Chapter Four

South Sudan Dispute: Islamization And Peace Process
Genesis of the Dispute

South Sudan is spread over almost one fourth of the Sudan’s total area (one million square miles); and its population, according to the 1983 general census, constituted about one fourth of the country’s total population. The predominant majority in the South are non-religious. Muslims and Christians rank second and third respectively.

According to the International Church Council annual statistics of 1981, sixty five percent of the Southern Sudan population are non-religious,¹ eighteen percent were Muslim, and seventeen percent Christians.² The statistics therefore, show that Christians were slightly less in number than Muslim. Also, one may presume that the number of Christian, towards the beginning of this century, were far less than Muslim. The disparity in the ratio of the two communities, was a crucial factor in the colonial policy in the South.

The genesis of the prolonged Southern dispute was, therefore, initiated from that background, which can be largely attributed to the British colonial policy in the region. The colonial

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¹ They mainly believe in pagan and primitive tribal religions.
administration was to largely driven by the aims set by Mr. Livingston, a famous European explorer, who led an expedition which made important exploration in the southern and central Africa in 1856. He aspired to “open a path of commerce and Christianity”\textsuperscript{3} in that part of the continent.

The superiority of Islam among other African religions, constituted a fear that occupied considerable part of the European mind, that Islam may spread in Africa, which they considered harmful to their interests in the continent. That was expressed in the comments of Christopher Harrison:

Islam was far superior to traditional African religious beliefs (which) entirely lacked a philosophical system. ... When one studies the African races or when one lives among them one cannot help but be struck by the superiority of Muslims over fetishist.\textsuperscript{4}

Hence, spreading Christianity among the Southern pagans, besides promoting trade interests in the south, became the prime task for the British colonial authority.\(^5\)

The Southern policy was initiated by 1917. The pronouncement of the Close District Ordinance (CDO), and the Passport Permit Ordinance (PPO), made it clear that the British colonial administration in the Sudan aimed at creating two separate identities between the country's North and South people in 1922.\(^6\)

That was vindicated when CDO and the PPO were enforced by the colonial administration, to restrict the Northern Sudanese movement to the Southern region without prior approval; furthermore, the colonial authority in its endeavours to abolish the impact of the North-Islamic culture, prohibited the native Southerners from wearing traditional North Sudanese dress (long white gown and big white turban); the colonial authority went even further by forcing the native Southerners to change their

\(^5\) The North Sudan is primarily dominated by Muslim, while majority in the South adhered to pagan religions; that is besides minority Muslim and Christian groups.

Arabian names; and preventing Southern Muslims to performs their prayers in public.\(^7\)

As a consequence of this policy, the interaction between the North and South Sudanese almost ceased. Moreover the trade activities between them were gradually replaced by (mainly Christian) Greek and Syrian merchants.\(^8\) This was unequivocally elaborated by Ruth First as she stated:

The South was declared a closed area to all Northerners except government officials. Southerners were taught English, not Arabic, and were deliberately isolated from Arab and Islamic traditions. The region was thrown open to Christian missions, to establish spheres of influence for crusades among the pagans who, if they were not saved for Christ, would at least be lost to Allah. ... (So), when the Sudan became independent, it was a country with South and North deeply different from one another. Britain’s Southern policy had bequeathed a perpetual source of division.\(^9\)


The creation of separate and independent identity for the South therefore, seemed to be a long term plan of the British colonial administration. It was executed in a gradual and effective manner to eradicate the cultural influence of the North Sudanese Muslim on their fellow Southerners. The implementation of that plan was entirely based on the educational policy, which emerged as the only proper means for the accomplishment of that task.

Education Policy and Christianization

Education in the Sudan was administered by the colonial authority. However, the requirement of creating a separate identity for the Southern region, enhanced the idea that educational affairs should be sponsored by Christian missionaries, which virtually monopolized, managed and controlled the educational affairs in the Southern region.¹⁰

The outcome of that policy created a wide gulf of misunderstanding and mistrust between the elite in the North and South, and increased the animosity against Arabism and Islam among most of the educated Southerners.¹¹

¹⁰ Bashir, n. 7, p. 33.
Displacement of Islam and Arabic language by Christianized-education in the South was executed against the consent and will of the North people. This policy (of displacement) was financed by the central government. In other words, by the Muslim-Northern tax payers, which showed the height of colonial exploitation.\textsuperscript{12} Furthermore, it revealed the colonial plan to divide the country by creating a separate identity on the basis of a new religion (Christianity).

The absolute authority of these missionaries seemed to have disgruntled some secular British officers, as one of them suggested that education in the South, like other regions, ought to be carried out by the colonial authority. Anyhow, his proposition was rejected "on the ground that it would be invidious to start government education when the Church Missionaries Society was already working in the field of education."\textsuperscript{13}

On the same pretext, a letter from Bishop Gwynne, of the Roman Catholic Church in the South Sudan to Wingat Pasha, the Sudan's Governor General, further revealed that the colonial authority saw in the Christian missionaries a proper tool to achieve their proposed policy towards the South. The letter stated that:

\textsuperscript{12} Makki, n. 8, p. 187.  
\textsuperscript{13} Bashir, n. 7, pp. 35-6.
If the government would as far as possible encourage the use of English as the medium through which business with native could be transmitted, it would be an inducement on the part of the natives to learn our language and would give Christian Missionaries some slight chance against the overwhelming advantage which Islam seems to have at present in the Southern Sudan.\textsuperscript{14}

Thus, from the above it is unequivocally clear that the paramount task set by the British colonial administration, was not only the Christianizing of the majority of the primitive pagan population of the South, but also to widen the cultural gap by imposing English language, as the official language in the South, which meant in other words, creating another lingual barrier, in order to reduce the influence of the Arabic language, which is the liguafranca among most of the Southern tribes. Hence, the abolishment of the Arabic language impact, would negatively reflect on the advancement of Islam and its culture in the South.

