

Post-Secession Sudan: Challenges and Opportunities

Introduction

Since independence, the quest for a modern state has remained a central issue in Sudanese, and indeed African, politics. In Sudan, the conflict in the South has further compounded the efforts to realize independence and form a stable and functional state. It is to be recalled that, pursuant to colonial policy, Southern Sudan was screened off from the North, which resulted in the South developing, not only a different identity, but also a hostile attitude towards the North. This was to be the most important defining element of Sudanese politics from Independence till Secession.

The South has seceded, yet many of the problems of the past are lingering. The physical absence of the South has, however, produced new circumstances allowing for a fresh approach to deal with the problems facing the country. Although the issue of the South would no longer dominate the political stage, the quest for state-building will continue, albeit with new dynamics. As before, issues such as governance, economy and identity will have to be discussed, but without the long shadows the South used to cast on them.

The next twelve months are critical, because, a) this is the period during which a permanent constitution will have to be drafted; and b) the referendum on the administrative status of Darfur will be conducted.

Secession of the South means not only that Sudan has lost one fifth of its land mass and one third of its population, but also that its geopolitics has changed. Despite these sacrifices, the most important goal, i.e., peace, has not been achieved and the two nations created by the partition are teetering on the verge of war. However, there is still hope among Sudanese that the future would witness an end to the civil-military cycle that has dominated politics since independence; that the issues of governance, power-sharing and socio-economic development would be addressed with a more consensual attitude; and that a new and more enduring constitution would be in place.

To achieve these objectives, a revamp of the system is needed. A better word is political reform. But political reform and war, like the one being fomented in southern Kordofan and southern Blue Nile, cannot coexist. Nor will the policy of isolating and penalizing Sudan be conducive to a successful political

transformation. It is therefore essential to address these specific challenges when visualizing the future Sudan.

Sudan has often been described as a microcosm of Africa, implying that developments in Sudan have a tendency to echo in the rest of Africa. The impact of secession on Africa is yet to be seen, but it is prudent to assume that it will have a lasting impact. Sudan, it appears, is destined to continue being an agent of change in the continent, even after having lost the South which in the past has served as an important nexus with sub-Saharan Africa.

The following is a summary of the main challenges and prospects that will shape the future of the Sudan.

Dealing with the Legacy of the CPA

Although the Comprehensive Peace Agreement (CPA) has formally ended by the creation of Southern Sudan, its aftermath looms large. A number of issues remain unresolved, chief among which are Abyei and the situation in southern Kordofan and southern Blue Nile. It is important to recall that all of the twelve post-Secession issues listed in the Referendum Law are still unsettled.

Abyei should have been settled through a referendum that was to be conducted before that of Southern Sudan. It remains an issue to be peacefully resolved without prejudice to the rights of any of the population groups in Abyei. The problem arises each time a definition of residency in Abyei is suggested. The SPLA is insisting on a narrow, ethnically-based definition that excludes all non-Dinkas. It remains to be seen what the ongoing negotiations in Ethiopia will produce, but it must be stressed that Abyei is a territorial dispute that cannot be solved by excluding any of its residents.

The situation in southern Blue Nile would not have erupted had the CPA been fully implemented and the SPLA forces deployed below the 1956 borders. A political solution is possible if it complies with constitutional requirements that permit all parties and individuals to pursue their political agendas through peaceful means. The SPLA should not form a political party and keep a standing army at the same time as this would only legitimize armed insurrection and heighten the risk of civil war.

Darfur can also be seen as part of the legacy of the conflict in the South. All the requirements for a peaceful end to the problem of Darfur are present. There is

the Doha Agreement, which offers a comprehensive formulation addressing all elements of the issue. More importantly, the regional situation, after the downfall of Gaddafi and the rapprochement with Chad and Central African Republic, is in favour of a peaceful settlement. What remains to be done is the honest implementation of the Doha Agreement, which would be the most effective strategy to curb all attempts at keeping the conflict alive.

Perhaps the most serious consequence to the CPA is the economic difficulty facing Sudan after it has lost at least one third of its revenue. How this will play out will depend on the economic performance of the newly-formed broad-based government.

The Drafting of a Permanent Constitution

The most urgent task for the newly formed broad-based government is to craft an agreement on an all-inclusive national constitutional commission. The fact that the broad-based government itself took five months to be finally launched (a rather lengthy incubation period) underscores the delicacy of the job.

