

# Understanding the Patriarchy of Sudan Over South Sudan

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The political process of the Sudan and South Sudan has largely been determined by shifting situations of war and peace, traceable to the history of the entry of Arabs into the Sudan as legitimized by the Baqt (652 – 1323 AD). That treaty spelt out the patriarchal soft invasion, free movement and safe residence of Arabs under guise of trade—using Nile Valley, Route Forty of Sahara Desert, Mediterranean-Transatlantic Maritime Routes and Red Sea-Indian Ocean Routes with connection to Asian Silk and Belt Roads. It obliged the indigenous African natives to cease raids on the entering Arabs (Jellaba) in return of guaranteeing them the Peace of God and blessings of Prophet Mohamed. The local inhabitants had to build mosques, pay annual tribute of 300 slaves and deport fugitives or opposition elements back to the Arab Umayyad Dynasty in Egypt. While the Land of Cush was grappling with effects of the unfair Baqt, the Treaty of Westphalia (1648 AD) was already marking a critical juncture of political secularism as sanctified by equal freedom of the powerful sovereign nations with ‘pecking-order’ for the less powerful ones.

Thomas Hobbes endorsed the idea of patriarchal authority in the Leviathan (1651) where he argued for necessity of absolute sovereign to enforce security and peace, to prevent “war of all against all”, and to avoid subjecting the citizens to “solitary, poor, nasty, brutish and short” living. Sir Robert Filmer promoted similar thinking in the Patriarcha (1653) where he defended “divine right” of kings in the exercise of authority. But James Tyrrell wrote Patriarcha Non Monarcha (1681), John Locke wrote Two Treatises of Government (1689) and Algernon Sidney wrote Discourses Concerning Government (1698) to rebut the “divine right” theory. Their argument centered on the “natural right” and the “social contract” theories for justifying the legitimacy of any government. Comparatively, the Sudan has been a patriarchal country since the time it was founded by Albanian-born Muhammad Ali Pasha in 1821 with objectives of extracting valuable resources (e.g., gold, ivory, ebony, ostrich feathers and strong black slaves) and expanding his political adventure internationally. Southern Sudan was laid loose when the Turkish Naval Officer, Captain Salim Pasha, crossed the tough mosquito zone of Sudd Region in 1841 to establish resources hunting posts along the Nile—Tawfiqia, Gondokoro, Rejaf, Nimule.

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Muhammad Ali's successor, Khedive Ismail Ibrahim Pasha (1830 – 1895), tried to mend the sour relations of his patriarchal rule in the Sudan, especially with the 'virgin tribes' in Southern Sudan and Nuba Mountains who had been hunted intensely for slave trade since the Baqt era. He commissioned some European adventurers as military governors over there to help him in implementing the Anglo-Egyptian Slave Trade Convention (1877) and the Congo Act (1885)—freedom of navigation and commerce, notification in advance when appropriating newly scrambled territories and suppressing slave trade.

Though the Mahdiyya uprisings (1881 - 1898) crushed the Turko-Egyptian Rule under Governor Charles Gordon Pasha in Khartoum (1885), Khalifa Abdullah al-Taishi's Rule became marred with despotism as it regenerated into slave trade regime with forced islamization in Upper Nile, Bahr el Ghazal and Lado Enclave. The Shilluk and Azande Kingdoms were left with no option but to resist fiercely the deviated Mahdiyya Darvishes in their unethical rule. The French Congo-Nile Mission under command of Captain Jean-Baptiste Marchand found it receptive to advance into the Nile Watershed from Western Africa in 1896, defeating Mahdiyya and declaring Shilluk Kingdom as one of the French Protectorate in Africa but with autonomy to pursue its interests collaboratively.

The British had to send General Herbert Kitchener to Sudan in 1898 with heavy expedition to conquer it from Mahdiyya, to expel the French colonialists ("Fashoda Syndrome"), and to establish Anglo-Egyptian Condominium Rule (1899). Although the British Consul-General in Egypt, Lord Cromer, regarded Southern Sudan as a useless large tract of valueless land whose tribes were difficult and costly to govern fruitfully, the subsequent British Governors-General in Khartoum proceeded to apply multiple strategies—Punitive Military Patrols, Bribery Gifts to Strong Chiefs, Divide-and-Rule Rivaling, Locational Facial Identification, Closed District Ordinances, Passports and Permits Ordinances, Trade Permit Orders, Vernacular Languages and Structural Self-contained Customary Tribal Local Units with foreign Church missionaries allowed to provide catechetical services and limited literacy.