Therefore, through the combination of these two policies: missionaries-controlled education, and spread of the English

\textsuperscript{14} Ibid., p. 33.
language, the British colonial authority aimed at frustrating the “spread of Islam through the Southern Sudan into Africa.”\textsuperscript{15} To a large extent they managed to impregnate the mind of great segments among the Southern elite that they were victims of the Muslim Arabs of the North.\textsuperscript{16}

Hence, the education policy in the Southern region created almost a different identity in the South. The Southern elite, mostly Christian, became forthright abreast by the Western culture and its view on Islam; the Northern elite, including the secularists, on the other side, emphasized more on the Arabism and Islamic origin of the Sudanese culture.

Consequently, the term South, politically connotes a concept of “opposition to the Muslim and Arab North.”\textsuperscript{17} This connotation later developed in the ‘Southern nationalism’ to “hatred for everything connected with the North, and this included Islam.”\textsuperscript{18}

The repercussion of these views severely exacerbated the rift between North and Southern leaders: that was unmistakably

\begin{itemize}
\item \textsuperscript{15} Ibid., p. 33.
\item \textsuperscript{16} On this subject, see Oliver Albino, \textit{The Sudan: A Southern Viewpoint}, (Oxford: Oxford University Press, 1970), pp. 5 ff.
\item \textsuperscript{17} Abdelwahab El-Affendi, “‘Discovering the South’: Sudanese Dilemmas for Islam in Africa,” \textit{African Affairs}, vol. 89, no. 356, July 1990, p. 371.
\item \textsuperscript{18} Ibid., p. 373.
\end{itemize}
felt in the bloody 1955 mutiny in the South, on the eve of independence. It further undermined the mutual trust between North and Southern leaders, and seriously hampered political development of the country's post-independence era.

The First Peace Accord

The Addis Ababa Peace Accord signed in March 1972, between the government and the Anya-Nya rebels movement, led to the first armed rebellion against the central government. The rebellion was led by Joseph Lago, a non-Dinka, originally from the Equatoria region.

The ratification of that agreement revealed that regional cooperation was an essential prerequisite to reach a comprehensive settlement for the dispute in the past and future too. That presumption stands as long as the rebels movement receives logistic, hardware and software support through some neighbouring, and European countries, besides the wide sympathy

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20 Musa, n 9, pp. 578-9.

21 The movement was initiated in 1955; it was led by a non-Dinka leader. Dinka is the largest tribe in the South, most of the educated elite in that region belong to it. Therefore, compare to other Southern tribes, it is politically the most vocal among them. The leadership of the present rebellion is entirely from that tribe; this was one of the reason that caused factionalism of the rebels movement. For more details on this subject see John O. Voll, "Political Crisis in Sudan," *Current History*, (Philadelphia), vol. 89, no. 546, 1990, p. 155.
and considerable media support in these countries. Consequently, the dispute has often been projected, in most of the Western countries, as a religious problem of a minority Christian against the hegemony of the majority Muslim, who want to impose Islam upon them, or as an ethnic “conflict between the Arab and the Negro African.”

This deep sympathy and material support to the Southerners eventually enhanced the room for foreign intervention in the dispute. Therefore, it was imperative to find a solution for the Southern problem, or at least, to neutralize the influential powers. if not winning support for peace endeavours.

Thus, in the absence of a conducive regional atmosphere, reaching a comprehensive agreement proved to be difficult. It is interesting to note that the Addis Ababa Accord materialized only after the July 1971 short-lived futile communist coup against Nimieri, which strained his relations with the Communist bloc. Hence, the agreement came at a time when the regime was tilting towards the West, which earned it considerable Western and regional support.

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22 Bashir, n. 7, p. VII.
The agreement was also viewed as a success for the secular group, which had an influential role in Nimieri’s regime. Its impact (on the secular group) was significant as the 1973 constitution, came to be classified as a secular constitution.²⁴

However, for the Islamist, the Addis Ababa Accord had serious repercussions since Anya-Nya was known for his anti-Arab and anti-Islamic orientation, and it came to represent the view of minority Christian elite, who talked on behalf of the Southerners; although these Christian elite represented a tiny minority in the whole region.²⁵ The Southerners who led an armed uprising were also known to have close relations with Israel, a country widely known for its anti-Arab and anti-Islamic policies in the region.

The Present Rebellion

The Addis Ababa agreement did not lead to peace as another mutiny erupted in April 1983. The eruption of the second rebellion was related to Nimieri’s decision to divide the Southern region into three states. That decision was opposed by the Dinka, who defended the idea of a unified and autonomous Southern

²⁴ El-Afandi, n. 12, p.34.
²⁵ Makki, n. 8, pp. 189-91.
region. The decision was viewed as a direct violation of the Addis Ababa Accord. However, Nimieri had a different view, as he stated:

The re-division of the South into three regions does not interfere with the Addis Ababa Accord, because the order was not submitted to the legislative institutions to deliberate on it. And the Republican Order is not an amendment or repeal of the Southern provinces regional self-government Act, 1972, or the Addis Ababa agreement. It is a true translation of the spirit of that agreement which has only been concluded to bring peace to the South and security, safety and stability to the citizens of the South.  

26 The decision to divide the South was taken on 5th June 1983. It was massively supported by most of the non-Dinka Southerners, mainly from Equatoria region; and also by Nimieri’s ally, the Islamists; 27 who were against regional autonomy for the South, fearing it would practically bring it under the control of the biggest tribe, the Dinka. Thus, they apprehended the Southern

27 EI-Affendi, n. 17, p. 381.
problem as a creation of Christian missionaries, "which instilled in the Southerners a feeling of separateness from their Muslim neighbours."28 It was also felt that absolute power in the hands of the Dinka in the South may endanger the country's stability.

The sudden disappearance of the rebel leader, John Garang and his family from his home town, Boar,29 where they were spending their holidays on 16th May 1983,30 (twenty five days after the division of the Southern region into three states: the Equatoria, Upper Nile and Bahar al-Ghazal) provided a clue that it was a planned step to start the rebellion. when the Sudan People's Liberation Movement (SPLM) and the Sudan People's Liberation Army (SPA) declared their establishment on 30th June 1983.31 Soon after its formation it was showered by different kind of support from Nimieri's neighbouring opposing regimes, and his opponents inside the country. The detailed manifesto of the rebels supported the assumption that the rebellion was prepared and pre-planned before Nimieri's decision to divide the South.

