

# POST-REFERENDUM SOUTH SUDAN: Political Violence, New Sudan, and Democratic Nation-Building

*By Christopher Zambakari*

## ABSTRACT

**Christopher Zambakari** is a Doctor of Law and Policy (LPD), Northeastern University, Boston, Massachusetts, and a Rotary Peace Fellow, University of Queensland, Australia. His work has been published in law, economic, and public policy journals.

The objective of this paper is to analyze the problem of violence in South Sudan between 2009 and 2012. This study fills the gap in scholarship about the determinants of violence in South Sudan in the period following the Comprehensive Peace Agreement (CPA). The paper begins with a critique of the existing paradigms of understanding conflicts in Sudan and South Sudan: race (Arab and African), religion (Christian and Muslim), ethnic (native and settler), geographic (north and south), and the tendency to present violence as criminal and not political. It quantifies the determinants of violence, presents frequencies and percent distribution of incidents resulting in deaths, and tabulates the ratio of person(s) killed to number of incidents in the five states most affected by violence: Warrap, Unity, Upper Nile, Jonglei, and Lakes. The second objective of the paper is to discuss an alternative solution to the political crisis facing both countries: citizenship and the need for an inclusive framework to manage diverse populations within a unified nation. The article concludes with a discussion of the New Sudan framework by situating it within the larger debate on democratic nation-building, while discussing its alignment with regional and international law.

\*The author would like to thank Lyn Ossome, University of the Witwatersrand, Rose Jaji, University of Zimbabwe, Richard A. Lobban, Jr., Executive Director of Sudan Studies Association/ Dept. of Anthropology, Rhode Island College, for their insightful comments and constructive feedback on the earlier draft of this article. This paper was first presented at the ninth International South Sudan and Sudan Studies Conference, Rheinische Friedrich-Wilhelms-Universität Bonn, Germany from July 23-25, 2012.

## I. INTRODUCTION

On July 9, 2012, the Republic of South Sudan celebrated its first anniversary. The Comprehensive Peace Agreement (CPA),<sup>1</sup> signed on January 9, 2005, had brought an end to one of Africa's longest and most intractable civil wars.<sup>2</sup> Since its start in 1955, an estimated 2.5 million people died as a consequence of the war—a significant toll in a region that had a pre-secession population of just under 40 million in 2008 (UNMIS 2009; Human Security Report Project 2005). According to some experts, the Sudanese civil war produced “more casualties than those in Angola, Bosnia, Chechnya, Kosovo, Liberia, the Persian Gulf, Sierra Leone, Somalia, and Rwanda put together” (Martin 2002). In addition to the high number of casualties, the conflict also displaced millions of civilians, turning them into either internally displaced persons (IDPs) or refugees.

The CPA was the immediate culmination of the negotiations that ended the hostility between the northern Government of Sudan, led

by the National Congress Party (NCP), and the Sudan People's Liberation Movement/Army (SPLM/A) in the south (currently the Republic of South Sudan). In fulfillment of the mandate of the Machakos Protocol of the CPA, a referendum on self-determination was conducted in January 2011, and 98.83 percent of South Sudanese voted to effectively secede from North Sudan (SSRC 2011). The objective of this essay is to analyze the problem of violence in South Sudan in the period leading up to and after the 2011 referendum.

First, the paper analyzes the problem of violence, defined as number of persons killed, in all 10 states in South Sudan during the period between 2009 and 2012. This period is delimited by the fact that there is no comprehensive data on violence that occurred in the region between 2005 and 2008. This paper only concerns itself with one aspect of violence, which is measured as incidents that lead to a violent outcome (the unit of analysis in this study), namely the death of a person or persons for which data exist.

The second objective of this paper is to discuss an alternative to the political crisis facing both Sudan and South Sudan: addressing citizenship and the need for an inclusive framework to manage diverse populations within a unified nation. South Sudan is home to 60 different nationalities, which, if extended to include the clans and sub-clans, raises the number to 90. This makes South Sudan one of the most diverse countries in East Africa. According to the House of Nationalities (2011), these South Sudanese

---

<sup>1</sup> The Comprehensive Peace Agreement (CPA) Between The Government of The Republic of The Sudan and The Sudan People's Liberation Movement/Sudan People's Liberation Army 2005

<sup>2</sup> I am indebted to Dr. Richard Lobban, Department of Anthropology at Rhode Island College, for pointing out to me that when it comes to conflicts on the African continent, the period one is interested in as well as one's definition of “state-to-state wars; wars of resistance; continuous wars; counter-insurgency wars, historical wars, ancient wars, and so forth” matters greatly. My interest lies in the period starting in 1950. The analysis presented in this paper only covers the period from 2009-2012. The civil war between Sudan and South Sudan was effectively ended in 2005 with the signing of the Comprehensive Peace Agreement (CPA).

