

BUCHBESPRECHUNGEN

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Sudan Peace Process: Challenges and Future Prospects

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The crisis consists precisely in the fact that the old is dying and the new cannot be born; in this interregnum a great variety of morbid symptoms appear.

This collaborative work comprises a compilation of papers read at a recent conference organized to assess the Sudanese peace process. It consists of 10 Chapters as well as four major extracts from the 1998 Islamic Constitution of the Republic of Sudan and three peace agreements. In the words of the editors, the book addresses issues which are directly linked to the current endeavours of the Intergovernmental Authority of Development (IGAD) to secure peace in Sudan. IGAD is the main international consortium of peace brokers in the civil war that has disrupted Sudan since the country gained independence from Britain in 1956. Despite the diverse viewpoints of the contributors to the book, there is a shared opinion that, after many decades of civil war in Sudan, the ongoing IGAD-sponsored peace talks may ultimately represent the best hope for the estimated Sudanese population of 33 million to enjoy lasting peace and justice.

The book is organised into five parts. Part One contains various stakeholder views on the outcome of the conflict. Position papers from the perspectives of the IGAD mediators, the Khartoum government and the Sudan People's Liberation Movement/Army (SPLM/A) are canvassed in this first part of the book. Part One comprises three chapters.

Tabitha Jeptoo Seii sets the scene in Chapter 1 by presenting an historical account of the IGAD peace process. She points out that the first rounds of the IGAD peace talks resulted in the Khartoum government and the SPLM/A agreeing to sign the Declaration of Principles (DoP). Adopted in July 1994, the DoP marked a significant milestone on the road map to peace because it constituted a 'framework for negotiations'. Five years later, the IGAD Secretariat on Peace was established with the purpose of carrying out continuous and sustained mediation.

Until that time, the momentum for progress in the peace process was extremely slow. A key turning point however arrived in 2002 when the warring parties decisively committed themselves to the Machakos Protocol. According to *Seii*, the Machakos Protocol was regarded as a breakthrough because it resolved 'major disputed questions' such as the government structure, the right to self-determination as well as the separation between state and religion. Perhaps most importantly, a ceasefire agreement also resulted from the Machakos Protocol.

In Chapter 2, *Hassan E El-Talib* passionately advocates the case for the ruling National Congress Party by virtually exonerating Khartoum from waging war. He rather blames Britain and the SPLM/A for the armed conflict: Britain is blamed for its 'segregatory... colonial Southern policy' while the SPLM/A is also accused of breaching all (previous) peace accords. Although his objectivity seems to be compromised perhaps because *El-Talib* serves the Sudanese government as a diplomat in Pretoria, some of his proposals for a post-conflict Sudan are worth considering. For instance, his recommendation that the new Sudan should adopt a federalised system of governance based on wealth sharing seems to be an appropriate food for thought.

Dr. *Barnaba Marial Benjamin*, the SPLM/A envoy to the southern African region, presents the SPLM/A perspectives in Chapter 3. He addresses two main sub-themes – the history of the Sudan and the IGAD peace initiatives. Unlike *El-Talib*, *Benjamin* argues that the history of Sudan actually dates back earlier than that which has been articulated by the present Sudanese government.

Benjamin's take on a guarantee for the implementation of any meaningful peace deal is contained in three proposals. First, he contends that there must be a UN Security Council resolution in favour of the Sudanese peace process. Second, an international verification and monitoring team must be set up to supervise the implementation of a peace deal. Third, an international consortium must be established to raise funding for the reconstruction and development of the country.

Part Two of the book deals with national, regional and global perspectives on the IGAD peace process. Like the preceding part, Part Two also comprises three chapters.

Francis Kornegay is the author of Chapter 4. *Kornegay* predicts that the outcome of the current IGAD peace initiatives will obviously have ripple effects on regional and international spheres. He posits two possible scenarios for a future Sudan. First, a democratic federalist Sudan. Second, and alternatively, a balkanised Sudan with southern Sudan integrating with the East African Community while the other northern Sudanese regions align with the Islamic community in Egypt, Chad and/or Libya.

Chapter 5 interrogates the dynamics of the oil industry on the Sudanese body politic. *Shannon Lee Field*, the author, highlights the central role of the oil industry in all issues relating to the politics of wealth and power sharing. Based on this vital role of oil in defining the new Sudan, *Field* speculates that, inevitably, 'high tensions' may soon develop among stakeholders in the oil industry.