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29 Garang is from the Dinka tribe; at present he is leading the strongest faction in the rebels movement.
30 Abd el-Salam, n. 5, pp. 100-1.
31 Ibid., p. 101.
Here, it is interesting to note that the division of the South was supported by Joseph Lago, the former Anya-Nya chief, who won majority in the election of the Southern region parliament: the Regional Peoples’ Council, and became the President of the High Executive Council (PHEC) for the Southern region. Lago’s victory showed that the pro-division faction among the Southerners was numerically lighter than those who opposed it; and it further vindicated that Nimieri was strongly supported by the majority in the South.

Lago believed that the defeat of the Dinka’s candidate, Abel Alier, was the major reason behind the eruption of the mutiny. Abel Alier, a lawyer and notable Southern politician, was Nimieri’s second deputy president, and along with Mansour Khalid, he was instrumental in the ratification of the Addis Ababa Accord. Nimieri had appointed him to head the interim Southern government, a move that helped him later to become the elected PHEC.

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32 El-Afandi, n. 26, p. 72.
33 Nimieri used to have two deputies: the first mostly appointed from the army personnel, while the second was always a Southerner.
34 Mansour Khalid was a former External Affairs Minister, who also held various ministerial posts. He was known to be close to the West.
35 Perspective on the South, op. cit., p. 13.
Shari’a, on the other hand, was pronounced in September 1983, while the rebellion erupted on 30th June 1983. Thus, it is irrational to project Shari’a as one of the factor that ignited the rebellion; but it was true that Nimieri’s insistence to impose Shari’a on the South, did worsen the situation even though it was not practically enforceable, mainly due to the “non-cooperation of the Southern branches of the law enforcement agencies.”

Nimieri’s insistence to include the South in his Islamic experiment added another dimension to the dispute, because it came to be projected to the world as if Islam was one of its factors. For the Islamists the factors that precipitated the second rebellion, were the following:

1. In the wake of Addis Ababa Agreement of 1972 and the consequent stable situation, many of the pitfalls and defects of civil service were converted from the North to the South. The prevalent corruption and unlawful enrichness led to chaos in public life;

2. great number of citizens were accommodated in the civil service without observing the lack of an allocated budget to that effect. Consequently, the development and services

36 El-Affendi, n. 17, p. 382.
budget was curtailed. When the government tried to rectify the situation by sacking some of them, they defected and joined the rebels;

3. the mounting number of school graduates and other elements who were expecting to be incorporated in the new civil administrative institutions, were disappointed by the measure to curtail civil service jobs, and were therefore, encouraged to join the rebellion;

4. many Southerners believed that disobeying the law of the land, and taking arms shall enable them to achieve their demands. For it was those who led the rebels movement, came to power in the aftermath of the agreement, whereas other Southern politicians who stood against rebellion were deposed;

5. the people of the South were disappointed with the slow progress in services and development of their region;

6. the conflict between various Southern political powers was induced by personal interests, tribal or partisan belongings;

7. absence of programmed follow-up of enlisting the Anya-Nya in the armed forces in the first five years, as had been stipulated by the Addis Ababa Agreement;

8. when discontent and resentment increased, Nimieri decided to post part of the Anya-Nya members, newly enlisted in the
armed forces to the North. But in the absence of enough confidence at that point of time, they refused to obey the orders and revolted against the system; and

9. when the local authorities decided in 1982 to deport large numbers of the citizens, who were living in unauthorized ramshackle houses, on the outskirts of the capital in what was known at that time as ‘Kasha’, some Southerners felt bitter and returned to the South. As a result many of them joined the rebels movement.\textsuperscript{37}

Therefore, it is clear that several internal factors were behind the eruption of the mutiny. Yet, it is inappropriate to ignore the external factors of the problem, since the mutineers took refuge in Ethiopia, (ruled by a leftist regime) which became a base from which they launched their attacks on the Sudan.

The movement’s communist inclination provided it with extensive support from the leftist regimes in the region, such as the former South Yemen, Libya, and Ethiopia. It also got many of its soldiers trained in Cuba.\textsuperscript{38} Furthermore, Garang’s American education strengthened his movements relations with many

\textsuperscript{37} N. 2, pp. 18-20.
\textsuperscript{38} Abd el-Salam, n. 5, pp. 98-101.
Western circles. So, it was not surprising the movement received substantial support from some Western countries.  

In this context, Mansour Khalid, the spokesman for Garang, played an instrumental role in mobilizing Western backing for the rebels movement. Khalid held several ministerial posts in Nimieri's regime, including the portfolio of External Affairs; he was an important figure among those who brokered the 1972 Addis Ababa Accord and the 1973 Sudan's Secular Constitution. More important, he was known as America's man in Nimieri's regime, as his close Western ties were not hidden.

The foreign role in the problem was, undoubtedly, serving an agenda that has nothing to do with solving the Southern problem within unified and stable Sudan. This could be understood from the Israeli interference in the South, which was discovered in the 1970s, when news about foreign intervention in the South were authenticated. Since 1969, Israel was one of the first foreign powers that became directly involved in the South Sudan. In a study made by the International Church Council, Israel was extending soft and hard ware support to the rebels movement.

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40 Abd el-Salam, n. 5, p. 101.
It was motivated by its strategic plan in containing the Arab world.\textsuperscript{41}

Despite, the fact that the rebellion described itself as a national liberation movement, with an envisaged plan for a new secular Sudan, as propagated in its manifesto; but it soon became obvious that it had a broader but hidden agenda.

This was exposed in the Nigerian capital, Abuja, during a series of government-rebels peace negotiations. In May 1993 session, it was revealed that the rebels movement underwent extensive external pressure not to go beyond certain limits in the negotiations, and this was declared by the government:

1. The rebels movement hesitated in taking clear stand on peace because it was awaiting the outcome of the antagonistic pressure on the Sudan:

2. the rebels movement began to propose in addition to its own agenda, the agendas of other hostile parties (Western powers and Sudanese opposition circles); and

3. the intensive hostile Western media campaigns against the Sudan, especially during the negotiations, which cast doubts over the Sudanese Government's genuineness and sincerity

\textsuperscript{41} Ibid., pp. 95-7.
in searching for a just and permanent peace, and as a result created a climate which was not conducive for negotiations.\(^4\)

The intensive foreign involvement further complicated the problems, in which several factors have been delicately interwoven.

