond Kelly, *The Nuer Conquest* (Ann Arbor, 1985). That debate informs some of the ideas in a recent analysis of Abye, David C. Cole & Richard Huntington, *Between a Swamp and a Hard Place* (Boston, 1997).

The war between the SPLA and the Anyanya-2 in the early 1980s hampered the SPLA's military progress and was extremely destructive to Nuer civilian populations (Section 5.3.2). The truces which led to the amalgamation of many Anyanya-2 groups into the SPLA (Section 6.2.2) had been expanded by 1990 to include a series of local truces between other groups of peoples throughout Upper Nile and Jonglei. Whatever progress the SPLA was making towards re-establishing mechanisms for local mediation was halted by the split in the SPLA in 1991.

Many Nuer who rallied to the Nasir commanders did so because they thought that now the Nuer would rule as the Dinka were accused of ruling before. The old antagonism against the Bor Dinka (extending to the Dinka of Kongor district, where Garang and many of his commanders came from) was revived, especially among those group of ex-Anyanya-2 Nuer who lived at some distance from Kongor and Bor districts. The devastation of Kongor and Bor in 1991-2, which resulted in the displacement of virtually the entire population of both districts, appears to have been initiated by the Fangak Anyanya-2 and the Mor Lou from Akobo. The Gaawar and Lou Nuer living directly on the border with the Dinka had many ties of kinship and affiliation which inhibited their participation in attacks on civilians. The Lou Nuer of Waat district had especially depended on their Dinka neighbours for food throughout the previous three years.

In the counterattacks of 1992-3 which followed, many of the reinforcements Garang sent to Kongor came from Bor and Bahr al-Ghazal. These, too, were not inhibited by any local ties of community or kinship and were convinced that the Nuer attack on Kongor and Bor was part of a wider assault on the Dinka. In the devastation visited on Yuai, Waat and Ayod a number of displaced Nuer-speaking Dinka civilians were killed by the Bahr al-Ghazal troops, who accused them of having thrown in their lot with the Nuer.

War along the Nuer-Dinka frontier had a direct impact on security among the Nuer themselves. The serious inter-community fighting which broke out between the Lou and Gaawar in 1992 and the Lou and Jikany in 1993 was a direct consequence of the removal of a single SPLA administration. Prior to the split, the whole of the area south of the Sobat had been placed under the jurisdiction of Bor. In the difficult years following 1988 the Lou Nuer of Waat district had benefited from access to their Dinka neighbours in Kongor and Bor, and from regulated access to the Sobat dry-season grazing grounds and fishing pools, which they shared with the Jikany. Following the split, the Jikany reasserted their exclusive claims to the Sobat, and Riek, dependant on their goodwill as he was, recognized their claims. At the same time the UN relief effort focused on the Sobat around Nasir. The split in the SPLA cut the overland relief route from Bor to Ayod and Waat. Though that had been little used in the past, it meant that the Lou were now cut off from their main source of relief in Kongor and Bor, just when severe late rains virtually destroyed the 1991 harvest. In 1992 some Lou raiding parties attacked the Gaawar for cattle, as it was the only source of food now available to them.

By the end of 1992 the Lou Nuer had numerous grievances: they felt they had not been given sufficient attention in the relief effort, and that they were being excluded from necessary riverain pastures and fishing

grounds. These grievances were presented to Riek personally at the end of 1992, but he took no action. The Jikany, for their part, no longer had easy access to the Gambela region, following recent clashes between Sudanese Nuer, Anuak and Ethiopian forces. Fighting between the Lou and Jikany broke out in the dry-season pastures in 1993, just at the same time that heavy fighting broke out between the two SPLA factions along the Lou-Dinka border. Subsequent to this fighting the Lou also complained that they had received very little support from forces in neighbouring Ayod and Nasir areas when Garang's forces counter-attacked as far as Waat in 1993. In the immediate aftermath of the SPLA attack on Waat, various units of Nuer SPLA-United began fighting each other.

SPLA-United commanders from both the Jikany and Lou now approached the government in Malakal seeking arms ostensibly with which to fight Garang. These were given freely, and with them the commanders armed groups of their fellow citizens. Throughout the early part of 1994 there were clashes between the Lou of Waat and the Jikany of Nasir, leading to the destruction of Ulang and Nasir itself and the death of some 1200 persons. Growing concern among educated Nuer exiles led to the convening of a large inter-Nuer peace conference at Akobo during the 1994 rainy season, as an attempt to sort out inter-Nuer problems and improve relations with the Anuak in Ethiopia.

The peace conference achieved one goal, which was to set out the terms by which the main antagonists would agree to stop fighting and the compromise that each was willing to accept. It also revealed the extent to which individual commanders within SPLA-United had collaborated with the government. This reinforced the momentum for repudiating that collaboration and reaffirming the stated goals of the movement. Yet the conference failed to achieve its aims because, in the end, Riek failed to institute those measures necessary to implement the agreement. Troops were not sent into the disputed pastures to keep the peace, and commanders previously involved in the fighting were not convinced that they would be free from retaliation. The fighting that broke out again between armed units contributed to the final disintegration and demise of the movement.

8.3 Disintegration

The main problem the Nasir faction had in establishing its political credibility was its collaboration with the government. The movement's reliance on the government for military hardware at crucial times throughout 1993-4 had a subsequent obvious effect on the course of later inter-factional fighting. Throughout this time the leadership's public insistence that it was fighting for an African identity and independence of the South looked increasingly unconvincing. This accelerated disillusionment and disintegration as more and more of the rank-and-file of the movement began to realize the extent of their leaders' dependence on government support.

In presenting itself as a pan-Southern movement the Nasir SPLA tried to overcome its image as a Nuer break-away faction by including persons from other parts of the southern Sudan in prominent positions. These

attempts were, on the whole, unsuccessful. The defection of William Nyuon from the mainstream SPLA in September 1992, and the escape of some prominent SPLM/SPLA detainees at the same time, appeared to offer the possibility of producing a broad coalition, including Dinka from Bahr al-Ghazal (Kerubino) and Upper Nile (Arok Thon), and the most respected of veteran Southern nationalist leaders from Equatoria (Joseph Oduho). The re-formulation of 'SPLA-United' early in 1993 did not have the desired effect. Numerous lower level officials had quit the movement over the issue of Lam Akol's contacts with the government. Joseph Oduho was as consistent in his opposition to the domination of the military commanders in the SPLA-United as he had been in the SPLA and caused Lam Akol considerable consternation when he insisted that no military personnel should be included in the executive of the new movement. His death during an attack by Garang's troops on the SPLA-United at Panyagor in March 1993 left both factions tainted, and many Equatorians left SPLA-United as a result.⁸

The movement's attempt to create a Dinka base of operations was no more successful than its attempt to establish an Equatorian base. It failed to secure Kongor for Arok Thon Arok's scheduled return in 1993, and he resigned from the movement following Riek's dismissal of Lam Akol in 1994. Kerubino's return to northern Bahr al-Ghazal had devastating consequences for the civilian population there. In 1994 the group of Bahr al-Ghazal civilian leaders refused to return to their home districts at the head of armies composed mainly of Nuer soldiers and resigned en masse. All cited serious shortcomings in the movement in their reasons for leaving: the concentration of power in the hands of Riek, the lack of democratic institutions, and the rising level of violence against civilians.

By mid-1994 SPLA-United had failed to live up to its earlier humanitarian and democratic rhetoric. It had been responsible for human rights abuses and had allowed the perpetrators of abuses to go unpunished. It had not introduced greater democracy in its own organization, and it had made little advance in the creation of administrative institutions, beyond the appointment of a short-lived 'cabinet' of ministers. Attempts by some commanders to create their own power bases within the faction had led to fighting between the two largest Nuer groups.

It was the Nuer civil war which exposed SPLA-United's greatest weaknesses. The conference convened to end that civil war in 1994 was hastily converted into a National Convention, whereby SPLA-United renamed itself the South Sudan Independence Movement/Army (SSIM/A), rededicated itself to the cause of Southern independence, and formally 'dismissed' those commanders who were accused of collaborating with the government - Nyuon, Kuanyin and Lam - maintaining the public pretence that this collaboration had been done without Riek's knowledge. This appeared to pave the way towards at least a truce, if not reconciliation, with the SPLA, but the gulf that separated the two movements still ran deep.

⁸ Each faction accused the other for Oduho's death. It is now clear that he was killed by 'SPLA-Mainstream' troops. Before the Panyagor meeting Oduho was already embarrassing the SPLA-United commanders by his own objections to their authoritarian behaviour. It is the unproven conviction of some Equatorians that Lam Akol deliberately abandoned Oduho to his fate in order to rid the movement of a contentious rival for leadership.

8.4 Attempts at reconciliation between the Southern factions

External mediators tried to get the two factions to resolve their differences almost as soon as the Nasir coup was announced, and there was a succession of talks in Nairobi from late 1991 to early 1992. During this time the Nasir faction attempted to draw other members of the Torit faction into discussions concerning the removal of Garang. With the leadership at issue, there was no reason to expect these negotiations would result in any real agreement, especially as the Nasir faction continued to cooperate with the Sudanese army in fighting the main SPLA. It was during these talks that Khartoum began channelling money to the Nasir faction via Lonrho. This was the real obstacle on which such talks foundered.

The common platform the two SPLA delegations offered at Abuja in May 1992 appeared a more hopeful basis for reconciliation. How serious the Nasir delegation was is difficult to tell, for it was also at Abuja that the wooing of William Nyuon began, and it was ultimately with money provided by the government that Nyuon was persuaded to leave the SPLA. Garang, who was unavailable for prior consultation about the joint declaration, saw it as a smoke-screen and repudiated it.

The government also kept a close watch on US attempts at mediation between the two factions in 1993. It is possible that neither group intended to implement the truce brokered by Ambassador Petterson, but two days after the government denounced the truce, Riek himself announced that he would not be withdrawing his troops from the hunger triangle after all, and fighting resumed some two weeks later. The ending of Tiny Rowland's financial support to SPLA-United in August, coinciding as it did with Garang receiving a new shipment of weapons from Zimbabwe, kept SPLA-United tied even more closely to the government.⁹ The government countered Petterson's intervention with its own additional security agreements with Lam at Fashoda in August and Faustino Atem at Bentiu in October. It was the government that announced the fact of the Fashoda meeting shortly before Riek and Lam were due to travel to Washington to participate in a US Congressional-sponsored reconciliation with Garang in October. Lam's presence at the meeting was widely seen as Khartoum's guarantee that no breakthrough would be made, but it seems that Riek himself had assured the government that the meeting would fail.¹⁰ A document was produced, but Riek avoided signing it.

Reconciliation through top-down mediation having failed, a grass-roots rapprochement had more success. By January 1995 Riek had publicly repudiated Lam Akol, William Nyuon and Kerubino for their collaboration with the government. Civil war among the Nuer continued unabated in former Jonglei Province and along the Sobat. Government troops advanced towards Riek's northernmost garrisons. Under pressure from the leaders of Kenya, Uganda, Eritrea and Ethiopia, Riek declared a cease-fire with the SPLA on 10 February. The

⁹ It was reported that the weapons were intended for pro-Mengistu forces still operating in Ethiopia, but Garang diverted the entire shipment to his forces in Eastern Equatoria.

¹⁰ Scroggins, *Emma's War*.

government reoccupied Nasir on 26 March. The Nuer stationed in Equatoria were increasingly disenchanted. Some just deserted their positions and walked home. Others made contact with the SPLA and on 31 March the garrison at Lafon under its junior officers captured a government convoy passing through their area and subsequently persuaded their commander, William Nyuon, to rejoin the SPLA. On 27 April the local SSIA and SPLA commanders signed the Lafon declaration, approved by Nyuon and Garang, announcing the re-unification of the movement.

The reunification was only partial. Riek wanted to maintain what he called 'parallel' movements. Finally, Nyuon announced Riek's 'dismissal' and the formation of a new provisional executive council, just as earlier Riek had 'dismissed' Nyuon at the founding of SSIM. This action was an echo of the Nasir coup: an announcement that hoped to bring about the effect it proclaimed. It was also reminiscent of the announcement of provisional governments in the 1960s, as a number of those appointed to the new council repudiated it and reaffirmed their support for Riek. The Nuer civil war continued. The anti-Riek commanders moved in with SPLA support. Their initial success enabled the SPLA to launch a highly successful offensive against the government in Eastern Equatoria, but local resistance against the new SSIA culminated in the ambush and death of William Nyuon in January 1996.

8.5 Disunity & the 'peace from within'

By the end of 1995 Riek was the leader of a virtual movement, lacking any real substance or coherence. Publicly he still hoped for external backing which could provide the movement with some credibility, and early in 1996 he travelled to Ethiopia in an attempt to join the NDA. His previous military collaboration with the government undermined his claim to head an anti-Khartoum, pro-independence Southern movement. Added to this was the Northern parties' reluctance either to antagonize Garang or to see a re-unified SPLA.¹¹ Riek failed in his bid and was ordered out of the country by the Ethiopian government. Crossing the border at Jokau, he returned to his own territory for the first time since the Akobo convention in 1994 and signed a ceasefire with the First Vice-President Major-General Al-Zubair Muhammad Salih at Nasir. Subsequently he and Kerubino, who had been operating independently of SSIM since 1994, formally signed a Peace Charter with President Bashir in Khartoum. This was the culmination of the government's 'peace from within' strategy, towards which they had been working for some time.

The Charter reaffirmed the unity of the Sudan within its known boundaries, the federal system of the NIF (with its twenty-six states),

¹¹ Persons sympathetic to Riek claim that he was genuine in his desire to disentangle himself from Khartoum and saw acceptance by the NDA as his last chance to obtain alternative sources of arms, which alone would free him from dependence on Khartoum. If this is true, it is consistent with the confused, almost schizophrenic attitude towards liberation and collaboration which he displayed from the beginning of the Nasir coup in August 1991 to his resignation from the government in February 2000.

and *shari'a* as the source of legislation. Against this was a promise at the end of an unspecified period for a referendum for Southerners to 'determine their political aspirations'. Riek proclaimed that this agreement would give the South its independence. His representatives in East Africa gave it a more restricted interpretation. SSIM considered itself in a state of ceasefire with the government and at war with the SPLM, as one member explained to an OLS official. 'This is justified by the explanation that SSIM finds it impossible to be at war with two parties at once and sees John Garang as a greater threat to the survival of the Nuer people than is the Government. ... One thing is clear: the SSIM and the Nuer people feel a strong sense of persecution. They insist that the international community (USA, Ethiopia, Uganda, etc) as well as the SPLM is seeking to wipe out the Nuer as a political force.'¹² Far from affirming the movement's commitment to independence of the whole South, this agreement was a tactic to ensure the movement's dominance among the Nuer.

