

African Studies Centre
Leiden, the Netherlands

**Reconstructing Southern Sudan in the
post-war era: Challenges and prospects
of ‘Quick Impact Programmes’**

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ASC Working Paper 55/2004

Leiden: African Studies Centre
2004

1. Introduction

This brief report is meant to give a personal assessment of the local needs of the Southern Sudanese population in the period of societal reconstruction that is envisaged in the likely event of a meaningful peace agreement being realized between the Southern Sudanese people (via the SPLM/A) and the Government of Sudan (GoS) in 2004.¹

A 'Quick Impact Program' (QIP), as envisaged by various international organizations, the donor community and UN agencies to kick-start a process of rehabilitation and reconstruction of the war-ravaged South, will have to take into account complicating factors of a humanitarian, economic and infrastructural but also of a political nature that will continue to have an effect. QIPs should not focus exclusively on 'technicalities' of relief and reconstruction and cannot be naive about the political context in which they have to operate. The legacy of deep enmity and distrust between the warring parties should be borne in mind, especially in view of the poor record of the GoS in way it lives up to its commitments and promises.

Any observer of Sudan in the past couple of years is familiar with the havoc wreaked by almost 40 years of war, especially in the South. This area was the scene of all the major fighting, is now devoid of meaningful facilities, infrastructure and educational opportunities, and lacks a well-rooted elite of administrators, traders, scholars and teachers. It is largely cut off from the world economy and from outside communication. An estimated one million people in the South have died in the past 20 years because of the combined effects of war, forced relocation, disease and famine due to crop destruction, raiding and bombing of civilian targets and livelihood sources (fields, cattle herds), and because people have been prevented from farming the land. There has also been a near-complete lack of long-term economic investment in the South -- except for the contested oil fields in the Bentiu and Heglig areas that are run largely by foreign companies under the auspices of the GoS and its state oil company Sudapet.

While the idea of Quick Impact Programmes, as intensive but short-lived programmes intended to capitalize on the 'peace dividend', is understandable and contains a lot of promise,

¹ It was originally submitted as an advisory report to the International Dialogues Foundation in The Hague, in December 2003, and edited in July 2004. I am grateful to Ann Reeves for editorial comments on the text.

care should be taken that they do not focus too much on short-term issues and neglect the wider concerns of good governance, democratization, accountability and people's participation in Southern Sudan's reconstruction. Even if QIPs aim to quickly make a difference and enhance people's confidence in a better future, their execution should be embedded in longer-term structures of partnership and visions of a democratic, participatory political order.

2. *Background issues*

Southern Sudan is a vast region of plains, savannah and some forest (in the southwest), and the habitat of sizeable agro-pastoral populations and sedentary agricultural peoples. The socio-cultural diversity is great. The region has a low level of economic development and infrastructure, few external market connections, no industrial base, and a low degree of urbanization. It was a region already sorely neglected by the British colonial administration that followed a contradictory and ambivalent policy towards the non-Muslim South² up to independence in 1956.

In late 2003, after decades of war, there was a real chance of a peace agreement,³ and the challenge for the South in a period of peace is threefold:

1. Material: the (re)construction of an economic and communications infrastructure, of productive economic life, and of the rehabilitation of social life and group relations. Civic and political organizations, at present weak and fragmented, have to be developed to allow Southerners to take charge and deal with the local problems that they know best.
2. Administrative: in the national context, the South should have autonomous space as a political and socio-economic region, free from Northern manipulation.
3. Political-cultural: the achievement of a new political *modus vivendi* between the various religious, cultural and ethnic groups in the country, guided by ideas of equity, pluralism and multiple identities within the Sudanese state. By extension this also holds for the Southern region itself, with its marked diversity and antagonisms between certain populations groups.

² Cf. D.H. Johnson, *The Root Causes of Sudan's Civil Wars* (Oxford 2003), chapter 2.

³ See the BBC news report of 23 December 2003, 'Sudan inches towards final deal', at: <http://news.bbc.co.uk/go/pr/fr/-/hi/Africa/3343121.stm>.