“nationalities are organized into quasi-states with traditional leadership and quasi-armies of their own. While some are egalitarian, others are pastoralists and nomadic while others are agro-pastoralists or sedentary agricultural communities.” Francis Deng, a leading South Sudanese intellectual, notes that the challenge for the Sudanese state in the north and now the Republic of South Sudan is to “bring together diverse peoples with a history of hostility into a framework of one state” (2005).

This challenge is a question of who belongs and who does not belong in the political community. At its root, the rise of violence in South Sudan can be traced to its search for identity (see Deng 1995; Deng 2010). Deng contends that the mismanagement of identity, the failure to build a true democracy that is inclusive of the diversity within the country, and a state that has resorted to force has led to a predictable outcome: war and resistance from the population against the state’s assimilationist program (e.g., Arabization and later Islamization).

The article concludes with a discussion of the New Sudan framework, as articulated by the chairman of the Sudan People’s Liberation Movement/Army (SPLM/A), the late Dr. John Garang de Mabior.

## II. VIOLENCE IN THE POST-REFERENDUM PERIOD

The political crisis in Sudan and South Sudan is often referred to as the crisis of national identity, as well as contested

notions of citizenship and the challenge of building an effective plural society (Deng 1995; Assal 2011; Manby 2011; Mamdani 2011b; Idris 2012). Even though the CPA was intended to end violence between the two Sudans, South Sudan has not been at peace since the agreement was signed in 2005. Rather, the period between 2009 and 2012 has seen an escalation in the number of persons killed, wounded, abducted, forcefully displaced, and affected (Zambakari 2012a, 2012b, 2012d). The proliferation of ethnic violence raises the question of whether the new republic will be able to build a nation—a viable state—in a region plagued by conflicts and instability.

The Sudanese conflict—one of Africa’s longest civil wars—has been analyzed along several axes: race (Arab and African), religion (Christian and Muslim), ethnic (native and settler), geographic (north and south), and control of natural resources like oil. Journalists and human rights organizations have developed a rather simplistic way to make sense of violence: by stripping it of its historical and political context and presenting it as a purely criminal phenomenon. The de-contextualization of reporting conflict has led to the “pornography of violence” (Mamdani 2007), whereby violence is presented in its most raw and graphic format. As a result, the advocated solution for those who view all violence as criminal is prosecution and punishment for the wrongdoers (Human Rights Watch 2005).

For journalists and human rights activists, the message is clear: violence

and its depiction speak for themselves. There is no history, context, or real issues. The psychology of the perpetrators suffices in explaining the violence. The net effect has been the displacement of critical thinking on the conflict in the country, which is reflected in misinformed policies that ultimately help to sustain and perpetuate conflict in a vicious cycle.

Most scholars dismiss the easy and simplified way in which the problems of violence in Sudan have been reported in the media (Mamdani 2009; De Waal 2007; Gallab 2011; Idris 2004; Anderson 1999). In Abdullahi Gallab's study on Sudan, which analyzes the process of state formation, the institutional legacies of the late colonialism in the nineteenth and twentieth centuries are emphasized as well as their subsequent inheritance by the postcolonial regime. The outcome has led to the emergence of a "centralized violent governing entity" (Gallab 2011) while deferring the Sudanese civil society. By tracing the evolution of structures and networks of power from ancient to modern time, Gallab presents a compelling case of key historical forces that have shaped modern Sudan.

Norman Anderson (1999) dismisses outright the notion that the problem is "Arabs" against "Africans" and claims that, given the long historical relationship that Sudan has had with the outside world (including the Mediterranean and Arabia), the distinctions between the "Arab" north and the "African" south are complex. This paper also challenges

the simplistic explanation of violence between Sudan and South Sudan—as well as violence within South Sudan—by empirically investigating and analyzing factors that account for violent incidents over a period of 39 months. There is no study that analyzes the determinants of violence, quantifies its scale, and provides empirical evidence showing factors that predict incidents in South Sudan.

An analysis of the violence in South Sudan reveals important facts about the nature of violence in the region and in Africa. Prior to secession, Sudan was Africa's largest country containing multiple major African language groups and nationalities within its boundaries (Lobban, Kramer, and Fluehr-Lobban 2012). The challenges of the two Sudans represent the larger continental political crisis facing most African countries in the twenty-first century (Zambakari 2012c). The political crisis of identity, the mismanagement of diversity, and the contested notions of citizenship are problems experienced by all countries in East Africa. Despite the independence of South Sudan, violence—particularly within and between ethnic or military groups—continues to claim human lives. The period between 2009 and 2012 has seen a proliferation of violence throughout South Sudan and its border states, while conflicts continue in eastern and western Sudan (Zambakari 2011a).