The Charter also imposed upon the signatories the duty of implementing security arrangements. As Kerubino's SPLA-Bahr al-Ghazal group was already a militia of the government, this involved no change in his activities. Riek's hold on his forces was more tenuous. Paulino Matip, who held the rank of Major-General in the Sudanese army but was theoretically part of SSIA, was unhappy about Riek's elevation through the Charter and was reported to have refused orders to redeploy his troops from the Bentiu oilfields to Riek's command in Ler. Partly in response to the April Peace Charter, the units of SSIM/A who were co-operating with the SPLA against Riek were formally reabsorbed into the SPLA.

In the year following the signing of the Peace Charter Riek's inability to bring all of SSIM or even all of the Nuer over to the government became evident. The SPLA made little progress in encouraging more Nuer to rejoin them, but elsewhere it and the NDA forces opened new fronts and took more territory. By the end of 1996 the SPLA was on the offensive in the Nuba Mountains and the NDA and SPLA were active in the eastern Sudan. In January 1997 the SPLA retook the Ethiopian border towns of Kurmuk and Qaissan. In March and April the SPLA made substantial gains in its advance on Juba, and repelled government columns in Equatoria, the Nuba Mountains and Blue Nile. The Peace Charter had not only not brought peace, it had failed to halt the SPLA's political and military resurgence. Neither Riek nor the government had much to show for their collaboration.

The government's internal peace agreement signed on 21 April 1997 was intended to give the appearance of a momentum in the opposite direction. More individuals were brought in as signatories, ostensibly representing more political groups, all to operate under the umbrella of a new United Democratic Salvation Front (UDSF), with their armies to be merged into a South Sudan Defence Force (SSDF). The agreement incorporated the general principles of the Peace Charter (including the unity of the Sudan), and defined the federal structure, with its new Coordinating Council for the Southern States, and promised a referendum on unity or

¹² Iain Levine, 'Note for the Record, 13.4.96, Meeting with Dr. Timothy Tutlam of RASS', OLS document. Dr. Tutlam later became Riek's governor of Upper Nile and died in a plane crash at Nasir in February 1998.

secession for the southern Sudan (defined according to its 1956 boundaries) after an interim period of four years. Control of the armed forces, national security and mining was reserved for the federal government, the states being allowed some control over economic development, but only in accordance with federal planning. The President of the Republic was to appoint the President of the Coordinating Council of Southern States, who would nominate his cabinet and the governors of the Southern States for final appointment by the President of the Republic.¹³

Though this was the agreement the Southern leaders signed, it was not the agreement that was implemented. The version passed by the National Assembly in July gave the President of the Southern States Coordinating Council's right to nominate state governors to an Islamic Consultative Council, controlled by the Speaker of the Assembly (Turabi), and the President of the Republic. The governors so elected by the state assemblies were to be confirmed in their offices by the President of the Republic. They were thus answerable to their assemblies and the central government, rather than to the Coordinating Council, of which they became members.¹⁴ The Assembly further reduced the number of council members to be appointed on the nomination of the Council President. Riek, who was appointed president of the Council in August, thus found the powers of his office restricted.

The disputes which developed within the Southern organizations signatory to the peace focused on the distribution of offices. Paulino Matip and Riek backed rival candidates for governor of Unity State (western Upper Nile, formerly Liech State under SSIM), and fighting broke out in Bentiu when Taban Deng Gai, Riek's brother-in-law and former quartermaster, was elected. Fighting between the two forces continued throughout 1998 and 1999, propelling Matip out of the SSDF. Kerubino complained of his subordination to Riek and staged a spectacular (if temporary) defection to the SPLA in January 1998 with an assault on government-held Wau, subsequently justifying his actions by complaining of the imposition of ministers and governors on the South by Turabi's National Congress (the revamped NIF).

Nothing demonstrated the falsity of the 'peace from within' more than the continuation and expansion of the Nuer civil war. It was, in fact, the 'peace from within' which added fuel to that civil war. Prior to 1996 it had been confined mainly to factional fighting within Riek's command in Upper Nile and Jonglei. After 1997 its focus shifted to the Western Nuer in Unity State. Here, the power play between two Western Nuer rivals, Riek Machar and Paulino Matip, was fostered by the very government to which they were both allied, in that both were armed and supplied by the Sudanese army. The fostering of the civil war among the Western Nuer, while intensifying insecurity in what was supposed to be a government-held area, served the government's purpose in neutralizing the Southern guerrilla factions best positioned to interfere with the exploitation of the Bentiu oilfields. Matip, who had always worked closely with Bashir since their days in Mayom together, could be counted on to do the government's bidding in the field.

¹³ The Sudan Peace Agreement, 21 April 1997.

¹⁴ *Sudan Democratic Gazette*, no. 88, September 1997, pp. 2, 5.

Matip had maintained an autonomous military and economic base in his Bul Nuer territory near Bentiu, building up a small trading empire dealing in sorghum and cattle. As a Major-General in the Sudanese army, he had direct access to military supplies. In reality, Riek had more need of Paulino than Paulino of Riek, and Riek's subsequent attempt to put his own man in the governorship of western Upper Nile after returning to Khartoum led to an open breach, with Paulino's troops taking and sacking Ler, Riek's old headquarters and the centre of his relief operations.

Riek's protests at the government's support for Paulino had no lasting effect. The intensification of oil exploitation in the Bentiu oilfields in 1998-9 brought with it, into the region, an increase of the Sudan army and other armed personnel as well as foreign oil workers (most of them Chinese) contributing directly to another outbreak of fighting between a profusion of Nuer factions beginning in April 1999.

Faced with the demonstration of his powerlessness, Riek complained that while the 1997 peace agreement placed the oilfields under his control, the government's support of Matip undermined his position and the entire agreement. Privately he explained to his supporters both inside and outside the country, and to foreign observers, that he would stick to the letter of the agreement to show all concerned that when it collapsed, the fault was due to the government's own bad faith. Proving the government's untrustworthiness soon became the main justification of his own collaboration.

His position was scarcely credible. Riek's critics, Sudanese and non-Sudanese alike, had predicted the demise of his agreement with the government from the start. Like the Frankfurt Agreement, the wording of the 1997 agreement was subject entirely to the interpretation imposed on it by the government. It shared many of the same weaknesses as the Addis Ababa Agreement, in that its provisions were worded in such a way as to be open to many interpretations, and the powers devolved to the Southern states were highly qualified by Federal control. In matters of economic development the Southern states were to operate 'in accordance with Federal Planning'. The Federal government had jurisdiction over mining, while the states had jurisdiction over quarrying, which left the real control of mineral resources to the central government. The states were entrusted with powers over their own security and public order, but the Federal government exercised power over the armed forces, defence affairs and national security. Thus all government armed forces in the South were subordinated to the central government, and it could be argued that a region contested by civil war was a matter of national, rather than state, security.

Paulino's earlier refusal to place his troops under Riek's command in Ler certainly had the army's full approval, and it kept a loyal militia intact for operations in the oilfields. Large areas in and around the oilfields were depopulated as Nuer civilians fled to Bahr al-Ghazal seeking SPLA protection. At least two groups of Nuer militia began gravitating towards the SPLA. Whatever his interest in the oilfields, Paulino continued amassing cattle at a tremendous rate. Riek blamed the government for the breakdown of the ceasefire, but by late 1999 those of his troops who still retained some loyalty to him were steadily aban-

doning the state, leaving Paulino, supported by PDF troops and Arab militias from Kordofan, to contest control with the remaining break-away groups. Kerubino added to the confusion by breaking with Garang and flying back to Unity State, where he joined his brother-in-law Matip as an official 'guest', until he was killed in factional fighting in September 1999.

With chaos ramifying throughout the Western Nuer heartland, the SPLA found itself in the unusual position of providing protection for refugee Nuer. This was the context in which an intertribal conference, sponsored by the NSCC and guaranteed by the SPLA, was held at Wunlit between groups of Western Nuer and Dinka from Tonj, Rumbek and Yirol, leading to a peace settlement between them in March 1999, and an agreement by the SPLA not to sanction cross-border raiding. Local truces between SPLA and SSDF forces in Jonglei had held throughout much of 1998 and 1999, with some Nuer forces defecting to the SPLA outright. Some of the same groups and persons who had participated in the Nuer-Dinka reconciliation meeting subsequently organized a large meeting of Nuer in Waat, drawing on people from both the SPLM/A and UDSF/SSDF factions. In December 1999 they announced the formal break of the majority of the Nuer with the government, and in 2000 revived the old name of South Sudan Liberation Movement, an organization formally allied with no one.

The HEC of the SPLM welcomed these moves, but the SPLA military leadership was less forthcoming. Riek's UDSF in Khartoum had had no part in the Wunlit conference and was left stranded by the decision in Waat. Without an army, without followers, Riek was now without a movement. He tried to regain the initiative by leaving Khartoum in December 1999 and resigning from the government two months later. But lacking any real support in his home area he moved to Nairobi, where he tried to maintain the appearance of a leader of a viable political movement, before returning to the field and establishing a base at Maiwut, between Nasir and the Ethiopian border.

Whatever the cosmetic or purely theoretical aspects of SPLA administration, it can be contrasted with SPLA-United/SSIM, where there were no similar civil administrative structures, and where much of what was announced in the form of internal organization existed on paper only. The excuse Riek offered at the founding SSIM conference was that the movement lacked trained personnel. One reason why they lacked such personnel is that in 1991 they had chased away many of the SPLA administrators, or had them executed.

In the end a movement which proclaims as its goals the achievement of greater democracy and the respect of human rights will be judged by the seriousness with which it has approached those goals. There was a lack of seriousness in SPLA-United constitution-making. It all came out of Riek's headquarters, and even his laptop computer.¹⁵ The behaviour of SPLM/A-United/SSIM/A was precisely what 1960s leaders identified in the SPLM

¹⁵ Emma McCune, Riek's English wife who later died in Nairobi, claimed authorship of at least some of these documents. According to one of her friends, 'She said once that it was "an incredible high" to get up from lovemaking to draft constitutions for an independent southern Sudan' (Deborah Scroggins, 'Emma', *Granta* 60 (Winter 1997), p. 125).

manifesto as the condition which the unified command structure was designed to avoid: paper cabinets manoeuvring for paper positions. In a sequence of events reminiscent of 1969 (Section 3.2.3), each time a group of leaders left SPLA-United, a new organization was formed. The Equatorians who left in 1993 re-named themselves the Patriotic Resistance Movement of South Sudan. Others who left in 1994 called themselves the South Sudan Freedom Front. The Bahr al-Ghazal defectors organized themselves as an Independent Group. Kerubino continued to operate independently under the name of SPLA-Bahr al-Ghazal Group. When SPLA-United changed its name to SSIM, Lam Akol announced from his home in Tonga that he remained the leader of the true SPLA-United.

The government's internal peace of 1997 encouraged the proliferation of named groups, in order to give the appearance of embracing the plurality of Southern political opinion. To SSIM and the SPLA-Bahr al-Ghazal Group were added the Independent Bor Group, the Independent Bahr al-Ghazal Group, the Equatoria Defence Force and the SPLA Independent Group from the Nuba Mountains. Each of these groups had political personnel resident in Khartoum (just as the old Southern factions had offices in Kampala), but none, other than SSIM, had a permanent presence in the South outside of government garrisons. The proliferation of initials did not stop there. Paulino Matip renamed his force the South Sudan United Army (SSUA) when he broke away from Riek's SSDF in 1998, but Riek's initials were replicated in other breakaway factions: an SSDF-2 in Juba, an SSDF-United and an SSDF-Friendly-to-the-SPLA among the Western Nuer. The motivations behind the formation of these small armies is less ideological than personal. For men such as Paulino Matip and Gordon Kong Cuol, what matters is that they have an army to command, and they will ally themselves with whomever is able to supply their troops. It is this reversion to an earlier period of ineffectual political disunity and debilitating internecine feuding that only reconfirmed the SPLA in its suspicion of civil structures and its continued reliance on military administration.

The impact of the long-delayed reconciliation between Riek and Garang in January 2002 was muted by the fact that Riek had very few troops to bring with him: he had alienated many of his former subordinates who were either already ranged between the government and the SPLA, or had chosen neither and were trying to maintain a precarious neutrality. Riek's lasting legacy is the fomenting of civil war among the Nuer, and handing the oilfields over to the government. The Nuer civil war has yet to come to an end, and the government is expanding its control over the oilfields. Nuer unity is needed to contain or reverse the damage done by these twinned events. It remains to be seen if Riek, with Garang, is capable of repairing that unity.

9 Multiple Civil Wars

The current civil war has intensified in complexity the longer it has been fought. Multiple local grievances have created numerous motives for armed confrontation, and shifting alliances within the wider conflict have produced a pattern of interlocking civil wars, now being fought on different levels.

By 1991 the war in the Sudan could already be described as a network of internal wars, whether within sub-regions or among specific peoples. Some Nuer tribes provided recruits simultaneously to the Anyanya-2 and the SPLA, and other Southern peoples such as the Mundari and Toposa were similarly divided between the government and the guerrillas. Misiriyya groups sought military patrons in the political parties, the army and Chevron oil company. One thing which clearly distinguishes the current war from the civil war of the 1960s is that it has not been confined to the South: fighting has taken place in Darfur, Southern Kordofan, Blue Nile and, most recently, Qallabat, Kassala and Red Sea – all parts of the 'Muslim' North. In each regional case internal tensions have been exacerbated by the intervention of external interests. With the introduction of violent sectarian politics at the national centre, this war has also served to fracture, perhaps irreparably, the Northern Muslim consensus.

Since 1991 the number of internal civil wars has multiplied, paralleled by a deepening involvement of the Sudan government in the internal politics of neighbouring countries, whether in pursuit of its policy of Islamic expansion or for reasons of military expediency. These multiple civil wars have each fed into and intensified the fighting of the overall 'North-South' war. The longer the war has been fought without hope of resolution, and the more entrenched the North-South cleavage has become, so other fractures within the Muslim North have proliferated.

9.1 The civil war within Islam: redefining the community of Believers

The Sudan has a longer history of territorial integrity than most post-colonial nations in Africa. Territories combined together within the Egyptian empire go back over a century and a quarter, at least to the time of the first conquest of Darfur in 1876. The Mahdist state attempted (unsuccessfully) to maintain this integrity; the Anglo-Egyptian

Condominium re-established it, except where the edges had been nibbled away by other empires; Egypt and Britain bequeathed it to the independent Sudan. That territorial integrity has not been matched by internal coherence, and modern nationalists not only failed to create a sense of nationhood, they did not really attempt to create one. The result of post-war Anglo-Egyptian competition in the Sudan (1945–55) was that the administering codominus, Britain, adopted early the policy of self-government and self-determination. The 'nationalists' based in the urban centres thus did not have to fight for independence, and did not seek to identify common interests and forge alliances with other groups throughout the country to achieve this end, as other African nationalists had to do throughout Africa in the 1940s and 1950s.