Despite the potential for conflict among stakeholders, the author commends the belligerent parties for mutually consenting to a wealth-sharing formula in December 2003 (and later ratified in January 2004). In terms of this framework agreement, the North and South adopted a revenue-sharing formula that allows for a '50-50 split' between the two parties during the pre-interim and interim period (2004-2010).

Emerging trends from political alliances among stakeholders in post-war Sudan are discussed by *John G Nyuot Yoh* in Chapter 6. According to *Yoh*, the IGAD road map to peace has provided a general consensus about the form of settlement agreed upon by the

warring parties. Nevertheless, there is apprehension about political alliances that may be formed between the SPLM and the ruling National Congress (NC) party on one hand, and between them and the other political organizations on the other. In view of this, the author concludes that the future success of any meaningful peace implementation plan will be determined by the political alliances that emerge.

Yoh points out that the IGAD peace processes were informed by three historical and ideological realities that translate into three paradigms: the 'Old Sudan'; the 'Two Sudans'; as well as the 'New Sudan'. First, the 'Old Sudan' paradigm refers to the existing state structures of the Sudanese central government. Devotees of the 'Old Sudan', who are largely Northern elites, advocate for a window dressing reform package while maintaining the *status quo ante* in respect of the Arab and Islamic hegemonic culture. Second, the 'Two Sudans' school of thought constitutes the dominant ideology in Southern Sudan. Initially born as a modest call for an autonomous status for the South, it soon evolved into an overt demand for independence and secession. Third, the adherents of the 'New Sudan' paradigm call for the replacement of Arab-Muslim cultural domination by a 'New Sudanese' cultural affiliation, to which the majority of the Sudanese are historically and culturally linked. They also advocate for a secular system of governance. In conclusion, the author examines several interesting issues. Since the NC represents the 'Old Sudan' system and the SPLM claims to represent the 'New Sudan' paradigm, *Yoh* poses the critical question whether the vagueness on the issue of democracy in the Machakos Protocol was not intentional, due to the compromises that the two parties had made during the negotiations. Moreover he teases out the issue of self-determination and questions whether the IGAD peace processes have simply identified issues to be addressed and left actual implementation of the protocols to the future. Finally, he raises the issue whether the SPLM leadership would attempt to isolate the other Southern political forces or whether it would opt to appease some and antagonise others.

Part Three tackles constitutionalism and democratisation trends in post-war Sudan. There are three chapters. Writing on the legal ramifications of the IGAD process in Chapter 7, Dr. *Biong Kuol Deng* presents a critique of the relevant legal instruments and protocols. *Deng* claims, at the outset, that what really exacerbated the ongoing war was the obnoxious policy of the (National Islamic Front) NIF regime to impose the Islamic Constitution and the declaration of a *Jihad* (holy war) against Sudanese citizens who do not profess the Islamic faith. He immediately launches a frontal attack on several provisions of the 1998 Islamic Constitution that provide impetus and legitimacy to what he calls the 'religious elements of the war.' First, *Deng* argues that it is a contradiction in terms for a multi-cultural society to have a constitutional state which is founded primarily on *Shari'ah* law and custom. For example he cites Article 20 of the 1998 Constitution which enshrines the right to life, liberty and security of every person as a provision that conflicts with Article 7 which enjoins, as a high constitutional obligation, the prosecution of a *Jihad* against infidels. Second, the author explains that rather than the demented form of federalism currently in place, the popular Southern preference is for an entrenched constitutional right

to self-determination. Third, *Deng* expresses concern about the shortcoming of the 50-50 oil revenue-sharing formula between the North and South as stipulated by the Machakos Protocol. He proposes that, in order to redress the historical imbalance in development, the South should receive 75 % of the oil revenue from the South.