### III. DEFINITION OF VARIABLES

In this paper, inter-ethnic refers to incidents between at least two ethnic groups. Intra-ethnic refers to incidents occurring between various sub-ethnic groups or clans within one ethnic group. Civilian incidents refer to violent episodes involving non-combatants and unarmed citizens only (without the active involvement of armed groups). Naturally occurring incidents refer to incidents involving natural forces: flood, fire, and disease outbreak. Armed forces in South Sudan refer to incidents involving one or more of the categories of armed forces active in South Sudan, e.g., Sudan People’s Liberation Army (SPLA) and Rebel Movement Groups (RMG). North Sudan Armed Forces refers to incidents involving one or more of the categories of the armed forces from North Sudan, e.g., Sudan’s Armed Forces (SAF), former Joint Integrated Unit (JIU). Armed Groups broadly refers to “dissident armed forces or other organized armed groups that are distinct from the armed forces of the state” (African Union 2009, Art. 1 (e)). Foreign forces are armed groups from outside of South Sudan (e.g., Lord Resistance Army (LRA) and the Uganda People’s Defense Force (UPDF)) and Cross International Boundary actors.

The unit of analysis is incident. Incidents range from cattle raids to inter- and intra-ethnic clashes, armed attacks, and natural disasters. An incident has a number of possible

**Table 1. Frequency and Proportion of each Incident Characteristic**

(Number of Incidents = 932)

Incidents Characteristics	Frequency	Proportion
Civilian	669	71.78%
Inter-ethnic	553	59.33%
Armed Forces in South Sudan	389	41.74%
Intra-ethnic	112	12.02%
Natural Occurring	76	8.15%
Foreign Forces	63	6.76%
North Sudan Forces	44	4.72%
South Sudan Police Services	38	4.08%

Source: Incident characteristics are not mutually exclusive (i.e., percent will not sum to 100), for more information on the full methodology, refer to (Zambakari 2012a): *New Sudan, Colonialism, Politics, and the Making of a New State in South Sudan*. Law and Policy Doctorate (LPD). Northeastern University, Boston, Massachusetts.

outcomes, including death, wounding, abduction, or internal displacement. This essay uses the definition of IDP adopted at the Kampala Convention to include all “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border” (African Union 2009).

Table 1 presents a breakdown of determinants of violence in South Sudan. Incident characteristics are not mutually exclusive.

**Table 2. Frequency and Percent Distribution of Incidents Resulting in Deaths**

State	No Documented Deaths		Documented Deaths		Number of Incidents
	Frequency	Proportion	Frequency	Proportion	
Central Equatoria	23	69.70%	10	30%	33
Eastern Equatoria	26	44.07%	33	55%	59
Jonglei	134	34.81%	251	65%	385
Lakes	42	36.84%	72	63%	114
Northern Bahr el Ghazal	15	75.00%	5	25%	20
Unity	52	43.70%	67	56.30%	119
Upper Nile	30	50.85%	29	49.15%	59
Warrap	19	28.36%	48	71.64%	67
Western Bahr el Ghazal	14	70.00%	6	30.00%	20
Western Equatoria	23	41.07%	33	58.93%	56
					932

Source: Incident characteristics are not mutually exclusive (i.e., percent will not sum to 100), for more information on the full methodology, refer to (Zambakari 2012a): *New Sudan, Colonialism, Politics, and the Making of a New State in South Sudan*. Law and Policy Doctorate (LPD). Northeastern University, Boston, Massachusetts.

Table 2 presents frequencies and percent distribution of incidents resulting in deaths. Interestingly, a higher number of incidents was not always associated with the number of persons killed, suggesting the “deadliness” of incidents varied across states. The cases of Jonglei (385 incidents), Warrap (67 incidents), and Western Equatoria (56 incidents) are illustrative of this fact. In the state of Jonglei, 385 incidents were recorded, of which 65 percent resulted in at least one death. The state of Warrap recorded fewer incidents than Jonglei, but the difference was that, in Warrap, 48 of those incidents (71.6 percent) resulted in the death of at least one person. In the state of Western Equatoria, 33 incidents, or 58.9 percent

of incidents, led to the death of at least one person.

To see the remaining breakdown for the rest of the states in South Sudan, refer to Table 2.

Table 3 tabulates the ratio of person(s) killed to the number of incidents. This ratio provides information about the severity or deadliness of incidents by state. This table focuses on the states most affected by violence. Surprisingly, these are states that border Sudan. These states were also at the front of the liberation war in South Sudan. As a result, the society was militarized and politicized as various governments in Sudan armed different militias to fight against the SPLA in the South. In these states, demilitarizing, demobilizing, and reintegrating former combatants

has proven a major challenge. Of an estimated 150,000 former militia fighters, only 10,000 have been demobilized. Further, the area affords easy access to light weapons, increasing the fatalities in each encounter. Collectively, these five states accounted for 93.91 percent of deaths in South Sudan between 2009 and March 2012.

The first part of this paper presented statistics on mortality resulting from violent incidents in South Sudan. The crisis that led to the breakup of Africa's largest country is by no means unique to Sudan or South Sudan. It is a crisis that affects most postcolonial states in Africa. Given that violence is the single biggest problem that the nascent Republic of South Sudan is facing, the next section discusses the New Sudan framework and situates it within the larger debate on democratic nation-building by joining the study of violence in South Sudan to that of the history of state formation in the region, where failure to build an inclusive nation has led to an acute crisis of the state. This has resulted in deaths and the forced displacement of civilians.