In the last seven years since the signing of the Comprehensive Peace Agreement (CPA), the political scene has changed considerably as political parties became involved in a revolving-door game. Enemies of the past have become friends of the present, and vice versa. It is for this reason that political inclusion will be intricate and time-consuming, given the many factors to consider and parties to reconcile when forming a commission with such a momentous task.

The task will be critical and difficult. There is a well-established tendency in Sudanese politics to reject government proposals without giving them due objective consideration. The statement by Al Azhari on the Legislative Assembly proposed by the colonial authorities in 1948 in which he declared that the National Unionist Party "would reject it even if it were flawless" is a statement that is much celebrated and frequently quoted; and similar statements are being made now. It is important therefore to preempt the spoilers by making the efforts to form the commission as credible as they can be.

Formation of the commission will not be the end of difficulties. Considering the range of issues at stake, the more demanding challenge will be the setting of agenda. A commission whose composition echoes the diversity of Sudan will have equally diverse issues to reflect upon.

Some recurring issues like identity and religion will undoubtedly dominate the discussion, but will prove less difficult to resolve than when the south was an integral part of the political make-up. An acceptable agreement on these issues can be concluded if the debate were to focus on the desired contents and eschew wrangling over terminology.

While discussants might show ardour when debating these controversial issues, their real interest would be directed to items on the agenda, such as the system of government, federalism, electoral system, and socio-economic issues.

Addressing the question of which electoral system to adopt would be one of the important items on the table. There is wide agreement on the inadequacies of the winner-take-all parliamentary system that predominated in the multi-party eras and up to the 1986 elections. Much reform has taken place since. Now, there is a mixed system (direct and proportional representation) that dedicates 25% of parliament seats to women. Some suggest that an amendment should be made to allocate a similar percentage to the youth. There are even demands that the direct constituencies at the federal level should be scrapped in favour of a system purely based on proportional representation. It is reassuring to note that there are no ideological arguments behind the choices favoured by the different parties on most of these issues. It is utility rather than ideology that will decide the outcome of such debate.

The Westminster, winner-take-all system, has not been without its merits: it was simple and direct; election was a one-time event; uneducated and illiterate individuals had no difficulty understanding the voting procedure; and the deputies remained attached to their constituencies and attended to their needs. It was a system that weakened partisanship and accentuated the human bonds between the candidates and the constituents.

However, it has one major disadvantage: the winner monopolizes the exercise of power. This posed no problems in the period immediately after independence, when elections were essentially a contest between two parties. One party occupied government seats, the other occupied opposition seats, and positions were frequently swapped by the next elections. But when in 1986, the National Islamic Front rose to a significant third force, it held the balance of power, leading to a succession of events that exposed an inherent instability in the system.

Moreover, the winner-take-all system is seen by some as favouring the creation of an exclusive power club in which minorities and smaller parties could barely gain access to or share power.

While there is no doubt that the present mixed system is fairer, it is, on the other hand, more complex. For example, in the last elections in 2010 the voters had to mark eight cards, a complication that is likely to turn away voters. Another problem lies in the possibility of electing the president from one party and the parliamentary majority from another. With no experience in French-style "cohabitation", this may lead to a political impasse and cause instability.

The system of government, whether presidential, parliamentary or mixed, is being widely debated. The type of federalism, in light of the evaluation of the current federal experience will be an important item for discussion, especially to those who espouse a more decentralized state. There is a counter argument held by a significant minority that too much devolution of power to the states would mean that they are left to their own devices with the possibility of some of the poorer states defaulting on their responsibilities.

Laying the Foundations for a Robust National Unity

The execution of the above two steps should go a long way towards reinforcing national unity. Indeed, national unity, or the lack of it, has been the single most important factor in the recorded history of the Sudan on which regimes stood or fell. This was true when the army of Mohammad Ali of Egypt marched into the country to fire a bullet of mercy into the moribund Black Sultanate. It can also be seen when the joint Anglo-Egyptian troops under the leadership of Lord Kitchener moved towards Omdurman, and the Mahdist state was gasping a final breath as a result of internal strife that had completely sapped the energy of the government of Alkhalifa Abdullahi, the successor of the Mahdi. Even the secession of Southern Sudan can be seen as a failure in attaining national unity.