The World War I (1914 – 1918) and politics of the League of Nations; the invasion of Eritrea by Italy in 1935 and encroachment on eastern Sudan; the rapprochement of the Anglo-Egyptian Treaty (1936); the pressure by Northern Graduates General Congress to be involved in government with advocacy for lifting the restrictive British policies on Southern Sudan; the World War II (1939 – 1945) and politics of the United Nations; the formation of Northern Sudan Advisory Council in 1942 to bring the Sudanese elites closer to corridors of Condominium Rule; the enactment of Local Councils Ordinances in 1943 with 'safeguards' by the British for the uniqueness of Southern Sudan; and the Unilateral Declaration by the Penultimate King Farouk of Egypt for recognition as the Monarch of both Egypt and the Sudan, all these political developments shifted the paradigm and moved the British authorities to rethink their colonial neglect of Southern Sudan. They decided to empower the local population to stand united as unique Negroid African entity in case they got attached to Northern Sudan and Middle East, became annexed to East Africa, or remained autonomous and independent nation.

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Abdel Nasser, shuttled frequently to Southern Sudan to promote the unity of the Nile Valley and sabotage ‘the Sudanization’ of the Sudan. The Thirteen-Man Committee (chaired by Justice Stanley Baker and with Buth Diu as the only member from Southern Sudan) drafted the Sudan Self-government Statute without consideration for special status of Southern Sudan. Northern Islamist Parties (patronized by Khatimya Leader Ali al-Mirghni and Ansars Leader Abdel Rahman al-Mahdi) spat on the face of Southerners by excluding them from the negotiations on the Anglo-Egyptian Condominium exit from the Sudan on justification that the South had no political parties or matured leaders to represent it independently without Northern patriarchy. The tense situation of the pre-independence of the Sudan in 1955 spiked the Nzara and Yambio riots, followed by Torit mutiny of Equatoria Corp and wider unrest in different parts of Southern Sudan. Khartoum blamed the Anglo-Egyptian Condominium policies of isolation, mistrust and bitterness of Southerners against the Jellaba’s ancestral involvement in slave trade. Also miscommunication, rumors, propaganda, underdevelopment, illiteracy, ignorance and backwardness were identified to be the fuelers of the unrest. The Stanley Baker’s Self-government Statute was converted into Transitional Constitution of the Sudan (1956) but without ‘due consideration’ for autonomous government (federalism) as demanded by Southerners to preserve their multi-cultural, multi-customs, multi-religious and multi-linguistic tribal societies. Nothing much was done by the succeeding ‘Sudanized’ government to implement the feasibility studies for big developmental agro-industrial schemes and mechanized farming in Southern Sudan—Nzara Cotton and Cloth, Melut and Mongalla Sugar, Aweil Rice, Wau Fruits, Tonj Kenaf, Kapoeta Cement, Upper Talanga Tea, and Malakal and Bor Fish Freezing/Drying. Also Southern Sudan was not given a fair annual budget by Khartoum to run its affairs.

The young politicians in Southern Sudan got wary with the status quo and patriarchal politics of Khartoum. They won elections overwhelmingly in their constituencies in 1957 for campaigning enthusiastically on platform of newly formed Southern Federal Party—adoption of secular federalism, repatriation of Southern schools from the North, recognition of both English and Arabic as official languages, special economic programs for the South, formation of organized armed forces for the South, redefining the Sudan as an African country rather than part of Arab world. Though their leader Ezbon Mundiri was arrested, the young Fr. Saturnino Lohure challenged in Khartoum the Constitutional Constituent Assembly (1958): “The South has no ill-intentions whatsoever towards the North; the South simply claims to run its local affairs in a united Sudan. The South has no intention to separating from the North, for had that been the case nothing on earth would have prevented its demand for separation. The South claims to federate with the North, a right that the South undoubtedly possesses as a consequence of principle of free self-determination which reason and democracy grant to free people. The South will at any moment separate from the North if and when the North so decides, directly or indirectly, through political, social and economic subjection of the South.”