#### IV. NEW SUDAN AND DEMOCRATIC NATION-BUILDING

Sudan has been through several transitions in its attempt to build a modern democracy (Woodward 2008; Anderson 1999; Garang 1992). Each attempt was violently interrupted by a military regime that took power through a coup d'état. The first transition, from 1956 to 1958, was

**Table 3. Ratio of the Persons Killed to Incidents**

State	Frequency of Incidents	Ratio to incidents Killed
Warrap	67	12.69
Unity	119	6.65
Upper Nile	59	6.41
Jonglei	385	5.78
Lakes	114	4.12

Source: Incident characteristics are not mutually exclusive (i.e., percent will not sum to 100), for more information on the full methodology, refer to (Zambakari 2012a); New Sudan, Colonialism, Politics, and the Making of a New State in South Sudan. Law and Policy Doctorate (LPD). Northeastern University, Boston, Massachusetts.

interrupted in 1958 by General Ibrahim Abboud. The second occurred between 1965 to 1969 and came to an end in 1969 when Jaafer Mohammed Nimeiri took power through a military coup. From 1969 to 1985, Nimeiri created a single ruling party called the Sudan Socialist Union (SSU). The SSU made Sudan a single party state and abolished all other political parties in the country. The government was dissolved and in 1985 General Abdel Rahman Swar al-Dahab came to power. Once again, Sudan experimented with a democratic government between 1986 and 1989. In 1989, Brigadier Omar Hassan Ahmad al-Bashir came to power through yet another coup d'état, dissolving the temporary democratic government. The most recent transition was instituted by the Comprehensive Peace Agreement and lasted from 2005 to 2011 through the transitional government.

This section develops the idea of the New Sudan as an alternative model to resolve the problem of violence characterized by an acute crisis of state,

contested notion of citizenship, and the conflict over the identity of the state. The idea of New Sudan was articulated by Dr. John Garang, the late chairman and commander in chief of the Sudan People's Liberation Movement/Army (SPLM/A). This model—where the “New United Sudan with which all Sudanese can identify on equal footing as citizens” (Deng 2010)—offers the way forward as an antidote to the colonial legacy of politicizing race and tribe.

This section aims to situate the New Sudan model within the larger debate on democratic nation-building. Disputes regarding democratic nation-building in Africa span a vast literature. Many scholars have analyzed the arrest of democracy in Africa, the failure in the process of dissolution of new democracies, and the dynamics of political exclusion (Lewis 1965; Mamdani 1988; Shivji 1991; Garang 1992; Ake 1996).

Arthur Lewis (1965) warns about the danger of nation-building from above—the de facto mode of building a nation in the postcolonial period in Africa. His warning about the tendency to forcefully assimilate diverse nationalities into a nation by suppressing religious and ethnic affiliation is still valid today. Claude Ake (1996) similarly notes that the dominant model was democracy based on liberal ideals, a model that was unsuitable for the African context. However, Ake rejects the notion that democracy has failed in Africa. Instead, he argues that, in both the colonial and postcolonial period,

true democracy—based on consent, popular participation, and public accountability—has not been tried. Issa G. Shivji (2012), on the other hand, argues that the system of liberal democracy instead was abstracted from a different socio-historical context that was not rooted in the African experience and often imposed from above. While Lewis is concerned with the building and managing of a plural society, Ake and Shivji have been critics of the dominant model of top-down nation- and state-building rooted in the capitalist and neoliberal tradition. In response to this history, all three scholars have attempted to construct a theory that is consistent with the social and political history of state formation in Africa.

The outcome of prior nation-building efforts has been the emergence of the so-called failure of democracy in Africa. Failing to resolve problems of inclusion and identity in Africa, democracy continues to alienate people, and, thus, its foundation remains shallow. The challenge for African states is to develop a model of democracy that is rooted in the African experience, reflecting the norms and values of the governed and taking into account social and historical experiences. In other words, democracy has to be the product of organic internal development rather than external imposition.

For South Sudan, this means the starting point is to investigate the institutional legacies of slavery, colonialism, and postcolonial governance that failed to build a nation

that is inclusive of the diversity within its borders. This critical interrogation of inherited legacies requires that political space be opened so that there can be a healthy debate about national problems and all shareholders take part in the deliberation on important issues.

In pre-secession Sudan, the politics of exclusion were characterized by a dynamic that privileged a small segment of the population and excluded the mass from governance. This ultimately led to violence. Several paradoxes emerged in Sudan's attempt at a constitutional democracy and have plagued the country to this very day.

Sudan became independent without proper consultation and agreement between the different regions that were integrated by Great Britain to form the Sudan. There was no national consensus-building through constitutional means (Johnson 2003). At the ceremony of independence in 1956, the government established a precedent of taking the popular will for granted (Johnson 2003). Sudan marched to independence a divided country (Deng 1995, see Part III on Quest for Nationhood; Deng 2010, see Ch. 8). There existed a total disregard for consultation with the population on important matters at the national and local level. The colonial and postcolonial state developed a habit of circumventing agreed legal procedures in constitutional matters.