The issue of self-determination quickly revolved around who was to inherit the instruments of state, and the internal battle was joined on those grounds. This became a struggle between the two main religious sects of the northern Sudan, the Ansar and the Khatmiyya, who were the only organizations then capable of mobilizing electoral support. Muslims outside those two sects, secular Muslims who preferred non-theocratic forms of government, and non-Muslims from the regions, were thus excluded from the nationalist mainstream, and could enter only through tactical electoral alliances.

The move towards an Islamic state, with the attendant issue of the head of state as Imam to whom an oath of allegiance is owed, intensified competition between the sectarian parties, as each sought to define legitimacy around their own brand of Islam. Ultimately the main challenge to these sects for control in the centre came through a new sect, the Muslim Brothers. A civil war within Sudanese Islam, revisiting the schisms of the Mahdiyya, had always been a possibility.¹ It is inherent in the project of the Islamic state, and as momentum towards that project accelerated it became a reality.

The political project of an Islamic state is both inclusive and exclusive in its intention. Inclusive, because it has been advocated as a way of hastening the conversion of non-Muslims; exclusive because even within the broad category of Muslims it has sought to exclude political secularists. Sadiq al-Mahdi argued in the 1980s for the legal exclusion of secularists such as the Communists and Ba'athists. The Criminal Bill drafted by his brother-in-law Hassan al-Turabi and presented to parliament in 1988 included a provision for outlawing apostasy (*al-ridda*). This provision of the bill came into effect only with the promulgation of the Sudanese Penal Code of 1991, after the NIF-backed coup. Apostasy is covered in Article 126, which states:²

Section (1) Any Muslim who promotes the forsaking of the creed of Islam or who declares openly having forsaken it by a clear statement or an unequivocal act shall be deemed a perpetrator of the offence of apostasy.

¹ Britain at one point was more concerned that the move to Sudanese independence would result in a civil war between Muslim sects than war between the North and South. See document 300 in BDEEP, *Sudan*.

² I am grateful to Dr Muhammad Mahmud for providing me with both Arabic and English texts of Article 126.

Section (2) He who commits the offence of apostasy shall be called upon to repent and shall be given a grace period that shall be fixed by the court. If he insists on his apostasy and in case that he is not a recent convert to Islam he shall be executed.

Section (3) The punishment for apostasy shall be rescinded as soon as the apostate turns away from his apostasy before the implementation of the punishment.

The law is explicitly aimed at Muslims who, as an act of individual conscience, choose to convert to another religion. But the definition of what constitutes apostasy – by statement or 'unequivocal act' – is vague and can be politically determined, as Nimairi's 1984 execution of the founder of the Republican Brothers, Mahmud Muhammad Taha, has already shown. The threat of the application of the law of apostasy has been used by the current regime not only against secular Muslims and other political opponents, but in the harassment of other Islamic sects, such as the Khatmiyya, Ansar and Ansar-Sunna. Opposition to an Islamic government can be, and has been, defined as an act of apostasy.

Other laws have had a more direct impact on the daily life of people living in the Muslim heartland of the Sudan. The Public Order Act of 1991 virtually prohibits mixed social gatherings and has been the basis for the almost complete exclusion of women from public life. Women have been subjected to official harassment in the enforcement of dress codes and public association. Urban women, increasingly confined to the home, have had their economic activities severely restricted. Women who are by custom brewers of beer, have also been particularly hit by the prohibition on alcohol. Even in some rural areas where the seclusion of women is more commonly practised, the switch from subsistence to mechanized farming has reduced women's role in agricultural production.

The arrest, imprisonment and torture of women for contravening the more trivial provisions of the Public Order Act demonstrates how yet another segment of Muslim society in the Sudan is being stripped of its rights by the application of a particular brand of Islam. Recourse to the courts is of limited value, given that under the current interpretation of *shari'a* a woman's testimony is given less weight than that of a man (just as a non-Muslim's testimony is given less weight than that of a Muslim). For all of these reasons it is significant that women have increasingly taken the lead in organizing public protests against the regime's more restrictive policies, especially opposition to forced conscription of students into the PDF.

These developments within the Muslim centre of the Sudanese state set the context for the ultimate extension of *jihad* to Muslim opponents of the state, which was first applied to Muslims in the war along the margins of the North (Section 9.2). This has now created a profound division within Sudanese Muslim society and gives the legal justification for continued civil war. The targets of the NIF regime's oppression in the capital since 1989 have been overwhelmingly Muslim. This new phase in political repression is the outcome of a history of the progressive exclusion of non-Muslims from full rights as citizens. Northern Sudanese, on the whole, have tolerated violence not only against non-Muslims by

Muslim Sudanese, but the victimization of Muslims in the South and the Nuba Mountains as early as the Juba massacre of 1965. Torture, extra-judicial murder and abduction were common methods of political repression in the war zones during the late 1980s. The transplanting of that violence from the peripheries into the very centre of the state can come as no real surprise. The 'ghost houses' of the Three Towns where the regime tortures its opponents are an NIF innovation, but they have their roots in the policies of previous governments and the acquiescence and silence of the vast majority of Muslim citizens. It is, to paraphrase Malcolm X, a case of 'chickens coming home to roost'.

9.2 Civil war along the margins

The fault lines within the North began to widen during the 1970s with the passage of laws which undermined the control of local authorities and local peoples over the resources of the land, reorienting the national economy towards heavily-capitalized export agriculture. This trend, begun under Nimairi, was accelerated during the coalition governments of Sadiq al-Mahdi and has been pushed to a logical extreme under the current Islamist government.

In the early 1970s Native Administration in the northern provinces was abolished and replaced by province councils where merchants, bureaucrats and persons originally from, or with strong connections to, the central Nile region tended to predominate. In the 1980s very weak regional governments were set up which lacked full administrative or economic autonomy but still relied on grants from the central government for basic budgetary support. The number of regional states has been increased by the current government, but their powers remain limited. In 1970 the Unregistered Land Act abolished customary rights of land use and access to land and set the foundation for the central state leasing of land for large-scale farming schemes. In 1974 the Law of Criminal Trespass strengthened the rights of leaseholders to their lands, further restricting the right of access by nomads and smallholding farmers. The current government amended the Civil Transactions Act in 1990 to prohibit the recognition of customary land rights in the courts throughout the country. The cumulative effect of these legal and administrative reforms was that not only did political power continue to be concentrated in the central government, but control of the very land on which people lived and depended was transferred to those with access to that power.

Before the 1970s people in the remoter rural areas attempted to overcome regional underdevelopment by establishing ties with those who controlled the central government. In the parliamentary periods, electoral alliances with the two main parties were mediated through the religious sects: Khatmiyya/DUP in the East, and Ansar/Umma in the West. By the late 1960s there was disillusionment with the sectarian parties and a brief upsurge in regionally-based parties, such as the Beja Congress, the Darfur Development Front and the General Union of the Nuba Mountains. In the parliamentary period of the 1980s the failure of the state to provide basic services, combined with the capture of the

economy by merchant capitalists from the centre, hastened regional disillusionment. As the main parties (now joined by the NIF) increasingly failed to come up with national policies which satisfied regional grievances, so they relied more on linking Arab nationalism with religion to mobilize support. This only sharpened internal divides and hastened disillusionment among non-Arab Muslims.

9.2.1 *The holy war in the Nuba Mountains*

The war currently being fought in the Nuba Mountains combines the new conflict over land with older forms of racial oppression. It is the starkest example of the new land war which has become so much a feature of the civil wars in the North. Whereas in the South, land ownership and the threat of the appropriation of land was not a major factor in the outbreak of war, in the Nuba Mountains it has become one of *the* main issues. Areas of the Nuba Mountains have been subjected to Islamicization programmes since independence, with acts of cultural suppression in the use of Arabic names and prohibitions against local languages or religious observances. Yet it has only been relatively recently that the Nuba have been subjected to the same sort of active targeting of local leaders and forced dislocation of populations which has been typical of the conduct of war in the South. Ironically, it is because of the relatively large Muslim population among the Nuba that there has also been an explicit extension of *jihad* against other Muslims.

There are between 1.3 and 1.6 million Nuba, divided into some 50 languages and dialect clusters, many unrelated to each other and reflecting their diverse origins. Most external supporters of the Nuba, and in fact many exile Nuba, refer to them as 'a people', more as an act of political faith than as an historical, cultural, social or political reality. It would be more accurate to speak of the Nuba *peoples*, and examine the historical reasons why they have not yet achieved anything like the political coherence of the southern Sudan, segmented though that can be.

The hilly region of the Nuba Mountains has often provided refuge for people fleeing the power of expanding and predatory states, but it also lies within the rainfed agricultural belt, and the broad plains of its lowland areas have attracted both farmers and pastoralists from neighbouring areas. In the early twentieth century, British administration sought to bring the Nuba down from the hills to the plains, and relations between groups of Nuba and immigrant Arab pastoralists were regulated through the chiefly structures of Native Administration. For a brief while the Nuba Mountains formed a separate province, and it was intended at one time to attach it to the southern Sudan. The presence and objections of Baqqara pastoralists and merchants from the central Nile valley prevented that, and the Nuba Mountains were reabsorbed into Kordofan.

There was little solidarity between the Nuba Mountains and the southern Sudan during the first civil war. There was little political consciousness or internal solidarity among the Nuba to begin with, and because of their geographical position those who were politically active were anti-secessionist. The periods of democracy were too brief for any meaningful parliamentary alliances to be forged. There was active

Muslim proselytization, and the small Christian population often felt sympathy for Southern Christians, but Nuba soldiers were also recruited into the army and fought in the South. A remote area, the Nuba Mountains suffered from the same lack of services as other remote areas. But it was not until the 1970s, with the abolition of Native Administration and the new land legislation that the peoples of the Nuba Mountains faced the pressure of dispossession, a pressure most Southerners were protected from by the existence of the Southern Region.

Increasing amounts of land were alienated throughout the 1970s and 1980s, and heavy capitalized farming expanded under the Mechanized Farming Corporation. Misiriyya politicians, with strong links to Khartoum, became involved in the expropriation of smallholdings. Nuba villages began to be surrounded by the mechanized schemes, and village farmers were frequently fined (or even imprisoned) for trespass. The mechanized schemes also lay across the grazing routes of Baqqara cattle herders, and to avoid prosecution for trespass they frequently re-routed their herds through Nuba farmland. In the absence of the old Native Administration to arbitrate the disputes which arose, government courts generally took the side of the Baqqara against the Nuba. Dispossessed farmers joined the ranks of migrant wage-labourers seeking work on the schemes or in the main cities. The lack of educational opportunities for non-Muslims was a further deprivation felt by the younger generation. Thus by 1983, there were large numbers of disaffected Nuba whose grievances, while different from those in the South, made them potentially sympathetic to the SPLA, especially when the SPLA made it clear that, whatever the composition of its movement, it was not espousing a separatist political agenda.

In 1983 the Nuba Mountains had neither been part of the Southern Region nor formed a separate administrative unit of its own. It thus lacked the experience of shared political mobilization, activity and internal debate which had been common in the southern Sudan for eleven years. The Nuba did not become involved in the new civil war in any substantial numbers until the war came to them. In 1985, following the arming of local militias by the government, the SPLA attacked a Baqqara camp at Qardud on the border between Southern Kordofan and Upper Nile. In response, the government increased its support to local Baqqara militias, and together the army and militias began a crackdown on Nuba villages, despite the fact that the SPLA had only a fleeting and seasonal presence.

Systematic recruitment into the SPLA began in 1986. It followed a pattern then being repeated throughout the South and even in the Blue Nile. Recruitment task forces were sent in during the rains, and left with their recruits for training bases in Ethiopia. The army and Murahalin then retaliated against Nuba civilians, whether or not they had had any direct contact with the SPLA. In 1988 the government began a policy of systematic elimination of educated Nuba and village leaders, thus producing more recruits for the SPLA. In 1989 Yusif Kuwa, a veteran Nuba politician and a Muslim, returned with a large force of the SPLA New Kush Division and established a permanent SPLA presence. Political mobilization and the reorganization of civil administration began from that point. As in other parts of the South already under SPLA

control, the SPLA in the Nuba Mountains used the structures, and often the personnel, of the chiefs' courts of the old Native Administration. The SPLA began to make significant gains against the government, especially in the south and west of the area.

In 1991 the loss of the Ethiopian bases and the split in the SPLA left the SPLA isolated in the Nuba Mountains and their contacts with the SPLA in the South became tenuous. In the 1991–2 dry season the government launched an offensive in the southwest and declared a *jihad* in the Nuba Mountains (*jihad* had long been declared in the South). As a number of the Nuba recruits in the SPLA were Muslim, and as many civilians in the SPLA areas were also Muslim, the declaration of *jihad* necessitated a justification for fighting and killing other Muslims. This was forthcoming in a *fatwa* issued by six shaiyks in El Obeid in April 1992 extending the definition of apostasy, declaring, 'An insurgent who was previously a Moslem is now an apostate; and a non-Moslem is a non-believer standing as a bulwark against the spread of Islam, and Islam has granted the freedom of killing both of them.'³

The *jihad* in the Nuba Mountains starkly reveals the extreme logic of the NIF branch of reformist Islam. In providing a religious justification for its policies, it defines its opponents as anti-Islam; by this definition its Muslim opponents become non-Muslims. A clear territorial distinction has been imposed distinguishing the *Dar al-Islam* (Abode of Peace) from the *Dar al-Harb* (Abode of War). Mosques found outside government control have been destroyed and defaced, and Muslims enjoined to relocate themselves to the *Dar al-Islam* of government garrisons. It is another of the war's ironies that while the government has denounced the SPLA for desecrating mosques in the South (which have been left physically intact), it is the government itself which has been actively, and systematically, destroying mosques in non-government-held areas of the North.

The renewal of the government offensive in December 1992 that led to the targeting of the civilian population was not just a military strategy but was part of the government's wider economic strategy as well. In March 1993 the Minister of Planning announced the sale of new parcels of land in the Nuba Mountains and received 40,000 bids from Arab entrepreneurs. This action became an integral part of the 'peace from within' strategy initiated at the end of 1993. Since that time large areas of the plains have been cleared of their original population and sold off to the regime's supporters. The dispossessed population has been relocated to resettlement camps near other agricultural schemes where they work as low-paid or unpaid labourers (similar to the use of displaced Dinka from Bahr al-Ghazal on agricultural schemes in Darfur). This has been advertised by the government as a twin-pronged policy leading simultaneously to development and peace, and as such has had a sympathetic reception from a number of development agency personnel in Khartoum, including, at one time, the UNDP head of OLS.