In the national context, the various populations should be given space to develop by themselves and not be forced to orient themselves towards Islam, declared the state religion by the Northern government and followed by imposition of *shari'a* law, even for non-Muslims in the North. Indeed, one of the root causes of the Sudanese wars has been the violent and intimidating imposition of one version of Islam and authoritarian rule on the entire country. Both in the North and in the South this is not accepted by all. A post-peace deal must therefore be geared toward building a culture of tolerance and respect, or at least of good working relationships, in such a way that traditions do not harmfully infringe on others, and towards institutionally grounding this culture.

It has often been argued that the Sudanese civil war was not shaped by religious identities and motives pitting the Islamic or Islamist North against the Christians and others⁴ in the South, but was determined by a much more complex array of economic, political and geographic elements. In this report it is emphasized that while it is easy to see that many other factors are involved, the role of negative perceptions inspired by religious and cultural attitudes is still the core issue and the underlying logic of the conflict. During the Sudan civil war, people in large part have acted upon ideas or ideologies of cultural superiority, inferiority and civilizational notions *vis-à-vis* each other. Religion and race seem to have become the notions that structure political and economic access to resources of wealth and power in the country. Northern Sudanese, also many of those opposed to the policies of the GoS, still largely think that most Southerners of various ethnic origins 'have no culture or religion', are 'primitive' and are in need of 'development', usually in the guise of Islamization. The entire political and economic programme of the GoS and its supporters, in slowly annexing the South and exploiting its labour force and natural assets, has been cloaked in a 'civilizational project' of Islamization. There is no guarantee that such a project, mixing political economy and religious imposition, will not be pursued in an adapted form after a peace deal has been signed.

⁴ Often called 'animists', but this is the wrong term: the non-Christian religious worldviews of Nuer, Dinka, Shilluk, Atuot, Didinga, and other peoples in the South are best termed 'theistic' or 'local theistic'.

Southerners, on the other hand, have been and are adamantly opposed to this project. They have their own sources of identity, traditional cultural values and dignity, and will not submit to the hegemonic discourse of the Northern elite, i.e. of a certain form of political Islam or 'Islamism'. Even if peace comes, this perception of religious-cultural opposition will remain, and could fuel Northern efforts to ultimately incorporate the South economically and politically in renewed form. In this respect therefore, one has to disagree with the authors on Sudan who de-emphasize the opposition between the Islamic North and the non-Islamic South: in our view this has always been - and remains today - the crucial dynamics of the massive conflict, and one has to come to terms with it. Any analysis divorcing the political from the religious and cultural aspects⁵ is misguided. This should be well heeded in the international rehabilitation and aid efforts in Southern Sudan poised to start after a definitive peace agreement.

3. Heritage of conflict and distrust: Prospects of Southern resurgence and development

The fact that these above-mentioned fundamental differences exist does not mean that a compromise of tolerance and mutual acceptance – to live and let live – cannot be developed. A culture of pluralism is a necessity also in the practical sense. Sudan has no other choice, certainly not if the option of a *federal* state within the framework of the unity of Sudan is to be pursued in the future, e.g. after the six-year transition period. This pluralism should be given *concrete form* in the administrative structures and development programmes to be set up, or resurrected, in Southern Sudan. The general framework for this construction of pluralism is to be a solid, autonomous South Sudanese regional state, that empowers the Southerners and restricts the economic access and administrative power of Islamic Northerners and state agents in the South.

Despite the very high price paid -- hundreds of thousands of war dead, numerous children orphaned, massive poverty, and the destruction of much of the region and livelihoods by the warring parties -- people in the South have survived. Due to their cultural resources and social

⁵ As, for instance, J.L. Esposito seemed to do in his book *The Islamic Threat: Myth or Reality?* (3rd edition, New York – Oxford 1999). His argument puts the whole debate on Sudan on the wrong footing. Needless to say, events of 11 September 2001 and their aftermath have also refuted much of his analysis.

capital they still have the potential to resurrect their shattered societies. This latter argument implies that in the process of rebuilding and rehabilitating Southern Sudan, the culturally mediated aims, wishes and values of the local people should not be neglected.