However, it is true that the dispute has been a reflection of the country’s political dilemma, which was represented in the vicious circles of instability that engulfed its polity since independence, on the one hand; and the fiasco of the successive regimes to find an acceptable agreement by the majority of the Southern people, on the other.

Nevertheless, reaching an acceptable final solution for the dispute was not easy during the reign of a weak and indecisive government (1986-1989). Therefore, unless the problem of the political and cultural identity and the type of rule is comprehensively settled in the North, there is little hope of a lasting peaceful settlement for the prolonged war in the South. Without rectifying the country’s political in-equilibrium (which

\(^4\) The Search for Peace in Sudan: Four Years of Work to End the War in Southern Sudan, compiled by the Peace Department, (Khartoum: Ministry of Foreign Affairs. September 1993), p. 22.
includes not ignoring the issue of Islamization) the problem may be difficult to solve.

Islamization and Southern Problem

As discussed in chapter II, the British colonial rule aimed at dismantling the indigenous system, and wished to replace it by a secular model, through which West-minister type of democracy could be operated. However, that model failed to address the needs of a great section of the Sudanese society. For it was rather representing the minority secular elite’s view, who in turn failed to have their own political forum, and most of them in any case were, eventually, polarized by the two major sectarian groups: Ansar and Khatmiyya.

For the Islamist, on the other hand, espousing secularism is anathema. Thus they have no option but to continue the process of realizing their Islamic programme.

However, the resistance to Islamization in the North, or the Muslim-majority areas, was generated mainly by leftist and secular groups, while in the non-Muslim-majority Southern region, the applicability of Shari’a was questionable.

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The prime legacy of the colonial Christian education was shown in the nature of relations between North and South, which has always been projected as a prey between two antagonistic cultures: Islamic and Christian. It is also true that the successive governments in the North must share responsibilities for the worsening situation in the South.

When we discuss the Shari'a issue we have to clearly distinguish between the ongoing Islamization programme which was adopted by the incumbent National Salvation government, and Nimieri's Islamic experiment. The latter was featured by a lot of inadequacies that accompanied its implementation.

These inadequacies were criticized by Hassan al-Turabi, the leader of the largest Islamist group in the country, even though, he was literally isolated by Nimieri, when the Islamic Penal Code (Shari'a) was drafted, despite this, his group strongly supported Nimieri's Islamic programme.

On the other hand, despite the fact that Shari'a was pronounced four months after the eruption of the present rebellion, yet it has been tagged with the Southern problem. John Garang, the rebel leader, himself categorically denied that religion has been

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44 El-Afandi, n. 17, p. 371.
45 El-Afandi, n. 26, pp. 221-8.
one of the factors that negatively contributed to the problems in the contemporary Sudan.\(^{46}\) However, there are several reasons behind the linkages of Shari’a and the Southern problem, which were mainly aimed at halting that programme. These reasons may be summarized as follows:

1. The declaration of the Islamic laws was strongly opposed by secular groups, who had considerable influence on Nimieri’s regime at that juncture; hence, to link it to the Southern issue would help in mobilizing opposition against Shari’a;

2. the declaration of Shari’a by Nimieri came, in one aspect, to curb the growing Islamist influence;\(^{47}\) and on the other, to improve his regime’s tarnished image.\(^{48}\)

So, for the opposition, projecting Islamization as a prime reason behind the eruption of the second rebellion in the South, may reduce people’s support to it; and

\(^{46}\) Ibid., p. 86.

\(^{47}\) Nimieri, in his endeavour to marginalized the contribution of his Islamist ally, decided to draft the Islamic Penal Code (Shari’a) by his joiner legal advisors, without engaging or consulting the Islamist. Khalid, n. 25, pp. 467-69.

\(^{48}\) El-Afandi, n. 26, p. 222.
3. many believe Nimieri wanted to shield himself by pronouncing Shari’a, and he was not sincere enough in pursuing the Islamization programme. Therefore, mounting pressure on him, through the Southern card, may divert him from the Islamization course.\(^49\)

Thus, by using the Southern problem as a card to obstruct Islamization in the North, a postulation could be raised that the dispute had been impregnated by an objective that was not originally part of it. As it has (the Southern issue) become a vessel for the anti-Shari’a allied-opposition.\(^50\)

This added another dimension to the Southern problem, where for the first time an alliance was forged between the North leftist, secular and few members of the two sectarian parties, in one front with the rebels main faction of John Garang.\(^51\)

However, these development seem to be of less effect on the regime’s declared Islamization programme which progresses uninterruptedly. As Islamization “in the Sudan does not regard the non-Muslim Sudanese as a protected person or ‘Zimmi’. ... This

\(^{49}\) Ibid., p.124.
\(^{50}\) Al-Wasat (London), no. 259, 22 September 1997, pp. 24-5.
\(^{51}\) Qadhaya Dowaliyah (Islamabad, Pakistan), no. 358, 11 November 1997, p. 7.
entails that they derive their rights by virtue of their citizenship within the framework of the constitution and the law.\textsuperscript{52}

However, the adoption of the Federal System would automatically exempt the non-Muslim majority states of the South - the earlier three Southern states were further divided into ten states, in accordance with the implemented federal system.

Subsequently, the prejudices, as claimed by certain Southern circles, that it would be committed against the basic rights of non-Muslim due to implementation of Shari’a, would be groundless after the application of federalism, in which jurisdiction on Shari’a implementation abides by the majority opinion.