The effect of this precedent was consequential and far-reaching, as reflected by the dismantling of the Constituent Assembly in 1958. This

occurred before the Assembly was able to make a decision on federalism as a form of government that could accommodate South Sudan within a united Sudan (Johnson 2003). In 1982, a referendum for the South was canceled instead of allowing the South to register opposition to the subdivision of Southern Regions (Johnson 2003). In 1989, there was an overthrow of the parliamentary government rather than letting it reach a compromise on the Islamic state (Johnson 2003). A true democratic process would have taken these dangerous precedents into account by seeking a national consensus on the most important national issues, from independence through the referendum on regional self-determination.

In the ongoing debate on how to resolve the crisis of identity in the Sudan and build an effective democratic and plural society, Garang (1992) proposes the New Sudan framework. The New Sudan framework espouses an organic and internally-driven process of nation-building in the two Sudans. Garang notes that one of the problems plaguing the old Sudan is that it has been looking for its soul, and, "failing to find it [...] some take refuge in Arabism, and failing to find this, they find refuge in Islam as a uniting factor. Others get frustrated as they fail to discover how they can become Arabs when their creator thought otherwise. And they take refuge in separation" (Garang 1992).

The proposed solution is a new socio-political Sudanese dispensation in which all Sudanese are equal

stakeholders, regardless of a person's religion, race, ethnicity, gender, or place of origin. The New Sudan framework creates national citizenship based on residence and not descent. It defines and rejects the colonial practice of racializing the urban population and tribalizing rural societies (Mamdani 2009). In short, the New Sudan seeks to dismantle political identities based on conquest and replace them with a national identity based on consent.

The New Sudan offers a way to reconcile between the polar dichotomies of native-settler, urban-rural, and civic-customary notions of citizenship. As many examples in Africa testify, this alternative cannot be simply pushed from above upon those below or forced upon the ruled. It also cannot simply be written into the constitution and left to work a magic of its own. Failures are many in the region where South Sudan is located.<sup>3</sup> Most countries, except Tanzania, have kept the distinction between natives and settlers. It is “the only part of the region where a group has not been persecuted collectively—as a racial or an ethnic group. Tanzania is the East African antidote to Nigeria” (Mamdani 2011a). It can even be argued that Tanzania is not only the antidote to Nigeria but also the antidote to Kenya, Uganda, Rwanda, and the Democratic Republic

of Congo, where conflicts rage over the citizenship question.

The lessons of Tanzania—on building a modern state out of a plural society—are relevant for South Sudan and other indirectly ruled countries. South Sudan is a patchwork of many nationalities. It was administered as a separate region under British colonial rule despite being part of Sudan. It fluctuated between centralized and decentralized governance as well as colonial and postcolonial administration. The challenge today for South Sudan, as it was for Tanzania, is how to build common citizenship and a nation out of diverse nationalities, races, religions, and ethnicities. How can South Sudan bring under a single governing law and administration these many nationalities to form a viable nation and a state?

In Tanzania, Mwalimu Julius Nyerere's greatest contribution as a statesman was that he built a centralized state and the rule of law (Mamdani 2012). To achieve this objective, Nyerere had to first dismantle the institutions of colonial administration and initiate a complete reform of the colonial state. According to Mamdani, Nyerere “created a national citizenship based on residence in a country where colonialism had left the legacy of defining every individual on the basis of a racial or tribal political identity based on origin” (Mamdani 2011a).

The New Sudan is also rooted in a historical discourse on citizenship. It is consistent with key provisions of the Universal Declaration of Human Rights, the Declaration on Principles

---

<sup>3</sup> Uganda, Kenya, and Ethiopia all have citizenship rights that are recognized at the civic level. But those states have failed to reform the realm of the customary. The customary authorities continue to make a distinction between natives and settlers, indigenous and non-indigenous population.

of International Law Concerning Friendly Relations and Co-operation among States (United Nations 1970), the Convention on the Reduction of Statelessness (UN 1961), and the Draft Articles on Nationality of Natural Persons in relation to the Succession of States (ILC & UNCTC 2005) on the right to citizenship. Each of these conventions prohibits discrimination on the basis of ethnicity, gender, race, creed, or color. It also entrusts the state with a mandate to represent all the people within their territories and allow all people within the state to participate in the political process on the basis of equality (Dersso 2012).

Political violence is one of the most serious problems affecting African states today. It threatens to unravel the societal fabric. It destroys human capital and arrests young democracies. Akyaaba Addai-Sebo (2011) notes that when violence erupts in a country, it signals that the center can no longer hold. This calls for a reordering of society and a new dispensation. Given that every polity emanates from the people, it also derives its legitimacy from them. While the colonial state had a tendency to exclude a segment of the population from citizenship, the new dispensation, New Sudan, provides the foundation for an inclusive citizenship that grants full participation in the nation to both majority and minority groups.