It is incumbent upon the majority party, i.e. the National Congress Party (NCP), to deploy and lead the efforts to lay the new foundations for national unity. This, however, is not and should not be the sole responsibility of on the NCP; the collective political movement has a share in the responsibility, for it is not confined to the body politic of the political parties; rather, it is the body politic of the whole country.

The degree of inclusion is one criterion by which the sincerity and effectiveness of the national unity efforts is measured. In this regard, it seems that a modicum of success has already been achieved. But inclusion must not be judged solely on the basis of the participation of political parties. There are other vital sectors of society, like the intellectuals, the youth, professionals and women who must also be seen to have an appreciable share in power.

Success of national unity efforts will also depend on the adoption of a national consensus program. There is of course no short supply of issues over which parties can keep wrangling for many years to come. To avoid that, the national parties should focus on drafting a national agenda, and broaden the base of national debate.

Achieving national consensus will depend on the creation of a common political culture. Perhaps the most useful effort the political parties can engage in, in order to contribute to the creation of such culture, is to begin by addressing their own shortcomings. The adage: "There is no democracy without democrats" is true and the parties need to reevaluate their democratic mettle. In the majority of the political parties democratic traditions are fickle. Institutionalism is lacking and the parties rely for their existence, almost exclusively, on the genius and personal talents of their almost immortal leaders.

Political Parties also suffer from dire financial constraints with no transparent or steady revenues, which again make them dependent on the pecuniary skills of the leader. As a result, party finances are opaque and not subject to accountability.

Many of the parties suffer from generational gaps, with the older generations refusing to give way, leaving the younger generation with no option but to withdraw or push to dislodge the old guard.

As a consequence to weaknesses in parties, rival forms of association have flourished. Tribalism, sectarianism, and regionalism have become the favoured form of association that can bring with it not only political gains, but also much needed protection. Civil society organizations, on the other hand, are beginning to assume some of the functions previously preserved to political parties.

If these issues are not addressed, it would be difficult to nurture a common political culture and a shared value system at a time when unbridled distrust between parties persists.

Yet, there is a silver lining: events in the region –the Arab Spring in particular – have given an impetus to the cause of democracy. In the past, it was generally held that the so called ideological parties have conspired against democratic regimes, in favour of their own parochial views on government and society. This may be changing – there are now unequivocal statements of adherence to democracy by all, including the rising Islamist parties, which will go a long way towards stabilizing and entrenching democracy in the region and in Sudan.

Institutionalization of the state

The colonial authorities have laid the foundations for three modernizing institutions: the educational system, the civil service and the armed forces. The three have influenced politics in various ways, and in the process have become influenced by it. However there is consensus, at least in theory, that the three institutions should remain above politics.

Among the three, the army has been the most influential. Ever since the first coup replaced the first multi-party government in 1958, this issue has been heatedly debated. Today, it remains for the constitutional process to debate and resolve. It is apt to note that for some the real threat has never been for the army to assume control; rather, it is for the army to lose control over the country. The insurgencies that have plagued the Sudan since independence testify to that. This is not an argument to justify the subordination of the civilian to the military, but it reflects the complexity of the issue and validates the point of view of those who claim that the army has been excluded from the decision-making process even in matters pertaining to the military.

Assurances have repeatedly been made by political parties in support of an institutionalized state that transcends tribe, sect and region. In practice, this has shown to be elusive. Examples can be cited where, in many instances, those primary affiliations counted more than personal merit.

The independence of the Judiciary has always occupied centre stage in the political debate. The Sudan has an independent judiciary, but certain issues remain unresolved. One of these relates to the competency of investigation and interrogation which is now invested in the Attorney General, who is at the same time the Minister of Justice and a member of the Cabinet. Some argue that such competency should be independent or become part of the independent Judiciary.

Whereas the state must be shielded from the influence of political parties, the parties also need to be protected from the heavy influence of the government. Interestingly, this, in a way, resembles the debate over the issue of separation between Church and State that raged in 19th century Europe. The point highlighted by the proponents of separation was the need to protect the Church from the State and not vice versa.