The pattern of fighting established in 1993–4 was reminiscent of the pattern of fighting in the South in the 1980s. Convoys of army and militia

³ Quoted in African Rights, *Facing Genocide: The Nuba of Sudan*, p. 289, and in *Sudan Catholic Bishop's Conference News Bulletin* No. 4, July/August 1993.

moved out of government strongholds in the dry season, 'combing' through civilian areas, then returned to their garrisons during the rains. In 1995 Yusuf Kuwa returned after a two-year absence with new supplies and began retaking garrisons lost to the government since 1992. SPLA training camps were established inside the Nuba Mountains, pre-emptive dry season offensives of their own were launched in 1996 and 1997, and by the end of 1997 the SPLA was reported to have regained all territory previously lost to the government. For all that, the SPLA presence was still confined mainly to the southeast, south and west of the region. Some two thirds of the civilian population were estimated to live under government control (many in resettlement camps) and only one third in SPLA territory. In 1998 the government took advantage of the ceasefire called in the South in the wake of the Bahr al-Ghazal famine and concentrated its troops in the Nuba Mountains (still excluded from relief agreements). In November it renewed its offensive on four fronts, with orders to crush the insurgency in three months. Part of the objective was to keep the issue of self-determination for the Nuba off the agenda of the renewed IGAD talks. The offensive was finally repulsed in February 1999.

The war in the Nuba Mountains has begun to receive considerable international publicity, overshadowing events elsewhere in the Sudan, including the South. The Nuba are often presented as a picturesque people threatened with extinction, deserving of protection like many other photogenic endangered species. In the late Yusuf Kuwa (who died of cancer early in 2001) sympathetic outsiders found the charismatic and humane leadership lacking in John Garang. In his project of political mobilization they saw the beginnings of grass roots democracy absent in SPLA territory elsewhere. Admiring descriptions of the Nuba liberation struggle often lose sight of the fact that Nuba achievements in their own defence were based on their inclusion in the SPLA. If political mobilization was given more prominence by the Nuba SPLA leadership than is currently undertaken elsewhere, it is partly because more political mobilization was needed to begin with. In 1989 the Nuba peoples still lacked the widespread level of political consensus in favour of liberation that existed in the South in 1983. They also had weaker and less democratic chiefly structures than in most parts of the South; only under the SPLA are they becoming more like the representative systems which the Nilotic pastoralists have been used to for decades.

These similarities and connections acknowledged, the Nuba Mountains, like other areas outside the South, exercise more autonomy as a theatre of war. There are points of significant difference and debate between the Nuba SPLM/A and the SPLM/A of the South, focusing on questions of land and self-determination. The SPLM/A as a body has yet to formulate a clear and coherent policy on land rights for the whole of the country, despite the fact that the issue of the appropriation of land has provided them with most of their recruits outside the South, and also despite the fact that the wholesale appropriation of land has been one of the government's underlying economic objectives in the war. The government is attempting, with some success, to get international support for its land appropriation policy in the name of 'development' and 'peace'. International investment in large-scale mechanized schemes

based on appropriated land, whether through financial institutions such as the Islamic banks, or through relief and development agencies such as UNDP, will enable the government to make permanent what is now highly contested. The *de facto* transfer of land has yet to be addressed in any of the peace proposals presented in any of the forums of negotiation.

The fate of the dispossessed Nuba has been kept off the agenda of negotiations because self-determination for the Nuba has itself been kept off the agenda. This is potentially a more divisive issue for the SPLA. The inclusion of the Nuba in the SPLA was made possible by the SPLA's original proposition of making a 'New Sudan' out of the old united Sudan. Politically-active Nuba remain anti-secessionist: self-determination to them means self-government rather than independence. The revival of the idea of Southern separation confronts the Nuba with the question, 'Where are the borders going to be?' The late Yusuf Kuwa frequently explained that the Nuba are 'prisoners of geography' along the Sudan's 'Arab-African fault line'. It is not just the current government, but the SPLM's partners in the NDA who have objected to extending the right of self-determination to the Nuba, the Ingessana of the southern Blue Nile, or any other people residing outside the South's administrative boundaries. The SPLM's reaffirmation of its commitment to self-determination for the Nuba in October 1997 was greeted with some relief, but anxiety about the strength of that commitment remains.

That anxiety has been reinforced by recent events. The death of Yusuf Kuwa has deprived the Nuba of a popular, politically skilful, experienced and committed leader. Some Southern leaders, noting the near-unanimous opposition of the North to inclusion of the Nuba Mountains in any peace agreement, have become more vocal against tying their own future to a structure satisfying Nuba aspirations. The international focus on the Nuba Mountains as a *separate* issue from the South, is leading to momentum for a separate deal for the Nuba (Section 9.3).

9.2.2 Southern Blue Nile

The area south of Damazin, bordering Ethiopia and Upper Nile Region, is in many ways an anomaly in the northern Sudan. Its indigenous population is mainly non-Arab and mixed Muslim and non-Muslim. The Ingessana hills, inhabited by the Gâmk people, have long been self-contained, and the Ethiopian foothills to the south have, like the Nuba Mountains, given refuge to peoples of diverse origins living on the margins of expansive larger groups and local states. The British contemplated drawing a 'racial boundary' to include all African pagan peoples of the region within the Upper Nile Province, but in fact only the areas of Chali and Yabus were so incorporated, to be reattached to Blue Nile immediately prior to independence.

Southern Blue Nile thus trembled on the verge of the first civil war but was not engulfed by it. The American missionaries at Chali were expelled along with the last of the missionaries in the South in 1964, but Southern guerrillas were never active this far north. It was only after the war that the area became a political front line with the expansion of Islamic proselytization and the opening of the territory to investment through the application of the 1970 Unregistered Land Act. Gulf investors financed

loans to the Mechanized Farming Corporation, which began setting up agricultural schemes throughout the lowland areas. The Ingessana hills were opened up to timber and mineral extraction.

For historical and cultural reasons, Chali was designated in the Addis Ababa Agreement as entitled to choose by referendum whether it would join the Southern Region, but no referendum took place, and those who asked for it were harassed (Section 4.4.1). Harassment, especially of church leaders of the Koman-speaking Uduk people, increased after the outbreak of war and the foundation of the SPLA in 1983. By the end of 1985 the SPLA established its presence in the hills south of Kurmuk just inside Ethiopia.

The 1985 famine provided the opportunity for further religious proselytization and confrontation. Dawa al-Islamiyya established its own projects in the area, but declared that relief was available only to practising Muslims. During the same time church NGOs such as World Vision began to distribute famine relief to various local communities via the Uduk church leaders. The 1986 election campaign saw a growth of the Muslim Brothers movement in Kurmuk, who elected an NIF representative. This new representative became active in security and the control of aid distributions in the region. As a result, Uduk church leaders found themselves on a political frontline over the issue of relief.

In 1986 Uduk workers were incorporated into the agricultural labour force on mechanized schemes in central Blue Nile run by merchant entrepreneurs. Others were also recruited by passing SPLA units. Following clashes between the army and SPLA, all Uduk were branded as rebels by the government. The Sudanese army and Rufa'a militia began the systematic burning of Uduk villages and churches around Chali in 1987. The Rufa'a were also active in killing suspected SPLA sympathizers among the agricultural labourers on the mechanized schemes. It was at this point that Uduk SPLA soldiers came to evacuate their people across the border to Ethiopia.

The SPLA captured Kurmuk twice, in 1987 and again in 1989. After the first capture of Kurmuk, the government of Sadiq al-Mahdi attempted to mobilize pan-Arab sentiment both inside and outside the Sudan to retake this 'Northern' city. There were reprisals against civilians in Damazin, with the police and army seizing 'southerners' and 'SPLA sympathizers' on the strength of racial appearance or religious affiliation alone, whether those arrested came from Blue Nile or the South.

In addition to the religious and racial faultlines running through the southern Blue Nile, the area was affected by a third, international faultline as a result of civil war in Ethiopia. The OLF were cooperating with the Sudanese army inside Blue Nile as far south as Yabus at this time, and helped keep the roads open for the Sudanese army based at Kurmuk. The SPLA attacked and dispersed an OLF/ORA camp in Yabus in 1989, and the TPLF and OLF (supported by the Sudanese army) attacked Assosa in 1990, dispersing the Blue Nile refugees at Tsore camp in the process.

With the fall of Mengistu and the evacuation of the SPLA from Ethiopia in 1991, the region continued to be affected by the spill-over of political conflicts in Ethiopia. War- and famine-displaced people were settled on Ingessana land and elsewhere to become labourers on mecha-

nized schemes. A number of these were located outside Damazin and were owned and operated by Usama bin Ladin, supplying the training camps for Ethiopian and Eritrean Islamist groups (see Section 9.2.3). These camps were attacked by SPLA and SAF forces of the NDA, along with Ethiopian troops, when Malik Agar, a Muslim Gâmk SPLA commander, reopened the Blue Nile front in March 1996, taking Kurmuk and Qaissan in January 1997, and advancing near Roseires and Damazin. By early 1999 the SPLA had seized control of a Chinese-run gold mine in Blue Nile near the Ethiopian border, and were in shelling distance of the Khor Adar oilfields in northern Upper Nile.

9.2.3 *The eastern Sudan*

The Beja peoples of the Red Sea and Kassala areas (Hadendowa, Amaran, Bishariyin, Bani Amer) number around half a million, and are Muslim but non-Arab in origin and language. They have been predominantly camel herders and small-stock breeders, but increasingly, as a result of their impoverishment during the 1980s, they have worked as labourers in agricultural schemes and dock workers in Port Sudan.

In the 1980s drought the Beja lost up to 80% of their livestock. At the same time the area actively used for stock-rearing retracted because of the decline in livestock numbers. Large parts were occupied by newcomers, many displaced from elsewhere, in a process of resettlement which began before the 1980s: West African migrants, Nubians resettled from the flooding of Lake Nasser, and Eritrean refugees. But there were other economic interests expanding during this time of Beja contraction. Rashaida Arab pastoralists who prospered in cross-border cattle-smuggling during the anti-Mengistu wars in Eritrea and Ethiopia expanded into Beja territory. Other former stock-rearing areas were given over to cotton plantation schemes and mechanized farming in the southern part of the region, following a pattern seen in other parts of the country such as the southern Blue Nile and Southern Kordofan (Sections 9.2.1 & 9.2.2).

These new economic developments in the region were put to the aid of the government's international Islamist policy in the wake of Mengistu's overthrow. Islamist groups infiltrated Eritrea from the Sudan throughout 1993 and 1994, eventually leading Eritrea to break off diplomatic relations with Khartoum in December 1994. More Beja land was alienated to provide training camps for foreign Islamic organizations and farming schemes to both finance and feed the training camps. One of the most active persons in the area was the Saudi Islamist, Usama bin Ladin, who had a number of construction and other projects in the Sudan. He played a key role in financing and brokering an arms deal with Russia, whereby the Sudan's entire sesame seed crop was put up for sale in exchange for arms. Bin Ladin was rewarded with land in the Port Sudan area for training camps for Hizbullah and Hamas, as well as land elsewhere in the Red Sea area, along the Ethiopian border and in the southern Blue Nile. These areas were used for agricultural schemes and as training camps for the Eritrean Islamic Jihad and the Oromo Islamic Jihad.

There was a progressive neglect of local interests and concerns. The Beja did not fare particularly well from Khatmiyya patronage during the

DUP's partnership with Sadiq al-Mahdi in the 1980s. Sadiq's own Islamist government attempted to suppress local practices among the Beja which they felt did not conform with orthodox Islam, such as *zar* spirit possession rites among women. The people fared even worse under the military/NIF government who executed a number of Beja officers in 1990. The NIF's advocacy of a single Arab culture, along with its own restrictive brand of Islam, the continued alienation of land, the conscription of Beja into the PDF, and reported abductions of children and women by the armed forces all combined to create a resurgence of Beja resistance.

There was a revival of the Beja Congress under the umbrella of the NDA, based in Asmara. In 1994 former Brigadier Abd al-Aziz Khalid formed the Sudanese Allied Forces (SAF), which drew its first recruits from Southern and Nuba defectors from the army, and subsequently recruited from former DUP strongholds in Blue Nile and the eastern Sudan. SAF subsequently became one of the most active military groups in these areas, posing a new political rivalry to the DUP, a fellow member of the NDA (Section 7.6). With Eritrea's urging, a unified NDA command under John Garang was formed in 1996. Military activity in the eastern Sudan became more co-ordinated, but the Umma and DUP contributions to the NDA forces remained small. Most operations were carried out by SAF, the Beja Congress, and the SPLA's specially formed New Sudan Brigade. The military operations have been on a far smaller scale than in the South, the Nuba Mountains or the southern Blue Nile, where large tracts of territory are under SPLA control. Rather, it has consisted of a series of guerrilla strikes against military installations around Qallabat, Kassala, and along the Kassala-Port Sudan and Port Sudan-Khartoum roads. The new oil pipeline and mechanized farming schemes have been among the targets.

There have been calls for self-determination within the eastern Sudan, but a new separatist movement has not come into existence. The Beja's marginalization from the politics of the centre has accelerated a disengagement from old alliances. In addition, a new international situation was posed by Eritrea's fight for independence. In many ways Beja benefited from the presence of the EPLF in the eastern Sudan during the war, with the EPLF often providing services to local Beja which the Sudan government had ceased to provide. The Sudan's policy of supporting Islamic revival in Eritrea after the fall of Mengistu (as in parts of Ethiopia) placed Eritrea's military ability at the disposal of dissident Beja, an access they had never enjoyed before. This facilitated a direct military link between opposition Beja and the SPLA, something unthinkable under the separatist and racially exclusive policy of the old Anyanya.

The outbreak of the Eritrean-Ethiopian war in 1998, and the defeat of the Eritrean army in May 2000, especially in western Eritrea near the Sudan border, meant that the Sudanese opposition could no longer rely on Eritrean bases and material support. In fact, the position of the opposition forces inside the eastern Sudan became distinctly precarious, and some SPLA units found themselves stranded. But any military advantage that the Sudan government might have gained from disarray in Eritrea could not by itself bring the eastern Sudanese insurgency to an end. Contrary to government claims, the insurgency was not created solely by

external forces hostile to the Sudan, however much it benefited from the international hostility provoked by the Sudan's own meddling in its neighbours' politics. The causes are closely tied into the same patterns of dispossession and repression which fuel opposition in other parts of the country.

9.2.4 *Darfur*

Darfur, an area with a population of between three and half to four million persons, has always had an uneasy relationship with the Khartoum-centred state. The site of independent sultanates until the Turco-Egyptian conquest of the late 1870s, it rallied early to the Mahdiyya in the 1880s, and subsequently fostered a counter-Mahdiyya opposition when control from Omdurman became too oppressive. The sultanate briefly revived itself after the overthrow of the Mahdist state by Anglo-Egyptian forces, and maintained an independent existence until its final conquest and incorporation into the Sudan in 1916. Many of the institutions of the old sultanates were retained under Native Administration, and a history of indigenous administration contributed to the ability of successive administrations to mediate the conflicting interests of sedentary agriculturalist groups (of which the Fur were the most prominent) and the Baqqara and other semi-nomadic pastoralists. Overwhelmingly Muslim, Darfur is not predominantly Arab. There are many non-Arab groups among the pastoralists located mainly in the southern and northern parts of the territory, of which the Zaghawa are the largest, straddling the border with Chad.