The contemporary laws that organize both the federal system and Shari’a implementation, to a large extent resemble the Sudan Charter for National Unity and Diversity, which was issued by the National Islamic Front. Its first article stated that:

\textbf{The Sudanese are one nation:}

- The Sudanese are one nation united by common, religious and human values, and by the bonds of coexistence, solidarity and patriotism;

• and diversified by the multiplicity of their religious and cultural affiliations;

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The bulk of Sudanese are religious:

The following principles shall therefore be observed in consideration for their dignity and unity:

• respect for religious belief, and for the right to express one’s religiousness in all aspects of life. There shall be no exclusion thereof from any dimension of life;

• freedom of choice of religious creed and practice, and sanctity of religious function and institutions. There shall be no coercion in religious affiliation, and no prohibition of any form of religious practice;

• benevolence, justice, equality and peace among different religious affiliates. They shall not prejudice or hurt one another by word or deed. There shall be no hostility in religion - none shall excite antagonism, impose domination, or commit aggression among religious individuals or communities;
The Muslims are the majority among the population of the Sudan:

- the Muslim are Unitarian in their religious approach to life. As a matter of faith, they do not espouse secularism. Neither do they accept it politically. They see it as a doctrine that is neither neutral nor fair, being prejudicial to them in particular: it deprives them of full expression of their legal and other values in the area of public life, without such determent to those non-Muslims believers whose creed is exclusively relevant to private and moral life. Historically, the Muslim are not familiar with secularism, which developed from a peculiar European experience - arising from the conflict between the Christian Church and secularists in politics, economics and science. The doctrine is therefore of little relevance to the historical development or the legacy of the Islamic civilization;

- the Muslim, therefore, have a legitimate right, by virtue of their religious choice, of their democratic weight and natural justice, to practice the values and rules of their religion to their full range - in personal, familial, social or political affairs;
In the Sudan there is a large number of those who adhere to African religions, a substantial number of Christian and a few Jews:

- These have their particular beliefs, and do not believe in Islam, and should in no way be prejudiced or restrained only for being in minority. That is their due by virtue of their own creed, in concurrence with the Islamic Shari’a and the fundamental rights of all men to freedom and equality;
- non-Muslim shall, therefore, be entitled freely to express the values of their religion on the full extent of their scope - in private, family or social matters.\(^5\)

The National Islamic Front (NIF) by declaring that the Southern region would be given special consideration, and that Shari’a would not comprise the prime source of legislation, as happened in the rest of the Muslim-majority states in the North, its perception of Islamization appeared to be largely similar to that of the present. This could be vindicated from the following statement by the President Omer Hassan Ahmed al-Bashir, on 13\(^{th}\) January,

1991, in his talk about Plan for the *Implementation of Islamic Shari'a and the Federal System*:

1. We do not discriminate between one Messenger of God and another. The various religious sects of our community both Muslim and Christian have lived in tolerance and mutual love. Their cultures have intermixed and their customs have fused into one another. Their ethnic origins have integrated and developed into a remarkable blend with characteristic particularities. This covers social relations and religious toleration. It led to the breeding of a rich socio-cultural heritage which is diversified as well as complex;

2. the compact of citizenship in our country is found on loyalty to the country and dedication to its causes. Muslim, Christians and others are all sons of the one united Sudan. Together they undertake the task of protecting their homeland, and within it they all enjoy security and share its fruits, riches and services without any discrimination on the basis of religion, race or place of origin. This is like the case of the Compact of Citizenship of the first city-state of Medina during the time of the Prophet Mohamed. It is the ideal example to follow;
3. there is no compulsion or coercion in religion. Complete freedom of belief is ensured, and the rights of non-Muslim are absolutely guaranteed. For our brothers in the Southern part of the country we have allocated a special status, which will enable them to decide whatever is appropriate for them, whether from Shari’a rules or from any other source without any dictation, compulsion or trusteeship.54

The statement showed the seriousness of the incumbent government in implementing its adopted Islamic programme, and at the same time, it has made it clear that the fundamental rights of non-Muslim Sudanese should not undergo any kind of prejudices, as a result of Islamization.

A special formula was devised for the non-Muslim Southerners to “decide whatever is appropriate for them, whether from Shari’a rules or from any other source without any dictation.”55 This unequivocally refuted the secularists claim that Shari’a has made the non-Muslims second class citizens in their own country.

55 From the above mentioned quotation.
To a large extent, the government’s clear vision and serious attitude towards the Southern issue, which was backed by its sound military achievements against the rebels, has remarkably boosted its credibility before wider segments of the Southerners, and created a public opinion domestically and regionally supporting the peace efforts and internal stability of the country. This created a positive atmosphere for constructing mutual trust between the government and several rebel factions, tribal chiefs, and distinguished personalities, that in turn has induced many Southern politicians and rebel factions to enter into direct peace talks with the government.

Peace Endeavours

Peace endeavours to end the war began with the eruption of the mutiny in June 1983, and were carried out by the three consecutive regimes that came after Nimieri, i.e., the Transitional Government (1985-86), the Multiparty government (1986-89), and the incumbent National Salvation government; their initiatives for peaceful settlement to the dispute, were defined as: any practical
step through diplomatic, political channels, or any other channels to achieve that end.\textsuperscript{56}

Based on that definition, several peace initiatives sponsored by different regimes, and many foreign and Sudanese dignitaries took place. Yet most of these initiatives did not lead to the expected settlement. These initiatives could be divided between two major periods: post Nimieri era and post Saddiq al-Mahdi's reign. The first span consists of five main groups: \textsuperscript{57}

1. The first initiative was made by the Transitory Government's defense minister on 23\textsuperscript{rd} May, 1985, few weeks after the down fall of Nimieri's regime on 6\textsuperscript{th} April, 1985. The Transitory Government also made three more futile peace attempts, including a one-side cease fire, which found negative response from the rebels.

2. The second attempt included nine endeavours made by the elected government of the Prime Minister Saddiq al-Mahdi (1986-89). One of them was a meeting


\textsuperscript{57} Ibid., pp. 1-2.
between al-Mahdi and the rebels chief, John Garang, in July 1986, in which the elected Prime Minister accepted the condition of the rebels chief to meet him as a leader of his party, Umma, and not in his capacity as the country’s premier; this exposed al-Mahdi to a lot of criticism from his opponents. In that meeting the rebels aimed at pressurizing the government to repeal Nimieri’s Islamic laws, to which al-Mahdi was critical. He claimed to replace it by Islamic laws that “insures adequate consideration for all the citizens’ civil, human and religious rights, with the exclusion of the areas inhabited by non-Muslim minorities from laws of Islamic content.”