Given that the colonial state divided a nation into smaller minorities, the problem of building a national consensus and political consciousness—an inclusive framework

in which everyone belongs—has led to an acute crisis of citizenship. The New Sudan provides an alternative paradigm for thinking about what it means to manage a multi-ethnic, multi-cultural, multi-racial, and multi-religious society in a modern world. The model provides a framework for resolving the political and legal crisis of citizenship in North and South Sudan. The question facing South Sudan, as it did pre-secession Sudan, is how to build a plural society, manage diversity within an inclusive framework (Idris 2012; Deng 2010; Garang 1992), and reform the colonial state inherited at independence (Mamdani 2009; Zambakari 2012c).

The problem of the two Sudans is summarized by Mansour Khalid who served as Nimeiry's foreign minister in 1972 and later joined the Sudan People's Liberation Movement/Army (SPLM/A). He shared many of Garang's understandings of the conflict. Like Garang, he began with Sudan's identity then proceeded to addressing Arabism as a political project. In *The Call for Democracy in Sudan*, Garang notes that "the basic problem of the Sudan, now as at Independence, is how to achieve political unity in such a culturally diverse country and to achieve equitable socioeconomic development" (Garang 1992). Khalid further notes the contested notion of citizenship and identity. He writes, "the Sudan, anthropologically, is not a country of Arabs and Africans but that of Arabicized Africans or Africanized Arabs and pure Africans; racial purity is alien to it. On the other hand the pre-eminence of Arab

culture has never been challenged by the non-Arabs, except those driven by reactive inferiority complexes, like the secessionists of Anyanya I and Anyanya II” (Mansour Khalid’s introduction, Garang 1992). Next, Khalid takes on the problem that has plagued Sudan since its independence: the contested identity of Arabism and Islamism. He notes that, “what the SPLM is challenging, therefore, is not Arabism as a cultural identity but as a political supremacy based on racial heredity. Also the ethnic diversity advocated by the SPLM is nothing but respect for cultural specificities rather than the perpetuation of ethnicity as a source of dissension” (Introduction by Khalid, Garang 1992). Khalid draws a distinction between different forms of identity: cultural and political. Arabism as an identity was a political project imposed from above. Both Khalid and Garang distinguish “Arab culture from Arab racial supremacy” (Garang 1992). In the first instance, this is a distinction between Arab as a cultural identity and Arab as a political identity produced and sustained by a particular form of state. Finally, although Islam was the religion of the majority, its place was not in the state since the populations of Sudan were multi-cultural, multi-racial, and multi-ethnic. At its roots, the problem of Sudan was how to build a nation out of a diverse population without resorting to forceful assimilationist projects like Arabism or Islamism.

As South Sudan looks forward to building an effective plural community of diverse nationalities, it will need to

learn from the lessons that led to the war with Sudan and avoid repeating similar mistakes. This means a reform of the state it inherited from the Old Sudan and resisting the temptation to impose a national identity from above. The status of southerners in the North and northerners in the South needs to be addressed by both states in order to avoid the problem of statelessness. There are an estimated 700,000 southerners living in Khartoum whose residency status and citizenship are uncertain (IDMC & NRC 2012a, 1). This is in addition to the millions of internally displaced people throughout Sudan and South Sudan (IDMC & NRC 2012b). The question of citizenship and the colonial state, which reproduces and enforces political identities, needs political reform that will join the two demands for citizenship: one grounded in ethnicity and the second based on residency (Zambakari 2011b).

The New Sudan calls for a rethinking of the definition of citizenship. It promotes a shift from an emphasis on ancestral descent to prioritizing residence as a basis for political participation. It moves the debate away from the national question and toward the citizenship question (Zambakari 2011b, 2012c). The national question preoccupies itself with origins. It prioritizes ethnicity and autochthony, or the status of being indigenous, as the basis of belonging. It discriminates between those said to belong and those who do not belong, the native and the settler. The native is indigenous, while the non-native is a foreigner. In contrast, the New Sudan focuses on

citizenship as a basis for belonging. It deemphasizes descent while emphasizing residence as the basis of a common citizenship.

The New Sudan framework provides one way to think about a modern African state's attempt to manage a diverse population in an increasingly globalized world. The framework promulgates a move from an exclusive to an inclusive definition of citizenship. In so doing, it broadens the boundary of the political community.

## V. CONCLUSION

The reality of the two Sudans is that they are multi-national, multi-cultural, and multi-religious polities. Peace in South Sudan will therefore depend on relations with Sudan, a country which the new Republic shares one of the longest international borders in Africa.

While the referendum divided the Sudan into two states, it did not undo social relations forged over millennia between the two countries. The durability and sustainability of peace in North and South Sudan depend on a comprehensive solution to outstanding issues between the two countries. These include pending border demarcation, allocation of revenue from oil, citizenship for Sudanese in the North and in the South, movement of nomadic ethnic groups in the border states, debt sharing, the pending referendum in Abyei, political status of southern Kordofan and Blue Nile, and peace and stability in eastern (Beja) and western Sudan (Darfur).