Changes in administrative structures, including the abolition of Native Administration, coincided in the 1970s with a sharp decline in rainfall, localized famines, and a rise in political violence across the international border in Chad. As a result of extended drought from the mid-1970s through the early 1980s, there were large population movements of pastoralists from Northern Darfur and Chad into the central farming belt, just at a time when the agricultural use of the land was expanding and intensifying with Fur and other agriculturalists selling to the internal market of the urban centres of Darfur and elsewhere in the Sudan. Those administrative structures which used to mediate inter-tribal relations were no longer in place, and as temporary movement merged into permanent settlement by pastoralists who had lost their livestock, conflicts developed between the iramigrants and the settled population. With the upper levels of the regional government being occupied by Fur, the broader structural changes of regionalization from 1981 onwards led to a sharpening of partisan politics in the approach to pastoralist/non-pastoralist confrontations. At the same time the regional government was denied the finances and the means with which to address the cumulative effects of drought. With the central government unwilling to admit there was a drought in the country, external relief assistance was blocked. The Governor of Darfur resigned in protest in 1983.

If the central government under Nimeiri was unwilling to deliver food, it was more than willing to ship weapons to the region. In the early 1980s the Chadian civil war was internationalized as a battleground for the indirect confrontation between Libya and the West. The Sudan

government, then allied to the US, conveyed arms to Chad via Darfur, benefiting Hissene Habré's non-Arab constituency, including the Zaghawa pastoralists. Libya countered by arming Arab groups, many of them pastoralists who also straddled the Chad–Sudan border. With the fall of Nimairi, closer relations developed between the Sudan and Libya, not least because Libya contributed financially to Sadiq al-Mahdi's 1986 election campaign. The outbreak of the Chad–Libyan war of 1986–7 increased Libyan activities in Darfur, not only with troop movements through Sudanese territory, but also with arms and funds distributed to Arab para-military units organized around a pan-Arab ideology.

The Fur had flirted with the Umma during the 1960s in an attempt to gain access to the politics of the centre, but with Sadiq's return to power in the 1980s the Umma armed both the southern Baqqara and northern Arab tribes. This met not only the religious and political interests of the Umma, as both Darfur groups were Ansar, but also the commercial interests of the riverain merchants involved in the livestock trade, many of whom were also Umma. The army-NIF takeover further enhanced the power of these militias when the Popular Defence Forces Act officially recognized them as paramilitary groups at the end of 1989. As the war in Chad spilled over into Darfur, it sharpened the divide between 'Arabs' and 'Blacks' (*Zuruq*), with the Sudanese Islamist parties now equating Islam with Arabism.

This racial salience led to a realignment of the non-Arab groups in Darfur, the Zaghawa and Fur in particular, toward Habré in Chad and away from the Islamist parties in the Sudan. Warfare in Darfur now focused on land, with migrant and nomad pastoralists trying to carve out 'home territories' from land previously leased from the Fur. As in northern Bahr al-Ghazal, so in Darfur, modes of livelihood were targeted, and orchards, farms, fields and villages were destroyed to make Fur occupation in newly 'liberated territories' untenable. By 1989, 5000 Fur had been killed and 40,000 of their homes destroyed, as against 400 Arabs killed and 700 tents burned. Habré's support ceased after his defeat in December 1990. With twenty-seven Arab tribes now ranged in an alliance against the 'Zuruq', some Fur allied with the SPLA, and in November 1991 Daud Bolad, formerly a Fur activist in the Muslim Brotherhood and National Islamic Front, led SPLA forces into Darfur itself.

The timing was against him. It is difficult to know whether the SPLA regarded their Darfur campaign as anything more than a diversionary tactic to open a schism in the North to counter that in the South. But with supplies from Ethiopia no longer forthcoming, and the main force of the SPLA preoccupied with the Nasir split, Bolad was left on his own. His forces were defeated, and he himself was captured and executed in January 1992.

At present, the government's reassertion of its authority in Darfur has focused on strengthening the military and establishing direct control, with governors being appointed from outside the region. The land issue remains unaddressed and unresolved. Fighting is still going on, though the government has refused to admit that it is fighting anyone other than 'bandits' and 'outlaws'. The Fur who had formed the Sudan Federal Democratic Alliance also joined the NDA and began military training in

Eritrea in 1997. Rising insecurity engulfed the Masalit in 1998–9 when disputes with the Rizaiqat resulted in over 100,000 internally displaced, and anywhere from 20,000 to 40,000 refugees in Chad. The government has insisted that these are only 'tribal' clashes, but the appearance of uniformed men suggests otherwise.

Successive governments have tried to dismiss the fighting that has broken out in the North and along its frontier with the South as merely 'tribal' clashes which have got out of hand. They have claimed this even as they have fuelled such fighting with official and semi-official support to so-called tribal militias. It is a mistake to attribute these new wars entirely to the old oppositional fractures in the northern Sudan. Such fractures exist, and they can be used for the mobilization of political and military support, but that mobilization has persisted for wider goals than disputes over grazing and water rights.

Appeals to Islam and pan-Arabism have been used by parties of the centre to overcome the discontent of marginality elsewhere in the North. The appeal is not only to an internal commonality, but increasingly about access to powerful external allies. The power of pan-Arabist ideology, however fictitious its actual base, can connect local groups to a wider international community and offers them an opportunity to mobilize that support for internal conflicts – the alliance of 'Arab' tribes in Darfur appealing to Libya outside the Sudan and the Umma and NIF parties inside the Sudan; Sadiq al-Mahdi rallying the 'Arab' North to retake Kurmuk; successive governments appealing to wealthy Muslim states for military hardware in the face of an 'anti-Arab' insurgency in the South. If the price of that wider support has been to conform to the international agenda of such Islamists as Usama bin Ladin, then it has been, at least for some (Turabi in particular), not so much a price well worth paying as an additional dividend.

9.3 Many wars: one peace?

At the reopening of the IGAD negotiations in 1997, the SPLM insisted that the unity of the country could be based only on the exclusion of religion from politics. Khartoum rejected this and put its faith in its 'peace from within', providing a new constitution which all other Sudanese would have to accept as a *fait accompli*. Many of the members of the NDA continued to worry about their exclusion from IGAD, fearing that any agreement between the government and the SPLA would inevitably lead to the secession of the South, with the North firmly in the hands of the NIF.

When cracks began to appear in the government's coalition in 1999, with the collapse of the UDSF and a breach between Bashir and Turabi, leading to Turabi's expulsion from government, the NDA also began to fragment (Section 7.6.3). Some thought they saw the chance of Bashir now 'doing a Nimairi' and making compromises with the old parties. (He had already called Nimairi back from exile and given him a pension.) Sadiq al-Mahdi withdrew from the NDA and returned to the Sudan. This

was not a popular move even within the Umma Party, but Egyptian pressure has forced the NDA to acquiesce in Sadiq's move.

Throughout the late 1990s the US government put increasing economic and political pressure on the Sudan, motivated in part by Sudan's open support for Islamist terrorist organizations, but also in response to strong domestic Christian and anti-slavery lobbies. The development of the Sudan's oil brought about a change in international opinion by 2000 (Section 10.5), with the EU (France and Germany particularly, but with the UK following) increasingly critical of US hostility as their own interest in the Sudan's oil grew. The SPLM/A found itself under renewed pressure to negotiate with Khartoum. With Ethiopia and Eritrea at war with each other the IGAD process was effectively dead. A number of Western donor governments used the opportunity of the SPLM's argument with NGOs, over a memorandum of understanding about their authority as a quasi-government, to cut back relief aid to OLS and the southern Sudan (Section 10.4). As Garang repeatedly reassured the NDA and Egypt of his personal commitment to a united Sudan, other Sudanese began discussing the prospect of self-determination more seriously. Bona Malwal announced a spectacular break with Garang in the pages of the *Sudan Democratic Gazette* in 2000, and there were reports of a deal being worked out between Sadiq al-Mahdi, Abel Alier and Bona Malwal on terms whereby a government with the Umma Party in it would hold a referendum on Southern independence after an interim period of four years.

As the war continues relentlessly, the question arises, what are people fighting for? There are now many more – and more diverse – combatants than there were in 1983, and they are fighting for different immediate objectives. Ultimately what Southerners have in common with the Nuba, the peoples of the southern Blue Nile and the non-Arab Muslims of Darfur and the eastern Sudan is a desire for a more just country. To a certain extent, this is what they also now have in common with the mainstream opposition groups of the North still in the NDA. But perceptions of that justice vary, and a justice which addresses one set of grievances might do so at the expense of the grievances of others. Fewer and fewer Southerners now are willing to stand by the SPLM's original vision of a united 'New Sudan'. Yet an independent South will not, by itself, solve the problems confronting the other regions which are still part of the conflict. As new international mediators enter the stage in the wake of September 11, 2001 and the West's war against terrorism, there is a danger that the overriding concerns of a new international political agenda will lead these negotiators to ignore the multiplicity of issues which have fed into the country's interlocking civil wars.

10

The War Economy & the Politics of Relief

The human cost of the war has been immense, though no reliable figures exist to tabulate that cost.¹ After nearly two decades of fighting issues of relief and rehabilitation have become entangled with the related issues of war aims and the peace process. The relief effort in the Sudan has become a contested example in current debates concerning the efficacy of humanitarian interventions.² In this chapter we return to the questions posed in the preface: Is relief a political rather than an humanitarian issue? Do relief programmes shorten or prolong conflict? Can a focus on the technicalities of relief lead to a secure peace?

As has been described in earlier chapters (4, 8 & 9), the way the war is being fought is directly linked to the pursuit of long-term economic objectives in the country. The war economy of both the government and the guerrillas involves, in different degrees, the capture of labour, as much as

¹ Millard Burr, 'Quantifying genocide in the southern Sudan 1983–1993' (Washington DC, U.S. Committee for Refugees, October 1993), was the first to attempt to make a systematic estimate of war-related deaths and came up with a figure of 1.3 million in 1993. At the release of this report the U.S. Committee for Refugees pre-empted criticism by suggesting that anyone questioning that figure was denying the scale of the human devastation. Herein lies the real value of the exercise: it is designed to attract attention. As David Henige so aptly writes, 'Numbers wielded for the immediate benefit of others – whether statistics collected on crowd sizes or numbers of homeless estimated – need have no relation to reality, since it is only the impression that matters'. (David Henige, *Numbers from Nowhere. The American Indian Contact Population Debate* (Norman, OK, 1998) p. 20). The first difficulty in accepting Burr's figure is the unreliability of demographic data coming out of the Sudan, whether the national censuses, from which percentages of population growth are calculated, or documented and undocumented reports of deaths. The multipliers then applied to extrapolate a total figure from these data present yet another problem. Since the publication of Burr's report, the figure of war-related deaths has grown with each citation, and now figures of 2.5 and even 3 million are commonly cited and accepted. Adding this to other frequently noted numbers for displaced and enslaved persons gives a total which equals or even exceeds the recorded population of the Southern Region in 1983. See also Mark Duffield, *Global Governance and the New Wars* (London/NY, 2001), pp. 211–12 on the wildly varying figures current within relief circles on either side of the conflict.

² See, for example, Alex de Waal, *Famine Crimes* (Oxford/Bloomington 1997); John Prendergast, *Crisis Response: Humanitarian Band-Aids in Sudan and Somalia* (London/Chicago, 1997); Joanna Mcrae & Anthony Zwi (eds), *War & Hunger: Rethinking International Responses to Complex Emergencies* (London, 1994); Joanna Macrae, *Aiding Recovery? The Crisis of Aid in Chronic Political Emergencies* (London/NY, 2001); Duffield, *Global Governance and the New Wars*.

the capture of territory. On the government's side, relief has become part of their development strategy, and population displacement, slavery and the exploitation of oil, often seen as separate issues by external observers, are inextricably linked in the war effort. In a reinforcing cycle, the economic strategy for the development of the country has produced the war as much as it has been a product of war.

10.1 War & economics

After the end to the first civil war a number of governments and international agencies became directly involved in the economic development of the Sudan. The repeated intervention of the US in rescheduling the repayment of the Sudan's debts enabled a succession of Sudanese governments to survive the economic crises of the 1980s. Dependence on the political backing of the US and the IMF, and increased reliance on the liquidity provided by international Islamist financial institutions, redirected the government's accountability away from its domestic constituency and towards its external backers.³ The direct involvement of UN agencies and other NGOs in the support of development projects and provision of services formerly the responsibility of the civil administration further distanced government from its citizenry, markedly so in the South, where the regional government was forced by lack of funds to contract out services to NGOs.⁴ An unusual constellation was created of foreign donors (including the USA, Saudi Arabia and Iraq), international institutions (the IMF, the UN, Islamic banks) and NGOs of varying denominations and political orientation who were tied to the Sudan's national development strategy and committed to the government's survival.

The demands of relief overtook the needs of development as first famine and then war commanded the attention and resources of donors and international agencies. The transfer of assets, which began before the war, has accelerated throughout the war, especially after the 1989 NIF coup. The NIF has been more systematic and determined than previous governments in the transfer of resources, whether those of rural peoples in land, labour and livestock, or national assets, such as oil, but the development strategy is essentially the same as that prior to 1983. Since 1989 the government has manipulated the international relief effort to further both its economic and strategic goals in the war, but it has also tried to harness the active collaboration of relief agencies through the ideology of development itself, which has been presented as both politically neutral and a strategy for peace. This policy has been propagated by the Peace and Development Foundation created in 1992, now reconstituted as the National Development Foundation. The measure of its success can be gauged to the extent that donors and agencies have accepted its premisses about development and have acquiesced in its restrictions on relief.

³ De Waal, *Famine Crimes*, pp. 88–91; see also Africa Watch, *Food and Power in the Sudan* (London, 1997).

⁴ Terje Tvedt, *Angels of Mercy or Development Diplomats?*, (Oxford/Trenton NJ, 1998) pp. 186–202.

The current war is being fought in the context of the massive economic reorientation and dislocation which began in the 1970s. The 'bread basket' strategy of the Nimairi period, which did so much to bankrupt the Sudan (Section 4.4), set in motion major economic and social disruptions in the rain-fed North. The shift from subsistence agriculture to export-oriented, highly capitalized, mechanized agricultural schemes had its greatest impact in the so-called 'Transition Zone' along Southern Kordofan, Southern Darfur, southern Blue Nile and the Sudan-Ethiopian border region, resulting in the dispossession of small-holding farmers from their customary rights to land, the erosion of land-use rights by pastoralists, and the creation of a large force of agricultural wage-labourers, whose numbers were increased through displacement by drought and war in the 1980s and 1990s (Section 9.2).

'Development' in the Sudan is not politically neutral. The conflict over what type of 'development' is to be implemented, and who will control and benefit from the country's resources, is not confined just to the assets of the South. This is why the war has moved out of the South into those areas where asset transfer – especially in land – has been most marked. Following a pattern first begun during the Turco-Egyptian transformation of the Sudan's economy in the nineteenth century, religion and race are increasingly determining who has access to the greatest economic opportunities through financing, government leases and concessions, and use and control of the work force.