The danger of a massive NGO and donor-country onslaught, providing large sums of money and a plethora of development schemes, is that local people are bypassed and urged to follow foreign agendas. These agendas, and the agencies behind them, are no doubt sincere and well intended but from the start, a locally coordinated approach is needed between the ‘outsiders’ and the Southern people to identify priorities, take into account local representations and ideals, and to monitor achievements, in dialogue with the local populations (‘stakeholders’). The basis for this will no doubt have to be laid by indigenous NGOs, civic groups and representatives of the various ‘ethnic groups’ and their self-organizations in the South, including the civilian wings of the resistance movements, mainly the Southern Sudanese Liberation Army/Movement (SPLA/M). Many such groups have emerged in the last few years, some under the auspices of the SPLA, others independently. These, of course, have to be identified and contacted. What is needed then, is an initial coordinating structure – for example, in what might be called an ‘All-South Sudanese Reconstruction Authority’ (ASSRA) - a Southern region government branch where goals and strategies of rehabilitation and development would be periodically discussed, and where regular consultation with all the foreign NGOs and donors could take place. The Authority could then discuss the ideas with partners and donors and draw up long-term plans and projects and assign executive agencies (local and international NGOs in partnership) to work in the specific *regions* of the South, which differ in their needs. In this domain, the problems to be addressed are substantial because the war in the South has exacerbated ethnic and regional divisions there, and the effect of human-rights abuses by the rebel movements and militias, including the SPLA, SSDF (Nuer) and various SPLA split-offs, continues to be felt.

There will also be the challenge of reconciling Islamic law and Southern customary law traditions within the context of one Sudanese state.⁶ If the national unity option is to be kept after the six-year interim period, the South has to be allowed to develop its own specific law traditions. In the

⁶ See John W. Makec, *The Customary Law of the Dinka People of Sudan in Comparison with Some Aspects of Western and Islamic Law* (London 1988).

South *shari'a* will only be applicable to Muslims living there, and will be administered by special religious courts. For non-Muslims in the North *shari'a* cannot be expected to apply - this would be against human rights – and instead civil law should apply.

4. Role of the international community then and now

The international community is very diverse and often divided in its approach and activities in Sudan. The Western powers (mainly the United States and the EU) and the UN have played a major role in trying to alleviate situations of extreme hardship resulting from war and drought in Sudan, both in the South and in selected areas of need in the North and West (Darfur). Operation Lifeline Sudan (OLS) is a good example, although it was largely hostage of the GoS and severely limited in its operations in the South. Other international players, however, who have no democratic home constituency to criticize their collusion in human-rights abuse, have often played a negative role, as they largely supported and encouraged the GoS in its war and in the relentless exploitation of the resources and labour power of the South: Iraq in building weapons factories, supplying war planes and missiles and training military advisors; Malaysia in helping to exploit the oilfields and assisting or condoning the removal of the native populations around them; China in consistently selling arms to the GoS throughout the civil war period; and Iran in military aid and training. Saudi Arabia and Kuwait provided substantial financial aid to Sudan before the 1990 Iraqi invasion of Kuwait, which Sudan supported. Egypt has been consistent in torpedoing any political compromise which might lead to autonomy or self-determination of Southern Sudan, a position that even the GoS seems now prefer to avoid in the peace talks.

However, the Western countries' relief operations and economic activities have not always been beneficial either. France provided the GoS with security assistance in the war against the SPLA,⁷ and the American Chevron Oil Company once financed a Missiriya militia in southern Kordofan. As Douglas Johnson convincingly argues on the basis of several UN reports and other reliable sources,⁸ the UN often let the relief efforts be captured and manipulated by the GoS. The US, and especially the EU, were repeatedly willing to overlook Sudan's blatant human-rights

⁷ See 'Sudan – Recent Political History', in: *Africa South of the Sahara 2000* (London 2001), p. 1023.

⁸ Johnson, *The Root Causes...*, 154-56, 160-61.

violations (the massive abuse of people, the enhancing of slavery, massacres, and the frequent bombing of civilian targets) over the last 20 years.