The continuous betrayal of aspirations of Southerners and the crises of the civil war (“Southern Problem”) contributed immensely to the collapse of subsequent patriarchal governments in Khartoum: Ismail al-Azhari’s and Abdallah Bey Khalil (1956 – 1958), General Ibrahim Abboud (1958 – 1964), Sadiq al-Mahdi and Mohamed Ahmed Maghoub (1965 – 1969), Jaafar Mohamed Nimeiry (1969 – 1985), Sadiq al-Mahdi and Mohamed al-Mirghani (1986 – 1989) and Omar al-Bashir (1989 – 2011) whose government collapsed only in South Sudan though it remained intact in the Sudan. Among these patriarchal heads of states and governments only Field Marshal Nimeiry and Field Marshal al-Bashir managed to stay longer in power, maneuvering between war and peace in the South.

Immediately after assuming power in 1969, Nimeiry acknowledged the “Southern Problem” and diagnosed it as being caused by backwardness and western imperialism (similar to the findings of Qotran’s Committee of Inquiry on Southern Unrest in 1955). He prescribed the solution by un-shelving the deliberations of the 1965 Round Table Conference and Twelve-Man Committee, which recommended for recognition of unique cultural diversity and formation of special autonomous regional government for the South. He endorsed the 1972 Addis Ababa Peace

Agreement with its implementation mechanisms—Relief and Resettlement Commission; Joint Ceasefire and Joint Military Commissions (12,000 integrated troops for South with 6,000 drawn from Equatoria, Bahr el Ghazal and Upper Nile on equal quota); High Executive Council and People’s Regional Assembly; and Public Service.

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Juba stood firm in honor of Addis Abba Agreement when President Nimeiry started to dishonor it in favor of Khartoum’s interest on valuable resources in the South, especially by trying to annex oil and agricultural rich areas (Bentiu, Hofrat el Nehas, Kafia Kingi and Northern Upper, etc...). He awarded exploration licenses to American Chevron in 1974 and to French Total and Royal Dutch Shell in 1980 without consulting Juba. Oil refineries were planned in Khartoum to be constructed

in the North with pipelines connecting oil fields in the North to Port Sudan. The digging of 360 kilometer Jonglei Canal (with involvement of Egypt) was launched with no care on the infringed community land rights and disrupted ecological setting of Sudd Region (blockage of 350,000 m2 of grassy marshes and lagoons of 30 rivers converging naturally to form an environmentally rich climatic lake and plenty of variety of fish).

After securing ‘National Reconciliation’ with Islamists in the North in late 1970s, President Nimeiry turned his political arsenals Southwards in early 1980s to exploit the politicized rifts of tribal and regional divisions (known as “kokora” in Juba). He considered the Addis Ababa Agreement as ‘Un-Qoranic’ and ‘Un-Biblical’ to be upheld sustainably. He interrupted the integration process for Anyanya forces by redeploying some of the battalions to the North against their will and with intention to keep them far from the redrawn South-North boundaries. He declared Islamic Law (Sharia) to be binding on all, including Christians and African traditionalists. Finally he decreed the dissolution of the unified regional government in Juba to replace it with disconnected fragile sub-regional administrative regions (Equatoria, Bahr el Ghazal & Upper Nile).

The disappointed and angry South Sudanese were left with no option but to take up arms and organize for liberation cause, culminating in the formation of the Sudan People’s Liberation Movement/Army (SPLM/A) in July 1983 under leadership of Col. Dr. John Garang de Mabior and other colleagues. SPLM/A leaders defined the struggle as inherent in disadvantageous marginalization of the deprived people in the peripheries of old Sudan, not “Southern Problem” as such. Its war paralyzing the economy caused humanitarian catastrophe and mobilized the professionals and trade unionists in Khartoum to uprising against President Nimeiry. The armed forces sympathized with the people to overthrow him in April 1985 while he was on visit in Washington DC under the host of President Reagan and Vice President Bush Senior.