## VI. REFERENCES

- Addai-Sebo, Akyaaba. 2011. How the UN failed Côte d'Ivoire. *New African* (503):16-19.
- African Union. 2009. African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa: (Kampala Convention). Addis Ababa, Ethiopia: African Union. [http://au.int/en/sites/default/files/AFRICAN\\_UNION\\_CONVENTION\\_FOR\\_THE\\_PROTECTION\\_AND\\_ASSISTANCE\\_OF\\_INTERNALLY\\_DISPLACED\\_PERSONS\\_IN\\_AFRICA\\_\(KAMPALA\\_CONVENTION\).pdf](http://au.int/en/sites/default/files/AFRICAN_UNION_CONVENTION_FOR_THE_PROTECTION_AND_ASSISTANCE_OF_INTERNALLY_DISPLACED_PERSONS_IN_AFRICA_(KAMPALA_CONVENTION).pdf).
- Ake, Claude. 1996. *Democracy and development in Africa*. Washington, DC: Brookings Institution Press.
- Anderson, G. N. 1999. *Sudan in crisis: The failure of democracy*. Gainesville, FL: University Press of Florida.
- Assal, Munzoul. 2011. Nationality and citizenship questions in Sudan after the Southern Sudan referendum vote. Sudan Report SR 2011: 1. Bergen, Norway: Chr. Michelsen Institute (CMI), the Institute of Peace Studies at the University of Khartoum and Al Ahfad University for Women.
- The Comprehensive Peace Agreement (CPA) Between The Government of The Republic of The Sudan and The Sudan People's Liberation Movement/Sudan People's Liberation Army.
- De Waal, Alexander. 2007. *War in Darfur and the search for peace*. Cambridge, MA: Global Equity Initiative, Harvard University.
- Deng, F.M. 1995. *War of visions: conflict of identities in the Sudan*. Washington, DC: Brookings Institution Press.
- Deng, Francis Mading. 2010. *New Sudan in the making? Essays on a nation in painful search of itself*. Trenton, NJ: Red Sea Press.
- Deng, M Francis. 2005. Sudan's Turbulent Road to Nationhood. In *Borders, nationalism, and the African state*, edited by Ricardo René Laremont. Boulder, Colorado: Lynne Rienner Publishers.
- Dersso, Solomon A. 2012. International law and the self-determination of South Sudan. ISS Paper 231. Addis Ababa, Ethiopia: Institute for Security Studies. <http://www.issafrica.org/pgcontent.php?UID=31358>.