The lesson to take from this for the upcoming massive relief and reconstruction effort in Southern Sudan after a definitive peace accord is signed is that relief and development organizations (from UN organs to NGOs) should not deny or avoid the intimate connection of their work to issues of politics and local decision-making, human rights and social justice, but should be aware of them and stimulate their realization. After all, and as is evident from the peace negotiations so far, we are talking about the making of a new, reconstructed Sudan, that is able to address grievances and injustices and will allow peoples' voices, from across the country, to be heard.

The recent aggravation of the conflict in Darfur, with the appalling abuse of human rights, and the military policy of destruction and massive forced displacement of the local population, does not augur well for a reconstructed Sudan. In fact, the Darfur issue has delayed the conclusion of the peace process in the South and put on hold the proposed reconstruction effort.

5. Quick Impact Programme planning and the societal context of Southern Sudan

If QIPs want to have a major impact on the victims in Southern Sudan, the following aspects of society, culture and the world views of the people might be taken into account.

1. A contextual understanding is needed of people's experiences during the period of war and devastation: the suffering, the systematic humiliation of black Southerners called 'slaves', the economic and sexual abuse, the reproductive disaster, and the large number of female-headed households (widows) and orphans. QIPs should obviously be sensitive to these past horrors, which may explain people's sometimes erratic and unpredictable behaviour, even when receiving aid and assistance.

2. Cultural representations and ideas that will inform behaviour have to be understood: people in the South will try to work towards recovery and normalization from within their own cultural tradition, which still defines core elements of kinship and interpersonal relations, values, and ideas of religious agency and identity. Customary law plays a role here as well. While the latter has

serious biases, for example against gender equality, it cannot be ignored, and must be built upon to adapt it to the current, dramatic living conditions and social turbulence resulting from the war.

3. Ideas about inter-group reconciliation should be resurrected, both in the South itself and in the transitional areas (*i.e.* the three disputed areas of the Southern Blue Nile, the Nuba Mountains and Abyei, where Muslims and the indigenous non-Muslims live together). A major problem is how to deal with the notorious 'tribal militias' of Muslim groups like Rufa'a, Rizeiqat, Missiryya, and Baqqara, and of non-Muslims like the Toposa, Didinga, Mundari or Murle, and with the Nuer rebel groups of the South Sudan Defence Force (which is a merger of various forces).⁹ Southern peoples by and large had, and still have, conceptions of moral community and reconciliation, which were established through compensation and public acknowledgement of 'wrongdoing'. As Douglas Johnson¹⁰ has remarked, large peoples like the Nuer and Dinka were already experiencing a process of widening in their concept of moral community since the activities of their respective main prophets, Ngundeng and Ariandith, in the early 20th century. However, their role was belittled and undermined by the Anglo-Egyptian colonial authorities, who thus in effect thwarted a gradual transition of the two peoples toward ideas of modernity and an extension of the conceptions of 'moral community'. In the current civil war, Southern elite rivalry and in-fighting have led to parochial, exclusivist group identities, cutting off moral affinities and leading to dismal violence.¹¹ Traditional ideas of how to mediate and solve disputes have been seriously dented by the civil war, which has led to a 'gun culture', but must nevertheless be appealed to. Accords of this kind are possible, as evidenced in the agreement concluded between the SPLA and the Didinga people in Chukudum in August 2002.

These disturbing effects of the civil war should be undone in creative ways, for example via reinvented collective rituals and reconciliation conferences of delegations of all the peoples in the South. Here one might also think of a kind of South African-style Truth and Reconciliation effort, to allow people to air grievances and conflicts. A two-tiered structure might be envisaged: an 'All-Southern Conference' in Juba, and a series of regional ones to address

⁹ See: *The South Sudan Defence Force (SSDF): A Challenge to the Sudan peace process*, at: www.iss.org.za/AF/current/2004/sudanapr04.pdf.

¹⁰ Johnson, *The Root Causes...*, pp. 168-69.