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In a nutshell, President Nimeiry played both negatively and positively in his patriarchy on North-South politics of the Sudan with unpredictable bullying but courage to face tough situations head-on during his 16-years rule. He had direct links with influential and rivaling Southern political leaders (Abel Alier, Joseph Lagu, Peter Gatkuoth,, Bona Malwal, Francis Deng, Adwok Luigi, James Tambura, Mathew Obur, Clement Mboro, Hilary Logali, among others) with deep understanding of their political psychology as they were all part of the one party system of the Sudan Socialist Union. Also Nimeiry was intimately engaged with strong Kings and Chiefs of biggest tribes of Southern Sudan (Dinka, Nuer, Shilluk, Azande, Bari Speakers, etc...) and could get into a

helicopter to land anywhere at the grassroots localities without fear of insecurity. The ordinary people in Southern Sudan, including school children, knew Nimeiry and could sing his name in admiration (recalling the song: “Abukum Miin? Nimeiry!” — “Who is Your Father? Nimeiry!”). However, it was only after President Nimeiry betrayed the Addis Ababa Agreement that he lost the trust of Southerners. The SPLM/A composed hate song against him and the parasitic bourgeoisie of his regime. His patriarchy collapsed miserably in the face of the force of the people.

Also upon taking power in Khartoum, President al-Bashir got the support of the National Islamic Front with Dr. Hassan al-Turabi as the regime’s ideologue for “Civilizational Project” (akin to the “Civilizing Mission” of the Crusades). The declared National Salvation Government waged more aggressive Jihadist (Holy) war against the SPLM/A and all infidels in Southern Sudan. As Mengistu Haile Mariam’s Derg Regime in Ethiopia collapsed, the SPLA/M also got split into Nasir and Torit factions. But as President al-Bashir failed to defeat or crush the SPLM/A militarily, he decided to engage its factions in rounds of peace talks—Frankfurt (1992) and declaration on self-determination, Abuja I and Entebbe (1992) and Abuja II (1993) on outstanding issues of participatory secular governance and inclusive development (e.g, taking town to the people).

The regional Intergovernmental Authority on Draught and Development (IGADD), which later was renamed as the Intergovernmental Authority on (IGAD), took upon itself the mediation of the Sudanese conflict by declaring these Principles in 1994: dialogue for reaching a just political solution, right for self-determination for the people of Southern Sudan, attractive unity in diversity of the Sudan, separation of religion from the state via secular competitive democracy, guaranteeing fundamental freedoms and human rights, fair sharing of wealth and power, permanent ceasefire and interim security arrangements, and realization of sustainable peace in the Sudan.

Based on some internal peace initiatives, the SPLM/A Nasir faction signed Khartoum Peace Agreement in 1997 and Fashoda Peace Agreement in 1998 with self-determination for the people of Southern Sudan to be conducted at the end of 4-years interim period. The respite facilitated the security of oil fields in Southern Sudan where Chinese, Indian, Malaysian, Canadian, French and Swedish companies invested in petroleum business despite the international concerns about human rights violations and scorched-earth policy. Zionic Lobbyists, Churches, humanitarians NGOs, and human rights activists persuaded the U.S. Congress and President Goerge Bush Junior to intervene with “Carrot and Stick” policy based on the Sudan Peace Act (2002), especially after the Islamist terrorists who were connected to al-Bashir regime attacked the World Trade Center and the Pentagon (9/11/2001).

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With the IGAD and its friends and partners (Troika, Italy, China, Netherlands, EU, AU and UN), pressing for resumption of peace talks, the SPLM/A factions of Dr. Riak Machar and Dr. Lam Akol got merged under the leadership of Dr. John Garang in 2001 and 2002 respectively. As a result of that, the Machakos Protocol (July 2002) was signed to mark a breakthrough. Later and after rigorous detailed negotiations more agreements were signed in Naivasha—Agreement on Security Arrangements (September 2003), Wealth Sharing (January 2004), Power Sharing (May 2004), Resolution of the Conflict in Southern Kordofan and Blue Nile (May 2004) and Resolution of the Abyei Conflict (May 2004). The signed Comprehensive Peace Agreement in Nairobi in 2005 established the National Congress Party’s dominated Government of National Unity in Khartoum and 15 states in the North, and also the SPLM/A’s controlled Government of Southern Sudan in Juba (2005 – 2011) and 10 states in the South. The oil wealth was shared equally between South and North. The multi-donor trust fund was established in Juba for coordinate the funding of post-war peace-building projects.