The policy of the Condominium Government to surreptitiously encourage and bankroll competition between the three main religious sects is well-documented. More than half a century after independence the legacy continues. Indeed, in a statist economy where the private sector is weak, the tendency would always be for the parties to fall back on government handouts, which would no doubt impinge on their independence. The issue needs to be further discussed even if such discussion were to lead to a system of government financing of political parties with one proviso: that state funding should be equitable and transparent.

The External Dimension

External influences on Sudan have existed throughout history. Ramses II of Egypt, Ezana of Axum (Ethiopia), or even the Sultan of Wadai (today's Chad), all sought to conquer or dominate Sudan. The game was played in both directions. Whether it was Taharqa the Kushite holding sway over Egypt, modern-time Ethiopian revolutionaries, or Chadian rebels rising against their rulers, the Sudan is implicated.

More recently, the two states of the Condominium (Britain and Egypt) have tried to influence politics through identifying with one or the other of the traditional sects. In all elections since independence, claims of funneling money into the country by foreign countries vying for influence have been made, though never substantiated. Nowadays, the influence exerted by international powers, regional and international organizations, and activists manipulating civil society movements cannot be overstressed.

This readiness to interact with external factors can be used to Sudan's advantage. In its troubled relationship with Western countries, Sudan has looked for solidarity within the African and the Arab nations. The support it has received means that Sudan will continue to fall back on these nations by consolidating cooperation and integration with them. Lately, the AU has established a strong presence in Sudan and the Sudanese positively view the efforts of President Thabo Mbeki, leader of the African Union High Level Implementation Panel

(AUHIP) and his colleagues, President Abubkar and President Buyoya. The efforts of the predominantly African mission UNAMID, led by the experienced African diplomat Professor Gambari, are also well appreciated.

A few countries in the region have already achieved some degree of economic integration with the Sudan, namely, Egypt, Ethiopia, Eritrea and Chad. Today, one can travel by car from Khartoum to Addis Ababa, Asmara or even Cairo; efforts are underway to connect Ndjamena with Genina. These countries will remain of major importance to Sudan, as well as the Central African Republic and Libya, once it has settled down.

The nascent nation of Southern Sudan will undoubtedly be the most important neighbor for decades to come. Southern Sudan has the longest border with Sudan (about 2100 Km). These borders are inhabited, on both sides, by tribes that have either coexisted or fought among themselves for the past few hundred years. Relations between these populations are defined by views on of land ownership, competition for resources, as well as cultural notions.

The SPLM, which has uncontested control in Southern Sudan, views itself as a liberator, which explains why its leaders continue to show hostility towards the North, at the expense of some of their most vital interests. Whether this will be a long or short-term trend will depend on developments within the South. A wiser option for the South would be to put its interests ahead of its ideological fervor and appreciate the fact that its relationship with the North is more important, and indeed enduring, than with any other country. The long-term interest of the South lies with the Sudan; there is more mileage for it to gain from cooperation with the North than from a policy of confrontation. Until the South figures out its options, the Sudan will continue to forge stronger ties with its other neighbours.

On the international scene, there are no signs of an imminent rapprochement with the United States, primarily because of a lack of will on its part and a tendency to renege on promises and commitments it has repeatedly made in the past. The US is losing its leverage on Sudan and may, in the context of the upcoming elections, be left with the facile option of joining the anti-Sudan activists, which would further estrange the Sudan.

Relations with the European Union, though less strained, are not showing signs of improvement, with a few exceptions among individual countries. This is primarily due to the fact that Europe has chosen to make the International Criminal Court an issue of prime importance in defining its relationship with the

Sudan. This rather uncompromising position on a controversial issue has alienated the Sudan, and provided fodder to those who insist that there is not much to gain from relations with Europe or the US as long as they keep the Sudan in the impossible position of 'Damned if you do, damned if you don't'.

Sudan has successfully explored and tested other options. The Sino-Sudanese model of economic cooperation is well known. China now has a major presence in Sudan and is spreading in the rest of Africa. India and Malaysia are also important economic partners with Sudan. Emerging medium-sized powers, such as Turkey, Brazil and South Africa are increasing their political and economic cooperation with the country. In addition, Arab countries (particularly Qatar) are becoming major investors.