¹¹ Cf. S.E. Hutchinson, 'A curse from God? Religious and political dimensions of the post-1991 rise of ethnic violence in South Sudan', *Journal of Modern African Studies* 39, 2001, 307-31.

regional concerns. These could be made standing conferences, meeting at regular intervals. In Eastern Equatoria, for instance, Murle, Baale, Toposa, Didinga, Boya, Lotuho, Pãri, Dinka, Nuer and Anyuak delegations should be invited to such a regional conference. The main challenge would be to reconcile and/or accommodate the former militias with the SPLA and develop a common administrative and military structure. Here we assume that these militias as such have no future. Indeed, if the GoS does not cut its support to them, the civil war will only flare up again in a couple of years. NGOs and civil society groups with a programme of promoting 'peace culture' (e.g. Church councils, women's groups, local interest groups, and several international NGOs) should play an active role here. A support programme to help elaborate and establish a more comprehensive legal system for Southern Sudan would also be advisable. In this and in the general political build-up of the Southern region it is inevitable that the SPLA/M will form the backbone of the political system. As the SPLA has in the past not excelled in building a civil administration, in restructuring local society in the areas under its control or in developing socio-economic and political blueprints for the future, a programme of governance training and capacity building would be useful. This programme should emphasize principles of decentralization, ethno-regional co-operation and show a constructive approach to customary law.

Basic social-scientific research needs to be commissioned by the new Southern government as well as by NGOs to help them understand local conditions and problems and preserve cultural heritages.

6. Chief domains of attention for relief and reconstruction in Southern Sudan

One encouraging factor, boding well for the reconstruction of the South in the crucial six-year interim period, is the apparent agreement reached -- at the 2003 peace talks in Naivasha, Kenya - over the sharing of the oil wealth, of which a larger share than previously thought will go to the new Southern Regional Government. The proceeds from this will present an enormous opportunity for building institutions of government, infrastructure, basic services and education in the South. In the same vein, the North will have plenty of oil funding for its own future. The additional input in funds and expertise from the international community and the UN (e.g., with peace support operations and assistance with the return of IDPs) seems to indicate that, once the

peace is lasting, a radical and relatively fast delivery of public goods and assets in the South could be possible, though difficult in terms of timing, scale and direction.

From existing grass-roots needs surveys on Southern Sudan, of which there are not many that pay serious attention to the views and experiences of local people affected by the decades-long war,¹² one can identify a number of core domains in which priority action is required. This list reflects the growing international consensus on the issue.

The primary domains of attention should be:

- the internally displaced persons (IDPs) and refugees;
- security, including de-mining and the control of arms flows;
- infrastructure and economic recovery;
- the setting up of educational structures;
- the building of a Southern administrative- political structure, including capacity-building and a reformed legal system; and
- food security.

Some of these domains are especially suitable for QIPs, but all of them will need long-term development aid input beyond the QIP phase.

Food security is an issue to be monitored by the relevant international agencies, the IGAD, and the future Southern Regional Government throughout the six -year interim period, as it is likely that self-sufficiency in food production will not be reached in the South for a while.

Building a Southern administrative-political structure is also a long-term aim, but QIPs could assist in developing and staffing of training institutes for administrators, for legal services, and funding research into local traditions of law, governance and conflict mediation.

Before the various NGOs and international organizations that have programmes in Southern Sudan or plan to be active there start work, it would be advisable to have a broad NGO and donor conference, for example in Nairobi, with the following aims. First, the principles of the relief

¹² The May 2001 report *Planning for Peace – Sudan, Grass Roots Regional Assessments* of the IGAD Partners Working Group (Marv Koop, team leader) is an exception, but unfortunately this is only about the government-controlled areas of Sudan.

and reconstruction effort and its wider aspects such as democratization, gender equality, peace culture promotion, and the observation of human rights could be discussed and put down in a Memorandum of Understanding. Such a Memorandum, stating how the specific goals of NGOs and donors fit in with these wider ideals, would also be a clear signal to the GoS that interference and sabotage in the South, as done in the past (see OLS) is no longer appropriate. Secondly, the various initiatives and assistance programmes could be coordinated and regionally divided. Thirdly, the end terms of the six-year interim period for the involvement of NGOs, international organizations and donors could be outlined.

The scale and intensity of the assistance to be given to Southern Sudan requires a new, comprehensive plan of action as well as an understanding about efficient cooperation between all the NGOs involved, especially in view of the coming peace agreement between North and South, which will give a clear starting date for the venture.