Within the relief effort itself, the international agencies participating in the UN's umbrella Operation Lifeline Sudan (OLS) are confronted by a central dilemma: they are called upon to alleviate the effects of the disaster-producing activities of their major counterparts: the government of the Sudan and the Southern movements. In the war zones affected by direct fighting, civilian populations have been repeatedly targeted by the Sudanese army, the PDF, the Southern factions and allied militias. In the early period of the war (1984–8) such raids were mainly intended to deny the opposing side supplies or civilian support, and the subsistence economy of the rural populace became the primary target of organized forces as livestock was captured, houses were burned, and wells destroyed. Since 1991 interfactional fighting within the SPLA has intensified the asset-stripping nature of such attacks, where food stores and standing crops have been seized or put to the torch, relief inputs have been captured and relief centres have invited attack. All of these activities have produced widespread displacement, as specific populations have been denied the opportunity or the means to feed themselves, and as groups of people have fled areas of conflict seeking refuge elsewhere. Both the government and the Southern movements have organized forcible relocations of displaced populations at different times in the war.

The pattern of the war indicates that resource depletion and economic subjugation are the objectives of war, not just its incidental consequences. Populations stripped of their assets are deprived of economic independence. Demolitions of displaced settlements around Khartoum, and forcible relocations of displaced persons to schemes and 'peace villages' around Wau and Juba, or in Upper Nile, the Nuba Mountains and along the Ethiopian borderlands have produced a dependent and portable

labour reserve who serve a double purpose: 1) to implement the government's 'pacification' programme through resettling and reclaiming territory formerly contested by the SPLA, and 2) to extend political and economic control over the resources of these areas through agricultural schemes owned and operated by interest groups currently represented in the army and government, in a way which the central government and Northern merchants were unable to do in the days of the former Southern regional government before 1983.

The economic strategy of the SPLA is far less clearly defined or focused. In the past, concentrations of displaced civilians have been used to attract relief resources, especially in the refugee camps in Ethiopia before 1991. This tactic cannot be implemented so effectively now, since the SPLA does not exert the same kind of administrative and political control over the new refugee camps in Kenya and Uganda, and displaced populations settled inside SPLA-controlled territory in the Sudan have demonstrated an ability to get up and settle elsewhere. Relief thinking within the SPLA since 1991 has increasingly favoured the rehabilitation of the rural subsistence economy in areas under its control, rather than the creation of more displaced settlements and relief camps. Thus two different 'relief' strategies reflect the opposing political goals in the civil war. In the name of 'development' the government seeks to control the movements and productive capacity of a population displaced by war. The SPLA supports the return of that population to its home areas and the revival of the subsistence economy through the supply of relief inputs. In so far as the Northern and Southern Sectors of OLS have adopted the relief strategies of their respective counterparts in the war, the international relief effort has become divided against itself.

10.2 The international relief effort, neutrality & access

If development is political, so, too, is relief. The international political climate at the beginning of the war had a direct bearing on relief policies of donors, the government and the SPLA.

10.2.1 *International obstacles to internal relief*

Throughout the early years of the war, the Reagan administration in the US maintained crucial financial support for the succession of Khartoum regimes, as well as hostility towards the Derg in Ethiopia and its associates, including the SPLA. As far as actual relief operations in the Sudan went, there was active complicity between some international agencies and the government, especially in the Bahr al-Ghazal famine.⁵ The US cooperated in obstructing the expansion of relief to non-government-held areas. In accepting Khartoum's incredible claim that only 3% of Southern civilians lived outside government control, the US National Security Council asserted that no relief was needed outside government-held towns. The UN followed suit, and in 1986 the General Secretary forbade UNHCR and WFP from cooperating with the SPLA. During this time,

⁵ David Keen, *The Benefits of Famine* (Princeton, 1994).

diversions by merchants and the army of relief supplies intended for the civilian populations in southern Sudanese cities and towns, and for Ethiopian refugees in camps along the border, continued without provoking any public complaint, sanctions or suspension of relief either by donors or the UN. In contrasting relief programmes operated by the TPLF and EPLF across the border into Tigray and Eritrea, relief supplies provided by the US and European countries (assisted by the Sudan government) boosted the political credibility of the two liberation movements among their civilian constituency, at the same time that relief supplies were obtained for their military wings.⁶

The collusion between a major donor and the UN in denying relief to civilians outside the government's immediate control, and their failure to respond to the government's relief abuses, had a direct impact on the formulation of the SPLA's own attitude towards relief. They were unimpressed by assertions of neutrality by UN agencies and NGOs, seeing their activities as directly supporting the government's strategy and supplying garrisons in the South. They saw that their own infractions, such as the 1986 downing of a civilian airliner in Malakal, drew far more international condemnation than the government's extensive and systematic abuses. The suspicion engendered by what appeared to be UN and NGO duplicity and hypocrisy lasted well into the early years of OLS, and has never been fully dispelled.

The stark reality for the SPLA was that it was operating in a vast territory where overland transport and communication was only seasonal. The physical infrastructure of civil administration in many rural areas was already in decline prior to the outbreak of war, and the regional government had progressively removed itself from the provision of services by devolving that responsibility to international agencies. The pattern of fighting in the early years of the war meant that there was an immediate retraction of rural services and commercial networks to government-held towns. The military strategy of government troops and their militia allies was to despoil and depopulate the rural areas and to interdict SPLA supplies from Ethiopia. Those wells, schools, dispensary buildings and medical supplies which could not be retained by government troops were destroyed rather than be left in guerrilla hands. The ability of militias such as the Anyanya-2 to infiltrate behind SPLA lines meant that the Movement's supply lines were frequently cut, with often dire consequences for SPLA units operating far from the border in Bahr al-Ghazal and the Nuba Mountains. Attacks on civilian settlements and livelihoods produced a growing displaced population. The scale of destruction was immense and severely limited the SPLA's relief options.⁷ As long as government forces could move through the rural areas and target rural services and the subsistence economy, the replacement of the civil infrastructure was not a realistic option.

The military response adopted by the SPLA to confront these threats in the mid-1980s directly shaped their relief policies. First, given the

⁶ Tvedt, *Angels of Mercy or Development Diplomats?*, p. 115.

⁷ Douglas H. Johnson, 'Destruction and reconstruction in the economy of the Southern Sudan', in Sharif Harir and Terje Tvedt (eds), *Short-Cut to Decay: The Case of the Sudan*, (Uppsala, 1994), pp. 126-43.

chronic insecurity in the rural areas, the SPLA encouraged and organized the movement of people into the Ethiopian refugee camps where at least some services were provided, food and medical supplies were available, and recruits could be sent to the surrounding SPLA training camps and bases. Second, the SPLA attempted to restrict government military activity in the rural areas by besieging administrative centres, garrison towns and major cities, interdicting food and medical supplies to the towns (often brought in by foreign aid agencies), and attacking militia organizations and the civilian populations from which they were drawn. Third, the SPLA's civil administration concentrated on coopting the native courts and reimposing a system of law and order. Chiefs' courts and the use of customary law to settle disputes were incorporated into the SPLA's own legal structures, and SPLA troops were used as police to prevent inter-tribal raiding within areas under their control and to ensure compliance with the decisions of the courts (Section 7.7). To maintain the SPLA's ground forces, as well as the rudimentary structures of civil administration, the rural population was taxed in kind, providing the SPLA with grain and livestock. By 1988 this combination of strategies was having a marked effect on improving the security of the civilian population under SPLA control.

It was by this time, too, that dissatisfaction with the UN had led a few agencies to make their own contacts with the SPLA and begin limited relief operations in parts of SPLA territory. Inspired by these NGO activities, UNICEF set up an NGO-liaison office in Nairobi and became involved in an extra-legal extension of health projects to SPLA areas. These contacts were part of the momentum which eventually led to the formation of OLS. With the floods of 1988, which attracted many journalists to Khartoum, international attention was finally directed to the large numbers of war-displaced fleeing Bahr al-Ghazal. UNICEF was positioned to negotiate with both the government and the SPLA for an umbrella operation which would allow participating agencies to work on both sides of the battleline.

The agreement was helped by the momentum which was then building up in the Sudan in favour of a negotiated, constitutional settlement to the civil war. The government of Sadiq al-Mahdi was under considerable pressure from public opinion in the North to reach an agreement with John Garang. Garang, for his part, was conscious of the need to conciliate Southern opponents to the SPLA who had formed political parties and were represented in the National Assembly. By 1988 these opponents were speaking with one voice on major issues through the USAP coalition. There was a possibility that the relief effort would coincide at least with an extended truce, if not the beginning of a new period of peace.

10.2.2 *The evolution of food aid*

The original goal of OLS was to avert an anticipated famine in the South, and the main strategies employed to achieve this nutritional goal in its first two years were distributions of grain and the establishment of feeding centres for specific vulnerable populations. The operation was divided into a Northern Sector, accessing government towns from a headquarters in Khartoum, and a Southern Sector, accessing SPLA-held

territory from East Africa. Khartoum retained full control over relief operations in the Northern Sector, while accessibility, rather than reported needs, determined initial food distribution by OLS agencies in the Southern Sector. The South's food allocation in 1989 was set by UNICEF in negotiations with the government in Khartoum, before undertaking any field reports.⁸ Food convoys and air lifts delivered mainly to locations in Eastern Equatoria (a region which had not suffered as much as Jonglei), western Upper Nile or northern Bahr al-Ghazal.

The official claim that OLS averted famine and saved people from starvation in 1989 was not substantiated in the first general survey of the South carried out in 1990, which documented the degradation and contraction of the subsistence economy during the first five years of the war.⁹ This had left large parts of the country particularly vulnerable to the disruptions brought about by natural causes in 1988. OLS came into operation only in the following year and had not reached those territories experiencing the worst food shortages. The report concluded:

In 1990 we found that most people were still recovering from the devastation experienced in 1988, and they were relying on their own networks of kinship and exchange. Food produced is distributed mainly through these networks, but lack of transportation restricts their range.¹⁰

In light of this finding, the 1990 report recommended a shift from food aid to more sustained support for local production and distribution. The implementation of the 1990 recommendations was obstructed from the start by Khartoum's non-cooperation. During the early part of 1991 the growing famine crisis in the North diverted attention from OLS. The WFP Khartoum office compared the impending crisis with the 1943 Bengal famine and saw an opportunity for taking charge of one of the largest relief operations in recent history. While it negotiated with the Sudan government and donor representatives in Khartoum for overall logistical control of relief throughout the country, it confirmed the ban on WFP convoys into the southern Sudan and even the distribution of WFP food stocks already in the South. OLS food, stockpiled in the North and earmarked for delivery to the South, was diverted to Kordofan. Protests from the Nairobi office had no appreciable effect, and clearance for new convoys came only as the rains began. The result of this delay was that OLS Southern Sector (especially WFP) was unprepared for the crisis that came with the evacuation of the Ethiopian refugee camps in May 1991.

With the fall of Mengistu in May, Itang, Punyido and Dimma camps emptied their full population of refugees into the Sudan within a period of less than two months. OLS and ICRC found that they had to try to airdrop or airlift food and other emergency items for some 200,000 returnees confined to remote areas along the Sudan-Ethiopian border. Because of the restrictions imposed by the government on the relief effort

⁸ Ataul Karim, *et al*, *Operation Lifeline Sudan. A Review* (Geneva, 1996), p. 110.

⁹ See Vincent O'Reilly, quoted in Larry Minear, *Humanitarianism under Siege* (Trenton NJ, 1991), p. 63.

¹⁰ UN/OLS, *An Investigation into Production Capacity in the Rural Southern Sudan. A Report on Food Sources and Needs* (Nairobi, June 1990), p. 5.

in the Sobat basin (Sections 7.2.2 & 7.2.3), OLS found itself unable to serve the returnees adequately.

The split in the SPLA in August 1991, which drew an internal battle line across Jonglei, further inhibited OLS's ability to meet the needs of the majority of southern Sudanese. At this point Khartoum signalled a shift in its access policy, permitting relief deliveries in the SPLA-Nasir areas while restricting access to the much larger SPLA-Torit territory. The WFP Khartoum office, which had enforced Khartoum's earlier restrictions, was in no doubt that Khartoum's shift in strategy was entirely political. 'The GOS [government of Sudan] is trying to capitalize on the split in the SPLA/M and drive a wedge between the two factions. Divide and Rule', reported the WFP country representative. Commenting on the increase of food delivered to Nasir-held areas, he noted, 'It is possible that the GOS either wants or has already worked out an alliance with the Riak/Lamakol [sic] faction.'¹¹

Inter-factional fighting within the SPLA and government advances on the ground after 1992 further complicated the planning and implementation of relief, and left it increasingly open to political and military manipulation. The frequent displacement of large sections of the civilian population disrupted many attempts at the rehabilitation of the subsistence economy and local services. The presence of concentrations of displaced persons renewed the demand for the delivery of large quantities of relief supplies, while the intensification of the war meant the diversion of such supplies for military use on a far greater scale than before. Khartoum's approval of relief deliveries to SPLA-held areas (as it had been throughout the history of OLS), was contingent on delivering far greater quantities to often unassessed populations in government-held towns. Relief supplies and the support of relief agencies became objects to be won, especially in the fighting between the factions of the SPLA. SPLA-United's herding of displaced Dinka into camps in the 'hunger triangle' of Ayod-Yuai-Kongor in 1993 (Section 8.2.1) was perhaps the most blatant manipulation of relief needs in order to supply soldiers, matched only by its 1994 request for a food air-drop to 'displaced' persons at Mankien on the Upper Nile/Bahr al-Ghazal border, while Kerubino Kuanyin was in the same area organizing his troops for an invasion of Bahr al-Ghazal.

Development aid to the Sudan came under an international embargo with the overthrow of the democratic government in 1989 (Section 10.4). Khartoum's response was to redefine the character of relief in its own territory, giving it developmental goals. The ultimate objective of relief, like development, was to wean war-affected populations off 'relief dependency', towards self-sufficiency. The 1996-7 'peace from within' agreements between Khartoum and some Southern commanders (Section 8.3) were presented in support of official claims that the majority of the southern Sudan was under government control, and that OLS Southern Sector operations should be transferred to government territory. These claims received a sympathetic hearing from UN officials in Khartoum, but were treated with incredulity by UN and NGO agencies working in the Southern Sector.

¹¹ Trevor Page, 'Brief for UN Under Secretary General James Jonah', 18 October 1991, OLS document.

Whereas the Northern Sector tended to ignore the war in its advocacy of a move away from relief to development, the Southern Sector was confronted with the stark realities of war almost on a daily basis. Those in the Northern Sector who saw 'development' as a means of transforming the economy appeared to be comfortable with proposals ostensibly aimed at reducing 'relief dependency' among the dispossessed and displaced population produced by the war, but which in effect intensified pressures on the people to become part of a large labour reserve as workers on government or private agricultural schemes. The Southern Sector's increased emphasis on combining food assistance with agricultural and veterinary support, health, water and education projects redefined its goal away from alleviating famine and towards maintaining the independent labour force of rural subsistence economies. The two approaches were, in effect, opposed, especially in such areas as northern Bahr al-Ghazal and the Nuba Mountains where the tactics of war on the government side were squeezing labour from non-government to government-controlled areas.