3. The third were endeavours made by the National Gathering, comprised of secular and leftist small groups; unified, despite their differences, by their opposition to Islamization.

4. The fourth package contained five different initiatives made by some political parties in the previous regime; the most significant among them were those of the

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58 Ibid., p. 4.
Democratic Unionist Party (DUP), which culminated by the meeting of its patron Mohamed Osman al-Merghani with the rebels Chief John Garang on 16th November 1988, in Addis Ababa. That accord resulted in serious dichotomy within the country’s political arena, for it accepted the rebels’ demand to abrogate Shari’a, although the DUP leaders saved no effort to clarify that the step was a temporary requirement, till the convening of the long awaited Constitutional Conference. The National Islamic Front, on the other hand, established direct contacts and negotiations with the rebels in Ethiopia, Kenya, Uganda and England. In all of these meetings it reiterated its views on federalism, which it saw as a way to the solution of the dispute.59

5. The fifth group of initiatives were sponsored by dignitaries and Non-Governmental Organizations. It also consisted of five major endeavours, initiated by that of Joseph Lago, it also included that of the Nigerian President General Oba Sango, which came in

59 Ibid., p. 8.
August, 1987, followed by that of the Ugandan President Youweri Museveni in September 1987.

Although about twenty eight attempts for reaching a lasting peace agreement between the rebels and the government were made since the collapse of Nimieri’s regime, and during the previous multiparty era, but the outcome hardly brought any significant development to the peace process in the South.  

In the absence of a clear parameter and mechanism in the successive governments to tackle major issues of the problem, it was obvious that the result of most of the peace initiatives were characterized by marginal progress.  

Furthermore, al-Mahdi’s government control on the Southern region witnessed its worst period, during which the army had lost almost all the main and the strategic garrisons in the South; this had provided a golden chance for the rebellion to concentrate on more gain, politically as well as militarily. Accordingly, the period 1987-89 could be regarded as the peak era for the rebels movement’s military advancement, due to the sheer weakness of the Khartoum government at the time.

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60 Ibid., 1-2.
61 Such as power and wealth sharing, among them Shari’a stood first.
The deteriorating situation in the South mounted the army pressure on the elected government of Saddiq al-Mahdi. This was also regarded as one of the prime reason for the third military coup in the country. In fact the Southern problem remained to be the salient factor behind the down fall of most of the post-independence governments.

When the present National Salvation government took over on 30th June 1989, in a bloodless coup, the Southern issue took first priority in its agenda. That was vindicated when in August 1989, when in less than two months since its reign began, it held its first “face to face meeting” with the rebels movement representatives.  

Shortly later, the new government made its plan for peace, and on its guidance convened the first meeting with the rebels movement in Addis Ababa on the 19th and 20th of August 1989. The major outcome was that: both sides agreed to continue the bilateral meeting of their representatives; and that the Sudan Embassy in Addis Ababa would be the official and direct channel of communication between them. 

62 Al-Inqaz al-Watani (Khartoum), 11 April 1996.
63 Janoub al-Sudan - SUNA, n. 57, p. 20.
The rebels wanted the negotiations to be based on the agreement reached with the former political parties during the previous era. But the new government did not consider the previous agreements as an appropriate base for a fruitful dialogue with the rebels movement; so it decided, instead, to start its own attempts for peace. These attempts were governed by the resolution of the National Dialogue Conference on Peace Issues (NDCPI), which was held from 9th September to 21st October 1989, in Khartoum.  

The importance of conference stems from the fact that its participants represented all the concerned spectra of the Sudanese society, who after comprehensive deliberations formulated the parameters and the directives, which “guided the government delegations to various rounds of negotiations with the other parties.” Following are the important points in the NDCPI resolution:

1. Development and building a state should based on the efforts of the state’s own citizens in accordance with the federal system guarantees. The major development projects

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64 Ibid., p. 19.
should be managed in accordance with a certain percentage of revenue for the region where the projects is located. The major mining projects, such as oil exploitation, are a national wealth of benefit of the whole country, and the government should direct a considerable portion of revenues of these projects to the development of the least developed states;

2. regarding the expression of the cultural diversity, the conference saw that Arabic language is the Sudan’s official language, which has unanimously been agreed upon since establishment of the Constituent Assembly in 1948 and as embodied in the successive constitutions. The other Sudanese languages, cultures and historical heritage are considered as an integrated family of equal functions. The government should ban any trend of ethnic, cultural and language superiority. This necessitates the government to ensure for these ethnic, cultures and language means of development and progress;

3. on the issue of religion and state, the conference emphasized that Sudanese people are one nation who share citizenship rights, as the belief in heavenly religions constitute a vital element in their composition and cultures. Therefore, the government guarantees the freedom of belief
and worship for all the Sudanese citizens as every one has the right to work for fully expressing his belief and the freedom of da’aw (call) for his or her religion. The conference also stressed that Islam is a religion of worship and dealing with others and that Muslims have the right to adopt their religion’s legislation without affecting the rights of others. The Islamic Shari'a and customs are the main source of legislation in Sudan. The civil and criminal laws shall be of national origin and implementation. This should consider the customs of regional groups and the states have the right to issue legislation within their powers as they can exclude themselves from implementing legislation of religious nature.66

The government stand in the successive rounds of talks with the rebels was guided by the parameter of the NDCPI. The major peace initiatives which were held with various rebels factions could be highlighted as follows:

The first post-NDCPI meeting between the government and the rebels movement was held from 30th November to 5th December 1989, in the Kenyan capital Nairobi. The talks which

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were sponsored by Jimmy Carter, the former American President, the government emphasized the importance of preserving a safe passage for delivering humanitarian aid and relief to the needy people in the South, through the life line operation, in which the humanitarian assistance were supplied by the United Nations and some other Non-Governmental Organizations.\textsuperscript{67} The rebels on the other side, insisted on freezing the Islamic laws till the convening of the Constitutional Conference. The idea was not accepted by the government, on the ground that the repudiation of Islamic laws would create an undesirable vacuum.\textsuperscript{68}