During the actual implementation of QIPs and other assistance plans, an 'inductive' orientation, i.e. learning from experience, among donors and aid agencies should be developed. Of course the latter will have to stay within their mandates, but they might at the same time cultivate an open and flexible approach. This would create an awareness of feedback and dialogue during the aid implementation process itself.

External donors and NGOs would also be advised to keep local staff on for a long period – if they so wish - in order to benefit from the accumulated knowledge and commitment that these people build up.

A major principle in the entire QIP and development effort should be to respect and stimulate its self-propelling nature: people in the South should do most of the work, set priorities and choices, and 'self-rehabilitate' through their own organizations, local NGOs, civic groups and women's groups; external donors can provide funds, advice, and examples of good practices, in dialogue with the local people. Also the new Southern Regional Government should not push its plans on the people but involve them in their making, all the more so because the ethnic and regional differences across the South are significant. An additional challenge to the huge reconstruction effort in Sudan is to avoid creating dependency structures and mentalities.

For the programmes and points mentioned below to be executed, one would have to choose the NGOs that can best deal with them on the basis of their mandate, staff and experience.

A brief elaboration of some of the above domains:

6.1. The return of IDFs and refugees

Both parties agree that this is urgent,¹³ and the vast majority of the IDPs (at least 2 million from the South) have a strong desire to return to their home areas. QIPs would have to bring together NGOs that have a known record of success in this field, not only the UNHCR but also those that can provide transportation, ‘starting packages’ of tools, seeds and perhaps livestock, help with provisional shelters in the home or settlement areas of the returnees, and assist in community development. When NGOs become active in the home areas of returnees, the assistance provided should have a community-wide impact and not just be directed at the returnees.

At the end of the six-year interim period, preferably in the fifth year, all IDPs who wish to do so should have returned and have started a new life.

6.2. Security

The building of a Southern security force (army, police) is a political matter to be developed by the new authorities and to be monitored by an international presence (peacekeeping/observer force), both to accommodate or mediate existing tensions between various factions in the South and to prevent sabotage and obstruction by, for example, the GoS.

- Specific, immediate security concerns would be to effectively tackle banditry and to remove violent foreign groups that are operating against Ethiopia or Uganda (LRA).
- For a QIP one might think of supporting initiatives to assist the demobilization of armed groups and the decommissioning and collection of weapons, especially small arms, which plague this part of Africa.¹⁴ Existing militias could be transformed into self-defence squads within their own communities, to be controlled by the new Southern Regional

¹³ See IRIN (UN Integrated Regional Information Network), ‘Sudan - special report on the impact of a future peace agreement on Sudan’s refugees and displaced’, IRIN, 11 November 2003 (<http://www.irinnews.org>).

Government. The many outstanding disputes and conflicts between the militias and the population targeted by them should be dealt with via culturally accepted mediation procedures and rituals (including compensation payments, trade-offs, and perhaps purification rituals). NGOs together with local religious and women's groups can also play a role in peace education.

- Another priority would be a massive de-mining exercise, to enable returnees to start life in their home areas.

6.3. Infrastructure and economic recovery

- The construction of feeder roads, airstrips, and an energy and electricity grid are necessary, certainly in the towns.
- The Southern radio service (in the form of, say, a 'Southern Sudan Broadcasting Service' or SSBC) should be improved, as it will be a tremendous asset in widely disseminating the Southern Government's plans and ideals, provide educational programmes (e.g., on HIV/AIDS and gender issues), and it will give a voice to all the communities of Southern Sudan.
- The completion of Juba International Airport will enhance outside communications and enable faster relief and reconstruction input.
- Part of infrastructure building is the extension of basic services: water supplies, bore holes, clinics, transportation systems. This is perhaps not the primary concern of international NGOs, but this work could be contracted out by the Southern Government though under strict conditions, otherwise the NGOs or firms that specialize in such basic service provision will become 'state substitutes'.
- In the economic sphere, local societies, largely geared to subsistence, must initially be allowed to adjust and recover on their own terms and at their own tempo, and then be assisted on the basis of their own need assessments, rather than be told what to do by outside agencies. A one-sided focus on commercialization and monetization of the Southern economy by either the Southern Government or the donors or by an

¹⁴ The Dutch NGO *Pax Christi* (Utrecht) has extensive experience with such programmes, based on social

uncontrolled influx from traders and companies from North Sudan should be avoided as this will have an adverse effect on the large pastoral populations and on local recovery, and quickly create inequality and dispossession.