10.3 War & the targeting of resources

Whatever the broader political and military objectives of the parties to the current conflict, the civil war has been fought on the ground as a resource war. Battles between organized armed groups, with the intention of seizing or holding territory, are only one aspect of the fighting. Civilians have been systematically targeted in 'asset stripping' raids since the outset. The intention has been not only to seize whatever resources they possess, but to deny these resources to the opposing side; in fact civilian populations themselves have often been treated as resources to control.

The targeting of resources has changed as the pattern of war has altered. In the early years of the war (1984-8), the government relied heavily on surrogate forces raised from 'tribal' militias (subsequently incorporated into the PDF), the most prominent being the Murahalin (Misiriyya and Rizaikat of Southern Kordofan and Southern Darfur), the Rufa'a of southern Blue Nile, the Anyanya-2 (Nuer) and Murle of Upper Nile and Jonglei, and the Mundari and Toposa militias of Eastern Equatoria. These forces adopted tactics which were aimed at denying the SPLA a civilian base of support; thus civilian settlements were attacked at least as often, if not more often, than units of SPLA troops. In Abyei (Southern Kordofan) and northern Bahr al-Ghazal, the attacks had begun before the war and were aimed at driving people away from their settlements: houses were burned, crops destroyed, cattle seized and people abducted and enslaved. The enlargement of Arab cattle herds was not the primary motive: Dinka cattle taken in these raids were often sold on the Omdurman market, frequently for the export meat trade. The Murle, Mundari, Nuer and Toposa militias attacked rural districts known to have provided the SPLA with recruits, though not exclusively so; the cycle of cattle raiding expanded into Ethiopia, affecting groups with no connection with the SPLA or the Sudan conflict. In southern Blue Nile, militia attacks were prompted to forestall potential support for the SPLA (Section 9.2.2). The SPLA, too, attacked

civilian settlements of those groups from which militias were recruited, but on a far smaller scale than government forces.

The net effect of these activities was massive population displacement. In some cases individual families as well as groups of people moved into more secure areas near their original homes, but distant from the scene of fighting. In other cases large groups of people moved out of the war zone altogether, such as the Dinka of Abyei and northern Bahr al-Ghazal moving to sites in Kordofan, Darfur, or Khartoum; the movement of refugees out of Equatoria into Kenya, Uganda, Zaïre/Congo and CAR; or the SPLA-organized movement of people into refugee camps in Ethiopia prior to 1991. Others sought refuge in government-held towns in the South, whether as people connected with pro-government militias, or other groups of civilians forced to move because of attacks by SPLA and government troops alike.

Attacks on civilians were declining by 1988 as the SPLA gained control of more territory and began wooing government-militias to its side, but the eruption of inter-factional fighting between Southern movements from 1991 intensified such attacks at the same time that it focused them more narrowly on certain regions. As in the earlier period of the war, concentrations of civilians became significant targets, especially in the areas of Jonglei, Lakes and northern Bahr al-Ghazal.

The objectives of raiding altered slightly. Asset-stripping was still a method of asset transfer. Livestock looted by PDF units continued to enter the national and international economy through trade to Omdurman, but now also became a currency between the government and its southern guerrilla allies. SPLA-United/SSIA troops exchanged cattle with regular army garrisons for resupplies of weapons and ammunition, and allied southern commanders used their access to looted cattle and cattle markets to build up their own independent economic bases. Relief items continued to be secured for armed forces, either through the oversupply of relief to unassessed populations in government garrisons or through a rough twenty percent 'tax' the SPLA surreptitiously extracted on items supplied for civilian use. But in addition, the *destruction* of relief items and relief centres became an objective of raiding (especially by Kerubino and the PDF), as a tactic to accelerate labour flight.

10.3.1 *Asset stripping & labour flight*

The case of northern Bahr al-Ghazal highlights the issue of access and illustrates the complexity of food aid in relation to food security.¹² It also reveals differences in relief perceptions and strategies, continuing from the pre-OLS emergency. Agencies acting in the relief operations for people displaced from northern Bahr al-Ghazal prior to 1989 approached the emergency as a natural catastrophe which could be alleviated by the provision of food and the establishment of relief and feeding centres. The relief solution was measured in the metric tonnes of inputs. The displaced Dinka viewed the nature of their problem, and therefore its solution, differently. To them the purpose of relief was to enable them to return to their homes and reinvest in their subsistence economy.¹³ The

¹² This section is based on Ataul Karim, *et al*, *Operation Lifeline Sudan*, chapter 6.

¹³ Keen, *Benefits of Famine*, chapter 5.

same resolution was forcefully stated by Dinka who remained in northern Bahr al-Ghazal and were interviewed after the first year of OLS.¹⁴ Despite the recommendations made at that time, OLS failed to provide agricultural support to northern Bahr al-Ghazal, very largely because of the flight ban on the area imposed by Khartoum from early 1990 to December 1992. When OLS did gain access to the area in 1992-3, it gave initial priority to food inputs, and only gradually came round to the Dinka way of thinking. In the displaced centres accessed by OLS Northern Sector, however, the size of the food ration continued to be a major preoccupation and a matter of debate.

Despite the fact that the discovery of the conditions in northern Bahr al-Ghazal in 1987-8 was one of the factors which led to the creation of OLS, OLS has never accessed that area properly. Overland routes are problematic and the railroad from Kordofan to Wau, which is supposed to be used to supply government towns and SPLA villages equally, has been used mostly to resupply government garrisons. Moreover, the PDF units who accompany government trains regularly raid villages and cattle camps on both the outward and return journeys. Air access to the remoter areas of northern Bahr al-Ghazal has remained irregular, due to repeated flight bans imposed by Khartoum. The cumulative effect of these constraining factors has been that the people of rural northern Bahr al-Ghazal, though seriously affected by the war, have not received the relief food that even OLS assessments suggest they need.

The result is that the population of the region has continued to circulate both north into Kordofan and Darfur, and south into other parts of Bahr al-Ghazal and Lakes, seeking the alternatives of wage labour, relief distributions and the subsistence economy, as circumstances allow. The combination of these strategies has allowed for a modest recovery of the subsistence economy at different times, recoveries which have prompted further government intervention, either through direct raiding or indirect restrictions on relief operations.

The truce between the SPLA and Misiriyya and Rizaiqat groups along the border which began in 1990 and continued intermittently into 1996 allowed for freer movement between northern Bahr al-Ghazal and neighbouring regions, thus allowing people to circulate between their homes, relief centres and agricultural schemes in government-held areas. A government ban on relief flights between 1990 and 1992 certainly helped to accelerate labour exodus at that time. With the resumption of relief deliveries late in 1992, people began returning from places in Darfur, Kordofan and Khartoum, and there were even some Misiriyya migrants who came to receive relief food. With a further decentralization of relief distribution centres and a continued return of labour there was a modest recovery in agricultural output throughout 1994 and 1995. As small as OLS food and food production interventions were, their real effect was to keep the household labour force intact, reduce the amount of time spent on gathering alternative sources of food, and reinforce networks of kinship exchange and exchange between nearby communities. Of course, it did all this at the expense of labour-intensive schemes in the North.

¹⁴ UN/OLS, *An Investigation into Production Capacity*, p. 58.

Despite the war, there have also been commercial exchanges, centred on a few markets. The northern Bahr al-Ghazal markets are important cattle auction centres, but people have also bought grain from Misiriyya herders and traders. Commerce between northern Bahr al-Ghazal and Kordofan has contributed to local household economy in a number of ways: in the buying and selling of cattle and grain, in the sale of handicrafts such as grass mats, in the hiring out of labour. A similar pattern of trade between Wau and neighbouring SPLA held areas, with sugar, medicine, clothes and soap going out in return for livestock, grain, honey, charcoal and firewood existed before 1998. The networks of Bahr al-Ghazal linked up with a further SPLA-protected livestock export market to Uganda. It is these cross-border informal markets in livestock and other tradeable items, along with more orthodox exports like timber and coffee which form the foundation of the economy in the SPLA areas.

In 1994 Kerubino made his way back to Bahr al-Ghazal, and was expelled to Abyei in his initial confrontations with SPLA troops. He soon returned, often in concert with Arab PDF units or Paulino Matip's Nuer, seeking out, not SPLA forces, but civilian targets. It was clear from their timing and targets that these raids were aimed at the recovery of the rural economy. Increased PDF activity along the railway line to Wau in 1994-5 was timed to cause the maximum disruption to dry-season cattle movements and late dry-season/early wet-season clearing and planting cycles. Raids out of western Upper Nile into the northeastern and eastern grazing grounds disturbed seasonal cattle movements, forcing cattle owners to send their livestock farther away to more secure pastures, thereby decreasing their family members' access to milk during the dry season. Standing crops were torched and markets were attacked. Relief supplies were attacked and destroyed shortly after delivery.

This pattern of disruption intensified following the 1996 Peace Charter and the 1997 internal peace agreement between the government, SSIM and Kerubino's SPLA-Bahr al-Ghazal group. This strategy appeared to be paying dividends when it was reported early in 1998 that thousands of SPLA soldiers and their families were defecting to the government. In fact, this was only a prelude to the battlefield rapprochement between Kerubino and the SPLA, brought about by Kerubino's dissatisfaction with his rewards from the 'peace from within'. Following simultaneous attacks on Wau and Gogrial and SPLA advances throughout Bahr al-Ghazal in February 1998, the government again introduced a ban on relief flights to the area. With a new influx of people out of government towns into the rural areas a new famine crisis was announced by the international media in April 1998.

Inaccuracy in earlier reporting of food shortages was one reason why OLS's first appeals for emergency relief were dismissed as exaggerations. But the prevailing natural disaster model of famine relief among donors was another reason why many governments and government officials – Britain's Minister for Overseas Development, Clare Short prominent among them – at first failed to appreciate that the immediate causes of widespread hunger in Bahr al-Ghazal were man-made. Many were slow to recognize the link between the explosion of fighting around Wau, the expanded retaliatory raids by PDF units along the railway (the 'relief' artery) which

followed, the massive exodus of people released from Wau and its surrounding 'peace villages' into SPLA-controlled territory, and the spread of famine and food shortages throughout much of rural Bahr al-Ghazal. The reflex-calls for 'all sides' to stop fighting implied an even blame for the events of 1998, ignoring, once again, the meshing of the government's military and economic strategies and the intended consequences of years of access denial and resource targeting by government forces.

As in the early 1980s, so now the people of northern Bahr al-Ghazal have become vulnerable not because of their poverty, but because of their economic resources. Government military activity, coordinated as it has been with increasing restrictions on relief access, is designed to undermine, if not halt, OLS support to the rural economy of northern Bahr al-Ghazal. There has been renewed labour outmigration and displacement.¹⁵

10.3.2 *Displaced persons and captured labour*

Population displacement on a large scale has become a major feature of the war. It is not an incidental outcome of the fighting but is one of its objectives; it involves not just the removal of whole groups and individuals from their home areas, but the incorporation of those populations either into competing armies, or into a captive labour force. The renewal of slave-raiding has been one aspect of that captive labour force which has received widespread international publicity and will be dealt with in Section 10.3.3. We deal here with another, less well-publicized form of captured labour, one which has featured in the relief and development policies of the government.

The fate of the war-displaced in the northern Sudan is one of the most important relief issues in the Sudan, but it is one that has been ignored by the UN and international agencies. This is largely so because the scope of OLS Northern Sector's coverage is determined by agreements negotiated with the government, defining the areas OLS can access; it is not based on overall needs. War-displaced populations in Khartoum were excluded from OLS assessments until 1994, and even after that date populations living in unofficial settlements continued to be excluded. The Nuba Mountains were excluded from formal assessment until 1996, when UNICEF and WFP began using OLS resources only in those government-controlled areas that they were allowed to enter. Elsewhere international NGO staff have found their access to displaced people in camps restricted. Agricultural labourers in schemes from the southern borderlands of the northern Sudan through to the eastern Sudan do not even figure on the relief horizon, though many are in fact part of the war-displaced population.¹⁶

There are common issues affecting the displaced populations right throughout the government-held areas, whether in the 'Transition Zone',

¹⁵ For an account of the 1998 famine, see Human Rights Watch, *Famine in Sudan, 1998: The Human Rights Causes* (Washington, DC, 1999). For continued Dinka displacement, see Duffield, *Global Governance and the New Wars*, chapter 9.

¹⁶ For a fuller discussion of relief issues concerning war displaced in the northern Sudan, on which this section is based, see Ataul Karim, *et al.*, chapters 4 & 7, and Duffield, *Global Governance and the New Wars*, chapters 8 & 9.

the 'peace villages' of the South, or surrounding the Three Towns. There is a lack of secure land tenure, legal protection and political entitlements, at the same time as there has been a reduction of relief entitlements through externally-imposed 'self-sufficiency' programmes.

Around the Three Towns, the war-displaced are physically separated from the city population. Legislation introduced in 1987 distinguished between 'squatters' (who arrived before 1984) and 'displaced'. Displaced have no right of residence in Khartoum, no right to own land, and no right to construct permanent shelters. In May 1990 a government decree redefined 'displaced' as those who had arrived in Khartoum after 1990. These were the ones to be forcibly resettled into displaced camps. By 1994 there were an estimated 800,000 displaced around Khartoum. The government periodically demolished informal settlements and forcibly relocated inhabitants to temporary camps on the outskirts. By May 1992, according to the Ministry of Housing report, some 105,569 families (over 600,000 persons) had had their houses demolished and were moved to 'peace cities'. Demolitions continue.

UNDP, the lead agency in OLS Northern Sector, accepted the government's programme for the displaced around Khartoum as a programme of development and urban renewal. In 1989 it committed itself to helping the government to integrate large numbers of displaced into the mainstream development process of the country. This effectively defined OLS Northern Sector as a government programme. In the second year of OLS, UNDP further committed the UN to helping the government find 'durable solutions' for the displaced, and finding funding for large scale programmes. Since 1989 government policy has been to resettle war-displaced on 'production' sites, using them as an expanded labour pool in the North. Resolution 56 issued by the Council of Ministers in 1990 aimed at the repatriation of over 800,000 displaced to 'areas of origin' and to 'areas of production' in Upper Nile, Bahr el-Ghazal, Darfur, Kordofan and Central State, where they were expected to work on production projects. Organized relocations took place in 1990, 1991 and 1994.

The development agenda of the Sudan government with regard to war-affected populations is directly linked to its military strategy. In 1990 it explicitly stated that the return of displaced to agricultural production sites would safeguard the armed forces. Since then it has created displaced camps in the Nuba Mountains and around Wau, which has enabled the government to secure its military position in those areas. UNDP, UNICEF and WFP have supported rehabilitation and development programmes in these militarized areas.