Although the talks were negatively evaluated by the rebels movement and Mr. Carter, but the government saw it as a positive step forward. The negotiating parties accepted the idea of holding a Constitutional Conference to draft a permanent constitution for the country, and this constituted a forward step.\textsuperscript{69}

But a serious development took place within the rebels movement before the convening of the second round of talks, which was held in the Nigerian capital Abuja, from 26\textsuperscript{th} May to 4\textsuperscript{th} June, 1992. The deep-differences within the rebels supreme

\textsuperscript{67} Salvation Revolution Accomplishment, n. 67, p. 14.
\textsuperscript{68} Janoub al-Sudan - SUNA, n. 57, pp. 42-50.
\textsuperscript{69} Ibid., p. 43.
leadership were sharply revealed by August 1991, when the movement split into two factions: Torit group (also known as SPLA mainstream) and al-Nasir united group.\textsuperscript{70} The reasons for the fragmentation of the movement were many: lack of democratic setup in the internal administration; concentration of authority in the hands of Garang; and violation of human rights by Garang’s Dinka-supporters against their opponents (mainly non-Dinka) within the movement.\textsuperscript{71} Thus, the symptom of factionalism inflicted the movement and resulted in eight factions with eight leaders. The Torit and Nasir factions are considered to be the biggest among them.\textsuperscript{72} Torit faction was insisting on rejecting Islamic laws, and building a unified secular Sudan, and merging the rebels fighters with the country’s official army; while al-Nasir group overtly emphasized the idea of separation as an ideal solution for the prolonged South dilemma.\textsuperscript{73}

Although the intra-rebels dispute was an ideological and political one when it started, but like most of the political strifes in

\textsuperscript{70} Al-Inqaz (Khartoum), 20 April 1996. The two factions are led by John Garang and Lam Akol, who belongs to different Southern tribes: respectively Dinka and Shulok, and the two factions were named after their places of origin; this may provide an other dimension (tribal) to the deep dispute between them.

\textsuperscript{71} Southern Sudan Peace Attempts, SUNA, (Khartoum: 1995), pp. 56-7.

\textsuperscript{72} Al-Sudan al-Hadeeth (Khartoum), 10 August 1996.

\textsuperscript{73} Southern Sudan Peace Attempts, n. 73, p. 70.
Africa, it took a tribal canopy and developed into tribal attrition
war.74

Factionalism has politically and militarily debilitated the
rebels movement, but it was a 'blessing in disguise' which
enhanced the government position in its peace endeavours; and
this was substantially strengthened by its military upper hand on
the ground.

These facts persuaded the rebels factions to accept direct
talks with the government without prior conditions, which
indicated that the government had out-maneuvered the rebels,
politically and militarily.75

However, the series of peace dialogues went on
uninterruptedly with the Nasir faction, with which direct talks
were held in London, Nairobi and ended by the Frankfurt meeting
of February 1992, in which it accepted federalism as a basis for a
comprehensive political settlement for the dispute.76

Unlike the previous talks of Nairobi, the rebels took into
account their debilitated military situation and widening rift within
their movement, which induced them to reunite themselves under

74 Alwan (Khartoum), 27 September 1997.
75 Ibid., p. 8.
76 The Search for Peace in Sudan: Four Years of Work to End the War in Southern Sudan", n. 43, p. 8.
the leadership of William Nyuon, the deputy leader of the Torit faction. Thus, the negotiations in Abuja talks (May 26 - June 4, 1992) which also known as Abuja Talks -I-, were characterized by this significant development. After intensive deliberation between the two parties, the following joint communiqué was issued:

1. The two sides agreed to meet once again on a date to be fixed by (the Nigerian) president Ibrahim Babangida to discuss the issue of the interim political procedures for a transitional period. They also agreed that the Sudan is a country of diverse ethnicities, cultures and languages a matter which necessitates the work for establishing a political system to cope with and encourage this diversity, as the case in Nigeria, and that the interim procedures shall aim at calming down the fears and building confidence in an atmosphere conducive for peace and security;

2. the two sides acknowledge the need for equal distribution of National wealth, as they agreed that the interim procedures shall include setting up a committee for the distribution of income;

77 Ibid., p. 10.
3. all parties agreed that the current conflict could only be solved through peaceful negotiations, as they agreed on continuation of negotiation under the patronage of president Babangida till the end of his term in the Organization of African Unity (OAU) - Babangida was OAU chairman when he initiated the negotiations.  

John Garang, the Torit faction leader, refused to accept the resolutions of that talks. Instead, he sharply criticized William Nyuon, whom he had deputed to lead his delegation to that meeting, saying “that he had exceeded the power delegated to him,” and by forging his faction with their rival in that talks without referring to him. Subsequently, Nyuon decided to split from Garang faction and formed another faction.  

Despite his initial rejection, surprisingly, Garang later accepted the resolutions of the Abuja-I, when he met with the Ugandan President Yoweri Museveni.  

The second Abuja meeting, or the Abuja-II as its known, were preceded by several round of talks held, respectively, at

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78 Salvation Revolution Accomplishment, n. 67, pp. 15-16.
79 “The Search for Peace in Sudan: Four Years of Work to End the War in Southern Sudan”, n. 43, p. 10.
80 Ibid., p. 10.
81 Ibid., p. 11.
Nairobi and Entebbe-Uganda. It was convened on 5\textsuperscript{th} May 1993, and continued for three weeks. However, the sudden arrival of John Garang from the United States to Abuja, just a day before the talks were concluded, had created an obstacle by insisting to add more issues to the meeting agenda, which was already accepted by the two sides prior to the talks. The suggestion was refused by the government delegations, and the efforts to sign a final communiqué therefore, were paralyzed.\textsuperscript{82}

At any rate, the government considered the talks as successful, as the two sides agreed on the distribution of certain powers between the centre and the states; and they also agreed to form two committees one to undertake distribution of national wealth during the interim period, and the second to administer the resettlement and rehabilitation for the war-affected people.\textsuperscript{83}

Concurrently with Abuja-II meeting, the government held another round of talks, from 10-25\textsuperscript{th} May 1993, at Nairobi with the United faction, which was formed in March 1993 by the merger of three factions: Nasir, William Nyuon’s and Karubino’s factions.\textsuperscript{84} The later also broke away from the Torit faction, due to dispute

\textsuperscript{83} Ibid., p. 17.
\textsuperscript{84} “The Search for Peace in Sudan: Four Years of Work to End the War in Southern Sudan”, op. cit., pp. 13-14.
between its leader and Garang. As a result the talks between the two sides concluded on the following points:

1. To establish a united federal government;

2. Principles of powers sharing and distribution of wealth;

3. The right of referendum to be preceded by an interim period;

4. The “application of laws of general nature founded on agreed basic principles to be applied at the national level, provided that the states reserves the right to complement federal legislation on areas concerning them in accordance with their specific needs.”