- Subsequently, when a field research-based inventory is made of the potential of the South, a comprehensive development strategy could be developed by Southern Government agencies and donors and NGOs to aim at: establishing and opening regional markets, creating vocational training centres, promote private investment, developing livestock improvement schemes (e.g. with the ILRI), providing (mobile) veterinary services, and starting a tourism policy.
- A vital means of stimulating grass-roots economic activities would be a well-endowed and effectively administered *micro-credit system* available to every, especially war widows and orphans.
- Solutions have to be worked out for the Northern-owned economic (agricultural) enterprises in the South and in transitional areas like the Nuba Mountains and the Southern Blue Nile that have led to confiscation of land and the use of forced Southern labour.

6.4. Education is a vital domain of development in order to strengthen the South's manpower needs, its administrative capacity, and its formation of youth.

- Formal schooling: primary, secondary and vocational training schools are priorities.
- Teacher training institutes are to be set up.
- Extracurricular education should include peace education, de-mining education, gender equality education, and HIV/AIDS education.
- Special attention should be given to the youth, so as to give them alternatives to joining armed groups, etc.
- ICT training and facilities should be improved and expanded in selected places (in towns like Juba, Rumbek, Wau, Malakal or Yambio), and be extended later to other places.

survey studies and field projects, e.g. among pastoralists in Uganda.

6.5. In the context of the creation of political structures and a legal system, QIPs may not have a direct role to play but a general insistence by donors and international organizations on developing grass-roots democracy – long delayed and bypassed also in SPLA-held territory – a respect for basic rights, and the urgent building of structures of governance (still largely lacking) of the Southern administration is highly desirable. From the 2001 IGAD report¹⁵ it is evident that most people attached great value to freedom of expression, airing their views and opinions and finding opportunities to express their concerns to the authorities.

- One objective within the context of legal reform and capacity building is to reorganize and expand the existing government courts, chiefs' courts and village courts. The role and standing of traditional leadership, bypassed in the war by the armed commandos of the SPLA, the militias, and in some areas by GoS-appointed governors, should be reinstated and built upon.
- The scope and applicability of the widely followed but dynamic customary law has to be explored and redefined. In this field, as noted above, the donor community should assist field research projects, both of a fundamentally academic and a development-oriented nature.
- In view of the heritage of violence and conflict among various Southern communities (e.g. perpetrated by tribal militias or by SPLA units), one might perhaps set up a 'Southern Sudanese Mediation Court' which would address the problems, certainly if local initiatives to find a solution have failed.
- The donor community and the NGO sector could also assist the South in preparing for and monitoring elections at various levels. As in other issues, IGAD could also play a role here.

7. A new future for the South, a new vision for the Sudan

A reconstructed South within the framework of a more democratic and tolerant Sudanese state based on wider participation by citizens and power and wealth sharing would relieve the country

¹⁵ See *Planning for Peace – Sudan, Grass Roots Regional Assessments*, p. 10, 19, 37, 129, *passim*.