In Chapter 8, Professor *Abdalla Hamdok* discusses the progress towards establishing a viable democracy in post-war Sudan. *Hamdok* reminds us that the fifty-year experience of independence demonstrates that civilian politicians as well as military dictators have equally proved inept in resolving Sudan's basic problems. In the result, the cycle of democratic and military regimes has left the country in a battered condition. However *Hamdok* identifies urgent remedies which he considers to be useful in redressing the current malady in Sudan. First, he calls for a rigid commitment to the rule of law with a view to promoting and protecting human rights and freedoms. Second, he proposes a political system which provides equal opportunity for all citizens and encourages a broad input in government and development decision-making from all elements of society. According to the author, a number of challenges threaten the promotion of democratic values in Sudan. *Hamdok* puts his finger on the weakness of political parties; weak democratic institutions; the dearth of a well established and deeply rooted democratic culture and traditions; and, the prevalent atmosphere of mistrust and a lack of confidence in each other. Professor *Taban Lo Liyong* makes a case for a South-South dialogue in Chapter 9. *Liyong* argues that though the IGAD peace initiatives seek to make peace between the Khartoum government and the SPLM, it is important that the diverse ethnic groupings of Southern Sudan should be given an opportunity to determine their political future. For this reason, *Liyong* contends that it is imperative for the various ethnic communities – both at home and sojourning in the Diaspora – to be brought on board through a series of dialogues or 'even multilogues'. To this end, the author puts forward a number of suggestions. In the first place *Liyong* proposes that the envisaged series of talks, consultations and briefings among Southern peoples should be facilitated by a standing body of peace brokers. Furthermore, he recommends an interim constitution, a constitutional conference and a constitutional assembly to be put in place in Southern Sudan during the interim period.

In the sole chapter of Part Four, Professor *Abede Zegeye* raises important issues which were not covered by the preceding chapters of the book. In the main, he examines issues relating to the geopolitical dynamics of post-war Sudan in the region. He discusses the dynamics of regional cooperation in water resources, geopolitics of migration, and transformation issues in Sudan. Besides this last chapter, the editors have also provided a summary of a paper delivered by *John Ashworth* at the conference but which could not be included in this compilation. *Ashworth's* contribution dealt with the role of civil society, regional and international organizations in post-war Sudan.

Finally the appendix in Part Five of the book contains the texts of the most significant documentation, protocols and agreements which have been signed between March 1986 and May 2004. The appendix also includes the 1998 Constitution of the Sudan, the position

papers of the two parties on the question of the disputed region of Abyei, and a resolution in which the IGAD leaders have pledged to support the IGAD peace initiative in Sudan. By bringing together 10 contributions from competent authors, the *Sudan Peace Process: Challenges and Future Prospects* provides one of the best analyses of the IGAD peace initiatives which cannot be ignored by any serious researcher interested in the Sudan. There is no doubt that this insightful publication makes a valuable contribution to the growing literature on the Sudanese war, peace process as well as the transition to a legitimate constitutional democracy. For this reason, the editors may want to scrutinise further the editing of the manuscripts for the next edition of the book. To mention but a few, the erroneous spelling of 'secessionist', 'precedence', 'espouse', and 'contracts' on pages 24, 99, 115 and 119 respectively needs to be corrected so as to promote clarity. Moreover, the literal translation of the Arabic version of the constitutional text into unedited English makes one wonder whether the editors could not consider adopting the reproduction of the 1998 Constitution in other collections such as the *Human Rights Law in Africa* C Heyns (ed) Martinus Nijhoff (2004) 1571-1578.

Obeng Mireku, Venda

Walter Feichtinger (Hrsg.)

Afrika im Blickfeld. Kriege – Krisen – Perspektiven

Tagungsband des Instituts für Friedenssicherung und Konfliktmanagement, Wien.

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Ein Kontinent, dessen Konfliktbeladenheit einen Großteil der inzwischen weltweit agierenden militärischen UN-Aufgebote bindet, zieht zwangsläufig den Blick der internationalen Friedens- und Konfliktforschung auf sich. Der hier anzuzeigende Band kompiliert, wie bereits sein Untertitel andeutet, die Beiträge einer Tagung, welche das federführende Institut für Friedenssicherung und Konfliktmanagement (IFK) der Landesverteidigungsakademie Wien Ende Januar 2004 veranstaltet hat. Bis auf den Nigerianer *John Emeku Akude* und den Deutschen *Martin Pabst* sind an dem Band durchweg österreichische Autoren beteiligt.

Herausgeber und Akademieleiter *Walter Feichtinger* umreißt in seinem einleitenden Vorwort die Absicht der Publikation, "... in gestraffter Form einen Überblick über die wichtigsten Konflikte in Afrika, aktuelle Ansätze zu ihrer Bewältigung und dabei auftretende Probleme zu bieten". Diesem Anspruch wird der Band ohne weiteres gerecht. Beschreibung und Analyse halten sich auf vergleichsweise engem Raum in durchaus gelungener Form die Waage.