Under these talks the government and the SPLA-United Faction agreed to hold their peace dialogue, for the first time, inside the Sudanese territory, where the first round of talks materialized between them in August 1993, at Fashoda (a small town in the Upper Nile region), in which the Shulok Rath

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86 The Search for Peace in Sudan: Four Years of Work to End the War in Southern Sudan”, op. cit., p. 13-14
The unprecedented engagement of the tribal chief, such as the Shulok Rath, was a major breakthrough in the peace process. This development could be classified as an indigenously-evolved new mechanism to actuate peace endeavours from within, by utilizing the good offices of the tribal leaders.

It also indicated that peace dialogue has generated considerable mutual confidence between the concerned parties; as confidence building is considered one of the crucial element to materialize peaceful settlement of the dispute.

The Fashoda talks, ultimately brought peace and stability. Following are the major points:

1. To open land corridors for the passage of relief assistance,

   and also for the safe passage of civilians from the military operation areas;

2. not to obstruct movement off steamers on the Nile;

3. not to frustrate the implementation of development and accompanying services in the state.

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Shulok is one of the Nilotic biggest tribe in the South. Its member constituted a considerable part of the SPLA before it got factionalized. Al-Inqaz al-Watani, 11 November 1996.
Another phase in the peace process began during the summit of the Inter Governmental Authority on Draught and Development (IGADD) in September 1993, where an offer was made by the Presidents of Kenya, Uganda, Ethiopia and Eritrea to mediate between the government and Garang's Torit faction, which was obstructed by the change in the leadership in Nigeria in August 1993. Subsequently, a quadripartite committee, headed by the Kenyan President Daniel Arap Moi, was formed to fulfill that task. The IGADD's mediation provided a forum for peace dialogue, which is yet to produce tangible progress.

Conclusion

It is true that South Sudan problem was designed and implemented by the British colonial administration in the Sudan. However, it is also true that the problem was, to a large extent, aggravated by the successive post-independent governments mainly due to inadequate development of the region; unfair distribution of wealth; unequal power-sharing between the country's two parts; and maladministration of the country's affairs in which the South was not an exception.

88 Ibid., p. 17.
All these prejudices were attributed to the nature of the sectarian and military governments that ruled Sudan. However, by comparing peace endeavours made by the previous regimes with that of the incumbent one's, we find that the present regime is characterized by its declared Islamization programme, and the adoption of federalism.

Islamization policy to which the regime has declared its adherence, seemed to have invited negative response from the United States and the West in general, and also from some neighbouring states. Thus, there has been considerable external pressure on the regime. The regime’s real challenge represented in how to develop a proper formula through which sustainable peaceful settlement could be attained, without affecting the implementation of Shari’a - as the majority’s democratic choice.

This was apparently reached by adding customs to Shari’a as the main source of legislation in Sudan. “The civil and criminal laws shall be of national origin and implementation. This should consider the customs of regional groups and the states have the right to issue legislation within their powers as they can exclude themselves from implementing legislation of religious nature.”

other words, this means an exemption of the Southern region from the implementation of Shari’a. Thus, the assumption that Islam is among the factors that exacerbated the dispute in the Southern region, could be rated as an exaggerated assumption.

The adoption of federalism is regarded as an important development which cast its shadow on the peace endeavours initiated by the present regime. According to the new federal system twenty seven states have been established, ten of which are located in the Southern region. Each of these states have their own elected parliament and state governments. This, undoubtedly, would insure people’s participation in administering their states’ local affairs, which would increase political awareness among them, and reduce the influence of the traditional political leaders, who were (in the South) mostly Christianized educated elite.\textsuperscript{90}

This would provide greater chance for new generation of leaders to emerge, in all the states, including the South.

The enforcement of federalism in the South is likely to shrink the Dinka influence from all the non-Dinka domain (Dinka constituted the backbone of the earlier SPLA, and the Torit faction at present). The majority of the non-Dinka Southern tribes were

\textsuperscript{90} Voll, n. 23, p. 155.
supporting federalism, as it would free them from the Dinka domination, which some times has expressed in a form of despotic attitude against the non-Dinka tribes. This was vindicated when many of these tribes fought alongside the government army against the Dinka-dominated Torit faction.\textsuperscript{91}

Finally, the manner in which the Southern problem “is resolved is likely to have significant implications for the future development of political system in Africa.”\textsuperscript{92} This may lead us to postulate that certain foreign powers are keen to solve the dispute in a way that serves, or at least does not conflict with their vital interests in the volatile region.

Therefore, the dispute has been used as a Trojan Horse by outside powers against Sudan, because of its refusal to comply with the parameters of the New World Order; and for its insistence to continue its present Islamic orientation, which was not appreciated by the American administration and some of its allies in the region. The United States, in a move to contain the present regime, extended military support to some of Sudan’s neighbours, which was viewed by the government as a hostile act, and also

\textsuperscript{91} Al-Tayeb Ibrahim, \textit{al-Tariq ila Boar}, (Khartoum: Munazamat al-Shahecd, 1994). p. 94.

\textsuperscript{92} El-Attendi, n. 17, p. 371.
would only disturb regional stability. However, the measures adopted by the government to reach a peaceful settlement for the dispute seemed to have gained adequate positive response in the South and the North Sudan as well.