of many problems and also enhance the development of the North. A well-prepared combination of QIPs and long-term development programmes would help in transforming Southern Sudan, enhance material and socio-cultural development, and solidify peace. Much here depends on factors beyond the direct control of external donors and international agencies. Political monitoring and vigilance are needed in any development programme in Sudan, as the outcome of events is not yet certain. What will happen after the six-year transitional period is not clear at all. One can have great faith in the people of Southern Sudan, in the possibilities of a new, peaceful Southern Region and encourage its autonomy, but whether the North ultimately will respect Southern Sudan's autonomy and the choices of its people remains to be seen. Much depends on the manner in which the international community supports Northern Sudan (e.g. in rescheduling or partly cancelling its crippling national debt of more than US\$ 22 billion) and monitors developments in the South. As usual, despite the progress in the peace talks, there are ominous signals emanating from Khartoum on future political arrangements. As noted in a 2003 ICG Africa Report on Sudan, the GoS has apparently ordered one of the pro-government Mundari militia in the South *not* to disband but to increase strength from 6,000 to 10,000 men 'in preparation for peace'.¹⁶ Similar orders for maintaining militias in the South appear to have been given to other groups in early 2004. The GoS refuses to allow referendums in the three contested areas of the Southern Blue Nile, the Nuba Mountains and Abyei, fearing a vote in favour of joining the South. The future of these regions and of their real chances for peace and durable development are therefore not good. The GoS also regularly breaks up pro-peace initiatives in the North.¹⁷ In addition, the escalating violent conflict in the western (Islamic) region of *Darfur*¹⁸ in late 2003 and well into 2004, resulting in tens of thousands of people being killed, about a million displaced in campaigns of "ethnic cleansing" and the wholesale destruction of villages and cultivation areas, does not show evidence of the GoS being preparing to enter into dialogue and address the local population's grievances. Northern hardliners, among them the current Sudanese Vice-President,

¹⁶ See ICG Africa Report no. 65, *Sudan Endgame*, July 2003, p. 5.

¹⁷ *Ibid.*, p. 27.

¹⁸ See BBC news item of 22 December 2003, 'West Sudan curfew as talks fail', at: <http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/3339861.stm>. See also the International Crisis Group's web site www.crisisweb.org/home/index.cfm?id=2700&l=1 and their report *Sudan: Now or Never in Darfur*, Africa Report no. 80 (Nairobi-Brussels: ICG, 23 May 2004). See also a Refugees International Report on a July 2004 Darfur mission at: www.refintl.org/content/article/detail/3143 and the Justice Africa report, *Prospects for Peace in Sudan* (30 July 2004).

the Federal State Minister of Defense and top Security Service people, will probably also attempt to undermine the development of the Southern Region and to fan South-South divisions¹⁹ and might work towards aborting the Southern referendum arrangement to be implemented six years from now.

Finally, on the post-peace deal period there is a pessimistic assessment by the Horn of Africa expert Mark Duffield: ‘...peace will probably accelerate the commercial exploitation of the South by the North,’ eventually resulting in the South’s ‘...incorporation as an annex of cheap labour and resources for Northern controlled projects and enterprises’.²⁰ Indeed, in the context of a united Sudan, Northern commercial interests would be pursued in the South, and there have already been informal meetings in Khartoum between the GoS and business interests to this effect. The question is whether this will go hand in hand with Islamization and blatant oppression, as in the past, or whether the autonomous Southern Government can prevent or regulate this by asserting its political prerogative, by legislation and by setting up its own ventures. In any case, the task of the coming international relief and reconstruction effort for Southern Sudan is to prevent the above scenario -- violently pursued in the civil war and going back to a pattern established in the 19th century -- by helping the South to attain a strong and development-g geared administration capable of setting its own agenda.

The international community, if it is to be held responsible on its own stated engagement with Southern Sudan, must therefore be conscious and pro-active in playing its role in preventing the creeping economic, political and cultural incorporation of the South in a Northern-dominated state.²¹ A long-term vision on Southern Sudan is needed as the basis for the relief, reconstruction and development efforts being undertaken. The question is always whether the political and diplomatic establishment in the West can develop that vision and give it concrete form.

¹⁹ ICG Africa Report no. 65, 2003, *Sudan Endgame*, p. 20-21, 22, 28.

²⁰ Cited in D. Johnson, *The Root Causes ...*, p. 166.

²¹ In this respect, the useful mediator mission by US ex-Senator John Danforth in 2001-2003 was partly invalidated by his rejecting, in his final report of early 2002, the option of independence for the South whereby Khartoum would respect the Southerners’ religion and culture. This was a premature remark. He also reneged on the issue of a secular state and was willing to exclude the Nuba Mountains issue from the agenda of the peace talks. All this brought the situation back to square one, and was quite similar to the GoS position. Cf. Johnson, *The Root Causes ...*, p. 178.