- Gallab, Abdullahi A. 2011. *A civil society deferred: The tertiary grip of violence in the Sudan*. Gainesville: University Press of Florida.
- Garang, John. 1992. *The call for democracy in Sudan* (edited and introduced by Mansour Khalid). Edited by Mansour Khalid. 2 ed. New York: Kegan Paul International.
- Human Rights Watch. 2005. Entrenching impunity: Government responsibility for international crimes in Darfur. New York.
- Human Security Report Project. 2005. Human Security Report: Counting the indirect costs of war. Vancouver, Canada.
- IDMC & NRC. 2012a. Global Overview 2011: People internally displaced by conflict and violence. Geneva, Switzerland: Internal Displacement Monitoring Centre and Norwegian Refugee Council. <http://www.internal-displacement.org/publications/global-overview-2011>.
- \_\_\_\_\_. 2012b. South Sudan: New displacement adds to critical humanitarian situation in the country since independence. Geneva, Switzerland: Internal Displacement Monitoring Centre & Norwegian Refugee Council. [http://www.internal-displacement.org/8025708F004CE90B/\(httpCountrySummaries\)/F119FED29B958D06C1257A2800443BD5?OpenDocument&count=10000](http://www.internal-displacement.org/8025708F004CE90B/(httpCountrySummaries)/F119FED29B958D06C1257A2800443BD5?OpenDocument&count=10000).
- Idris, Amir. 2004. The racialised and Islamicised Sudanese State and the question of Southern Sudan. In *State crises, globalisation, and national movements in north-east Africa*, edited by Asafa Jalata. London; New York: Routledge.
- \_\_\_\_\_. 2012. Rethinking identity, citizenship, and violence in Sudan. *International Journal of Middle East Studies* 44, no. 2: 324-326. doi: 10.1017/s0020743812000086.
- ILC & UNTC. 2005. Draft articles on nationality of natural persons in relation to the succession of states, with commentaries, 1999. Text adopted by the International Law Commission at its fifty-first session, and submitted to the UN General Assembly. In *Yearbook of the International Law Commission, 1999*, vol. II, Part Two. New York, NY: United Nations Treaty Collection (UNTC). [http://untreaty.un.org/ilc/texts/instruments/english/commentaries/3\\_4\\_1999.pdf](http://untreaty.un.org/ilc/texts/instruments/english/commentaries/3_4_1999.pdf).
- Johnson, Douglas H. 2003. *The root causes of Sudan's civil wars*. Bloomington: Indiana University Press.
- Lewis, W. Arthur. 1965. *Politics in West Africa*. Toronto; New York: Oxford University Press.
- Lobban, Richard, Robert Kramer, and Carolyn Fluehr-Lobban. 2012. Ethnic groups of Sudan. In *Historical dictionary of Sudan* (forthcoming). Lanham, Maryland: Scarecrow Press.
- Mamdani, M, Mkandawire, Thandika, and Wamba-dia-Wamba, E. 1988. Social movements, social transformation, and the struggle for democracy in Africa. Dakar, Senegal: Council for the Development of Social Research in Africa (CODESRIA).
- Mamdani, Mahmood. 2007. The politics of naming: Genocide, civil war, insurgency. *London Review of Books* 29, no. 5: 5-8.
- \_\_\_\_\_. 2009. *Saviors and survivors: Darfur, politics, and the war on terror*. New York: Pantheon Books.
- \_\_\_\_\_. 2011. The East African Federation: Challenges for the future. Text of keynote address to the East African Legislative Assembly Symposium, "A Decade of Service towards Political Federation," Arusha (June 30). Makerere Institute of Social Research & Pambazuka News 2011a. [http://www.misr.mak.ac.ug/index.php?option=com\\_content&view=article&id=148:mamdani-on-the-east-african-federation&catid=1:latest-news&Itemid=50](http://www.misr.mak.ac.ug/index.php?option=com_content&view=article&id=148:mamdani-on-the-east-african-federation&catid=1:latest-news&Itemid=50).
- \_\_\_\_\_. 2011. Mahmood Mamdani's talk on South Sudan's referendum. The Makerere Institute of Social Research (MISR), March 17. <http://mak.ac.ug/documents/mamdani/ProfMamdaniPaperSSudanReferendum.pdf>.
- \_\_\_\_\_. 2012. *Define and rule: Native as political identity*. Cambridge, Massachusetts: Harvard University Press.
- Manby, Bronwen 2011. *International law and the right to a nationality in Sudan*. New York, NY: Open Society Initiative for Eastern Africa.
- Shivji, I. G. 2012. Democracy and democratisation in Africa. *Pambazuka News* 560. <http://pambazuka.org/en/category/features/78361>.
- Shivji, Issa G. 1991. The democracy debate in Africa: Tanzania. *Review of African Political*

- Economy* 79.
- SSRC. 2011. SSRC announces final referendum results. The Southern Sudan Referendum Commission, February 10, <http://www.ssrc.sd/SSRC2/>.
- The House of Nationalities. 2012. Present situation in the South Sudan. The House of Nationalities. <http://houseofnationalities.org/downloads.asp>.
- UN. 1961. Convention on the Reduction of Statelessness. United Nations, New York. [http://untreaty.un.org/ilc/texts/instruments/english/conventions/6\\_1\\_1961.pdf](http://untreaty.un.org/ilc/texts/instruments/english/conventions/6_1_1961.pdf).
- United Nations. 1970. Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, Annex to General Assembly Resolution 2625 (XXV): Supp. (No. 28), U.N. Doc. A/5217 at 121. United Nations General Assembly, New York. <http://www.un.org/documents/ga/res/25/ares25.htm>.
- UNMIS. 2011. The background to Sudan's Comprehensive Peace Agreement. United Nations: Information and Communications Technology Division/DFS, 2009. <http://unmis.unmissions.org/Default.aspx?tabid=515>.
- Woodward, Peter. 2008. Sudan: Political transitions past and present. In Sir William Luce Papers. Durham, UK: University of Durham, Centre for Middle Eastern and Islamic Studies, Durham. <http://dro.dur.ac.uk/6231/>.
- Zambakari, Christopher. 2011a. South Sudan and the nation-building project: Lessons and challenges. *International Journal of African Renaissance Studies* 6, no. 2: 32-56.
- \_\_\_\_\_. 2011b. South Sudan in the post-CPA era: Prospects and challenges. Pambazuka News 542. <http://www.pambazuka.org/en/category/features/75248>.
- \_\_\_\_\_. 2012a. New Sudan, colonialism, politics, and the making of a New State in South Sudan. College of Professional Studies, Northeastern University, Boston, Massachusetts.
- \_\_\_\_\_. 2012b. Old Sudan and new Sudan: Political crisis and the search for comprehensive peace. Pambazuka News 567. <http://www.pambazuka.org/en/category/features/79401>.
- \_\_\_\_\_. 2012c. South Sudan: Institutional legacy of colonialism and the making of a new state. *Journal of North African Studies* 17, no. 3: 515-532. doi: 10.1080/13629387.2012.671996.
- \_\_\_\_\_. 2012d. The two Sudans: elusive peace? *New African* 516: 46-48.