In Search of a Wider Definition of Justice

The demand for justice has been a constant feature in the programs of political parties, whether those who have operated peacefully, or those who have taken up arms. The issue has at times been conflated with ethnic or regional issues. The most celebrated example is the New Sudan project launched by John Garang in 1983, which was initially posed as a progressive and egalitarian doctrine, but rapidly degenerated into a separatist ideology.

The tendency to exploit the issue notwithstanding, the demand for a just and impartial state will continue to shape the political landscape for a long time to come. The demand might be used to cloak ulterior motives by some, but the quest for justice within the growing middle class will see to it that the issue will genuinely become a central one in Sudanese politics.

The relationship between the periphery and the centre will continue to dominate the political debate. Many see such a relationship as critical to the maintenance of justice and therefore political stability. The political scene will witness an active interplay between the centripetal forces, favouring the integration of the country and the centrifugal forces favouring disintegration. Some critics are already pointing to the shortcomings of decentralization that was first ushered in by Ja'afar Numeiri, arguing that a more centralized state would be more accountable and less partial.

The urban population has its own view of justice. Being mostly educated middle and lower-middle class, its prime concern is economic justice. Unlike in the past when politics in Sudan was primarily defined by political issues such as

independence from colonial rule or union with Egypt, the politics of today will be dominated by socio-economic issues, central among which will be the questions of employment, socio-economic development and poverty eradication.

The Way Ahead

From outside, Sudan has a notorious image and its problems appear irresolvable. Yet, the difficulties and challenges facing Sudan are only matched by the opportunities available to it. The geography, the resources -both natural and human, the political experience, and the cultural affinities that bind Sudan to many of its neighbours all combine to give Sudan a lead role in the region and Africa in general. There is a deep-seated conviction among the Sudanese elite that it is precisely for this reason that Sudan has been demonized by some superpowers and denied its rightful place. Regardless of the validity of such claim, Sudan has a role to play in Africa.

Sudan's relations with its neighbours, with the exception, for now, of Southern Sudan, have improved; even a qualitative shift towards economic integration is noticeable. Such integration would not be based on nationalist or irredentist ideals; rather it would be founded on a common economic and security strategy. The success of such a small experiment would provide some compensation for the separation of Southern Sudan, create a more stable region, and present a model for other African countries to emulate.

It is fair to say that at present Southern Sudan, with its ideological outlook, does not fit into this scheme; but it is easy, for those who know the Sudan well, to realize that the current state in the South is transient. The geography and demography of Southern Sudan may have been exploited in the past, aided at times by colonial policy and failures of national governments, to encourage a secessionist project. There is however a more determinist trend among the Southern Sudanese towards cooperation with the North. This is especially so in the northern parts of Southern Sudan. The destiny of the North and the South is to cooperate and ultimately find a way to integrate. The sooner the pragmatists in the South have the upper hand the more expressed this trend would become.

Sudan would not be qualified to lead any such role unless and until it has addressed its internal challenges. This brings to the fore the need to forge a robust and durable national unity based on a consensual constitution. The scope of the new constitution should be wide enough to include putative issues, like decentralization and power sharing, as well as new issues, such as socio-

economic development, relations between the centre and periphery, and a wider definition of justice. Such issues would be impossible to address and resolve except in the context of political reform. But, as pointed out earlier, political reform is impossible to carry out in the midst of war. It is therefore necessary to help Sudan get rid of its wars. The international community and the West in particular need to act more responsibly towards Sudan.

Reform from within and support from without would help to weed out causes of armed insurrection, which would in turn create a better atmosphere for reform. This is why the 'Arab Spring' is viewed positively, contrary to the common impression among many who see Sudan as the next target for the Arab Spring. The rise of the Islamists in several Arab countries, and in Turkey before that, should reassure the Islamists who are in power in Sudan that a democratic system can work in their favour.

I am not a fan of the term recently coined in Sudan, namely, 'The Second Republic' for one good reason: when republics change systems of governance, they usually also change hands and a new team of leaders is put at the helm. However, the implication that the state needs an overhaul to create a viable system and give it a fresh start is correct. Sudan can be considered as an emerging nation with all the promise and dangers of a new birth. To attend to the needs of this new birth, efforts of all the Sudanese and their friends are needed. Ensuring that there is a positive outcome for such a process is a challenge that faces not only the majority party, but the entire political class in Sudan.

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