UN OLS agencies have seen displacement and food insecurity as transitory problems, and there has been much concern expressed about relief aid creating 'aid dependence'. There has been a systematic compromise of relief entitlements for the displaced. The Dinka in the Wau peace camps before 1998, already made destitute by war, were kept on short rations and had no secure tenure over the land on which they were settled, thus becoming a pool of low-paid wage labourers for the commercial development of mechanized agricultural schemes in the area. This pattern was repeated further north. A number of means have been used to ensure ready labour on commercial projects around Al-Da'ain: the diversion of

up to fifty percent of relief food to the host communities, local merchants and government officials; the bonding of sharecroppers to farm owners through indebtedness; and the reduction of food aid itself during labour intensive periods of the agricultural year. The executive manager of the Islamic NGO Muwafaq, for instance, requested that no food aid be distributed during the periods of land preparation and harvesting as a solution to his difficulty in getting displaced Dinka to work on the commercial farms run by his NGO.¹⁷

By the end of the century, Dinka displacement in the Sudan was a direct result of 'their being Dinka', just as the displacement of Nuba has been because they are Nuba. Those camped in the 'Transition Zone' found themselves caught in a complex web of clientage and indebtedness, with a diminishing entitlement to relief. The displaced have now achieved a 'double utility': as cheap labour to be exploited, and as subordinate clients to be 'managed and manipulated' to attract outside resources. The practical result of nearly two decades of international aid has been to reinforce the subordination of displaced Southerners in the political economy of the Sudan, at the same time that it has reinforced the control exerted by dominant commercial and political groups.¹⁸

10.3.3 Slavery

The resurgence of slave raiding, and of slave trading, was first revealed in the late 1980s through the publications of Southern and Northern Sudanese investigators, but it was denied vehemently by the parliamentary government and the Arabic press. The current Sudan government also refuses to admit that slave-raiding exists; they will admit only that there have been 'abductions', a euphemism they were able to get the UN General Assembly to accept. It is not only the existence of slavery in the Sudan which is controversial, but the proliferation of slave redemption programmes, backed by Western agencies, as well.

Slavery is specific to the border area between Bahr al-Ghazal, Darfur and Kordofan, one of the old slaving frontiers of previous centuries. Its revival serves several purposes in the war.¹⁹ It was part of the incentive to Baqqara groups to pass on to their southern neighbours their own losses from drought and the creation of agricultural schemes, for by taking mainly Dinka women and children captive they add labour to their own households and increase their incomes through the trade and exchange of slaves. But slavery is also a policy of terror, aimed directly at non-combatants, designed to make them flee their territory. This is one aspect, which clearly distinguishes current slave raids from 'traditional' Baqqara-Dinka clashes over cattle. As the main targets of slavery abductions are women and children, it is specifically destructive of Dinka

¹⁷ Ataul Karim, *et al*, *Operation Lifeline Sudan*, p. 204.

¹⁸ Duffield, *Global Governance and the New Wars*, pp. 205, 209, 230.

¹⁹ For an outline of slavery in the region, and evidence of its revival during the war, see Jok Madut Jok, *War & Slavery in Sudan* (Philadelphia, 2001). The continuity between the past and the present has been revealed by the resurrection of older organizational structures in large-scale slave-raiding. See R.S. O'Fahey, 'The past in the present: the issue of sharia in Sudan', in Holger Bernt Hansen & Michael Twaddle (eds), *Religion & Politics in East Africa* (London/Athens OH/Nairobi/Kampala, 1995), p. 43 n. 4.

families. This, too, is in keeping with the assimilationist project also reported in the Nuba Mountains: Dinka children reared as Muslims and given Arab names, cease to be Dinka; Dinka women raped by their captors give birth to children claimed by Arab lineages.²⁰

There is no question that slavery exists in the Sudan today and that it is fed by slave raiding deployed as a tactic of war.²¹ There are slaves working alongside displaced labourers in the commercial and private farms of Darfur and Kordofan. What is in dispute are the numbers. There is a large discrepancy between recorded slave abductions (in the hundreds and thousands) and reported slave redemptions (in the hundreds of thousands). Groups such as the Swiss-based Christian Solidarity International, British-based Christian Solidarity Worldwide and the American Anti-Slavery Group each claim to have redeemed tens of thousands of slaves in regular visits to Bahr al-Ghazal. To voice scepticism of these figures, as with the figures of war-related deaths, is to invite the charge of denying the existence of the problem.

Slave buy-back programmes, initially organized by Dinka from the victimized communities, have been in operation since slave raids began in the 1980s. It was only in the mid-1990s, with the involvement of international agencies, that large amounts of hard currency began to be involved. Arguments against slave redemption have included fears that the injection of this cash will either increase slave-taking or drive the price of slaves up. Slave redeemers have countered that the price for a redeemed slave has remained constant for several years at about \$50 a head. A more serious and verifiable criticism of slave-redemptions is that they are subject to fraud, and that a significant proportion of those 'redeemed' are not slaves at all, and that the money changing hands is going to the organizers of these false redemptions.²²

With international agencies now basing their fund-raising campaigns on figures of slaves successfully redeemed, there is an inevitable pressure to inflate numbers, as there is with any agency whose fund-raising success is linked to producing satisfying body-counts (so many children immunized, so many refugees clothed and fed, etc.). The issue of slavery, like no other issue related to the war, has created strong bonds of solidarity between Western constituencies and the southern Sudan. American school children collect money for slave redemptions, African-Americans raise more money for slave redemption than for other relief projects in the Sudan, and it is understandable that southern Sudanese are reluctant to give up the issue, or subject it to sceptical scrutiny. But exaggerated figures of slave numbers enables Khartoum to give plausible rebuttals to the existence of slavery, and

²⁰ For documentation of rape as a weapon of war in the Nuba Mountains see African Rights, *Facing Genocide: The Nuba of Sudan* (London, 1995), pp. 221–42.

²¹ In 1990, when I was in northern Bahr al-Ghazal, I interviewed a number of Dinka children who had once been taken as slaves, but who had been able to return home, as well as a number of Dinka parents whose children had been taken from them.

²² Richard Minter, 'The false promise of slave redemption', *Atlantic Monthly*, July 1999; Human Rights Watch, 'Background paper on slavery and slave redemption in the Sudan', March 12, 1999; Declan Walsh, 'The great slave scam', *Irish Times*, 23 February 2002; Karl Vick, 'Ripping Off Slave "Redeemers"', *Washington Post*, 26 February 2002. Money raised through false slave redemptions is reported to have been used to purchase weapons with which to arm local communities against raids by PDF units (Section 7.7).

in 1999 the UN general assembly was persuaded to censure the anti-slavery agencies, rather than the Sudan government. What, then, is really happening in slave redemption?

There is enough evidence to cast doubt on the totals claimed by slave-redeemers, and the very stability of the buy-back price suggests a controlled, rather than a free market subject to fluctuations in supply and demand or competition between suppliers of redeemable slaves. Slave-redeemers base their claims in part on the personal testimonies of reclaimed slaves, recorded through local interpreters. If, as seems likely, there have been fraudulent exchanges, where do these persons come from? One connection to investigate is the circular and seasonal movement of persons between the commercial agricultural schemes of the North and Bahr al-Ghazal. The displaced populations of Darfur and Kordofan have harrowing tales of their own to tell, and their displacement is part of the same process that has revived slavery. They each occupy space on the twin tracks of cultural suppression and captured labour.

10.4 Issues of accountability

Khartoum was acutely aware that the international embargo on development aid had substantially reduced the Sudan's receipts of official development assistance – down from \$1907 million in 1985 to \$127 million in 1993/4. It was keen to resume development aid relations, not only for financial reasons, but to re-establish its legitimacy within the international community. In 1992 the Peace and Development Foundation was established to address rehabilitation and development needs in areas retaken in the South. The Relief and Rehabilitation Commission (RRC) also signalled new government priorities: the revival and expansion of agricultural economy as part of a comprehensive social programme which included relocating the displaced and promoting Islamic NGOs. The RRC characterized traditional subsistence agriculture and pastoralism as inefficient, wasteful and harmful to the environment. It proposed instead an expansion of mechanized agriculture to increase productive potential of the whole population. A new and expanded social welfare policy (with new ministries of social welfare created in the federal states) was geared to the expansion of mechanized agriculture.

This initiative spoke directly to then current aid thinking, particularly represented by the UNDP in Khartoum, which viewed conflict as arising from poverty and underdevelopment. The UN agencies willingly embraced the strategy of linking rehabilitation, development and peace. There followed a considerable blurring of humanitarian relief and development programmes in the Northern Sector, with a general failure to recognize that relief for conflict-affected populations arises from the impact of war, not from structural food deficits. Programmes for self-sufficiency were aimed at taking the war-displaced 'out of the beggar mentality'.²³

Khartoum's restrictions on relief activity through a manipulation of development ideology were given force of law through a succession of

²³ Karim, *et al.* *Operation Lifeline Sudan*, p. 100.

acts. The 1992 Relief Act stipulated that once relief enters the country, it belongs to the state. Relief aid therefore cannot be considered to have been misappropriated by the government, since it already belongs to the government. The OLS principle of neutrality was violated both by government insistence on ownership of OLS, and by the failure of the UN to challenge this ownership. In 1993 the government established a new Code of Conduct for international NGOs (INGOs), which relegated humanitarian work to a purely technical activity, excluding INGOs from gathering information on the context or causes of need for humanitarian assistance. They were specifically barred from involvement in land issues. This code, which was accepted by the INGOs, conflicted directly with the international profile many had developed as campaigners on issues of rights and justice, and made them, in effect, little more than extensions of the state, bound by a code of conduct which defined humanitarian aid in purely technical terms.

The only signed agreements by all parties in OLS came out of the IGAD mediation in March 1994, which committed all participants in OLS to ensuring 'delivery of relief assistance to all needy populations regardless of their locations.' This commitment was qualified, however, by the title of the agreement, which relates to 'War Affected Areas'. The government unilaterally abrogated this agreement in November 1995. In December 1995 it reached a new agreement with the UN Resident Representative, who agreed that OLS would not operate in 'war zones'. This allowed the government to define areas as either 'war zones' or 'areas affected by war' and exclude OLS from war zones. Between December 1995 and March 1996 the government imposed a no-go area on Western Equatoria by defining it as a war zone. Since 1992, therefore, OLS has confined its operations to those non-government areas the government was willing to concede were beyond its control. One UN official justified this by stating, 'There is a balance to be struck. To allow the Southern Sector to carry on means that we meet their (the Government of Sudan's) needs in the North.'²⁴ The political separation of OLS into distinct sectors enabled it to operate in parts of the South by not challenging government restrictive practices in the North. Operations in the South expanded, but the UN Department of Humanitarian Affairs' 'quiet diplomacy' in the North 'achieved little beyond providing an impetus for the GOS to expand its mechanisms of control and regulation', and 'failed to increase international access in the face of government opposition.'²⁵

Since the quality of access, and therefore quality of information, continued to be poor in the Northern Sector, changes in food aid policy were taken in the absence of sound data and flowed more from changing fashions in the aid world than from a real knowledge of conditions in the Sudan. The report on OLS commissioned by the UN Department of Humanitarian Affairs in 1996 concluded:

The failure of the UN to assert humanitarian principles in the Northern Sector is a failure at the level of both analysis and management. It is an analytical failure in the sense that the UN has not properly addressed the nature of the underlying

²⁴ *Ibid.*, pp. 48–9, 27–8, 57, 60, 90.

²⁵ *Ibid.*, p. 33–4.

political crisis, which constitutes the fundamental threat to the physical and socio-economic security of war-affected populations. Rather, it has concentrated on the more visible crisis of material supply. It is a managerial failure in that neither the contractual relationships the UN undertakes, nor the human resource strategies it follows, have been sufficient to address the challenge to neutrality that OLS faces. This has contributed to the overall failure of the UN to provide an adequate framework for the rights of beneficiaries and material support in the Northern Sector.²⁶

Since 1996, Khartoum has continued to place further restrictions on ground operations in OLS. It is not surprising that the supine attitude of the UN and many NGOs has had its effect on the SPLA.

Following the 1991 split, the UN and other agencies in OLS Southern Sector entered into a dialogue with the Southern movements which specified and refined the humanitarian principles underlying relief. Not only did Letters of Understanding define the relationship between UNICEF, as the lead OLS agency, and NGOs, committing both to neutrality and support for civilians only, but also a set of Ground Rules was negotiated between OLS and the Southern movements in 1993–4 which explicitly recognized the humanitarian principles on which OLS was supposed to be based. The fact that the relief wings of the two main movements – the SRRA of the SPLA and RASS of SSIM – were in competition with each other for recognition and practical assistance from the international relief industry, was a major incentive for them to prove their humanitarian credentials. But the establishment of the Ground Rules was followed by a further loosening of the regulatory regime in the SPLA territories, with the creation of southern Sudanese NGOs (SINGOs) independent of the SPLA and SRRA. A number of these SINGOs continue to play a significant role in relief operations in the southern Sudan.

In 1998 the SPLA decided to introduce its own regulations for relief activity in the areas under their control and submitted a draft Memorandum of Understanding (MOU) to participating NGOs. The MOU did not supersede the tripartite agreement with the UN on which OLS was based. It did introduce regulations similar to those common between governments (such as Kenya) and NGOs. It proposed, however, that signatories would implement their obligations 'in accordance with SRRA objectives and international humanitarian principles', while defining those SRRA objectives as 'to render humanitarian relief, rehabilitation and reconstruction in SPLM administered areas without discrimination on the basis of nationality, gender, belief, political affiliation or opinion'.²⁷

A number of NGOs objected to signing up to support for SRRA objectives on the grounds that this compromised their neutrality. They also claimed to be concerned about the security of their personnel and their property. In the end, eleven NGOs refused to sign by the March 2000 deadline and withdrew.

The NGOs and the SPLA were both being somewhat disingenuous. Many of the NGOs had accepted far greater restrictions imposed by

²⁶ *Ibid.*, p. 109.

²⁷ Consolidated text of the Agreement between the Sudan Relief and Rehabilitation Association and Non-Governmental Organizations (19/08/99).

Khartoum. Though the SRRRA's regulations were still far looser than those imposed by other governments in the region, the agencies refused to deal with the SPLA as a 'government'. The SPLA, for its part, did want to secure greater cooperation from the NGOs, more like the solidarity support many had given to ERA and REST (the relief wings of the EPLF and TPLF) in the war against Mengistu. In this their tactics failed, and they were roundly criticized, not least by the European Union, who had remained silent about Khartoum's grip on humanitarian relief in the Northern Sector, but were then involved in 'constructive engagement' with Khartoum. The government of Sudan immediately invited all NGOs who wanted to work in the South to operate from Khartoum. A year later they insisted that no Southern Sector foreign relief personnel should enter SPLA-held territories without first receiving a visa issued by the government.