Despite the hitches and hiccups between Juba and Khartoum, the 2008 Census and 2010 general elections were conducted as agreed. The incumbent SPLM/A and NCP leaders got reconfirmed to their dominant political positions in the North and South. The people of Southern Sudan were allowed to overwhelmingly vote for separation in July 2011 Referendum. The African Union, the UN and entire International Community recognized the new Republic in July 2011 and mediated between the two countries to cooperate and assist each other to resolve the outstanding political and economic issues, some of whose mitigations were designed in the expense of oil revenues of South Sudan—Transition Financial Arrangements of 3.028 billion USD paid to Khartoum and hiring its oil pipelines and other facilities for 24.5 USD per a barrel of oil passing. But border war over Panthou (known in oil mapping as Heglig) erupted shortly in 2012 with Juba deciding to shut-down the oil production, the consequence of which partly spiked the 2013 conflict with destruction and displacement of residents of Malakal, Bentiu, Bor and others. By flunking the country and entertaining tribalism the leaders of South Sudan betrayed the required stewardship for unity, peace, justice, liberty and prosperity for the people of South Sudan. Also the failure of the Transitional Government of National Unity and the opposition groups to commit themselves to the implementation of the 2015 Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) pushed the region to mandate President al-Bashir to take charge of High-Level Revitalization Forum, including reactivation of the paralyzed bilateral cooperation agreements between Juba and Khartoum in the oil and other sectors (border, trade, banking, debts/assets, labor, post-service benefits, freedoms for nationals and joint security). The slogan of “One People in Two Countries” became an adage for breakthrough in bridging the gaps in positions of the parties on outstanding issues of security and governance.

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With the new approach adopted by Khartoum for mediated negotiations of the revitalization of the ARCSS, optimism was regained to put South Sudan back on the track of peace. President al-Bashir’s patriarchal pragmatic bullying and leverage on the leaders of Southern Sudan, and his declared moral responsibility for ensuring the welfare of South Sudanese as his extended family, has been seen working well for the negotiating parties to reach a final peace deal without more delays. The South Sudanese ‘oil for peace and development’ has become an attractive diplomatic policy, inducing the IGAD and its allies to entrust Khartoum with additional mandate to finalize the remaining details of the revitalized ARCSS and its implementation matrices as well as the mechanisms of funding so that peace is fully restored for general elections to take place at the end of re-scheduled transitional period of 40 months.

But will the patriarchy of the Sudan hold for longer over South Sudan and continue to be the catalyst during and after the agreed transitional period, given the lessons learnt from the above-mentions historical experiences? The success of the patriarchy of the Sudan over South Sudan, when it is utilized for peace, is expected to attract some tactical or strategic cooperation of the big international geopolitical allies (U.S, China, UK, Russia, France, Germany, Japan, Brazil, etc.). It has already created some joint political ventures, though with some Cold War tendencies, by the known veteran regional heads of state (al-Bashir at North Pole and Museveni at South Pole). However, the fact that the major parties agreed quickly to compromise for peace as mediated by Khartoum and with oil business as part of the deal alongside the security and governance, is a strong indication that Khartoum has a real leverage on Juba and on South Sudanese opposition leaders. Juba can’t survive for longer if Khartoum decides to block the oil passage to international markets or give the armed opposition of South Sudan at its border a direct support to go for

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battles in the oil fields in Upper Nile or at the borders in Bahr el Ghazal. Also the business of East African countries with South Sudan, especially Uganda and Kenya, depends much on revenues generated through oil that has to pass first via Sudan so that hard currency could come flowing into Juba’s coffers thereafter.

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Thus, President al-Bashir’s patriarchal role would probably continue to have impact on the needed post-war checks and balances on the revitalized transitional government of South Sudan in the four years to come or even beyond. It is given that he will pass the elections in 2020, especially with peace restored to South

Sudan and cooperation agreements operationalized for the Sudanese traders and labor force to get engaged in garnering back their lost benefits from the historical neighbor. Peace in South Sudan is seen as a rescue card for the dwindling economy of the Sudan, especially after it has lost the assistance it used to get from the Gulf Countries. It has become personal for President al-Bashir. Hence, success of the 8-months pre-transitional period in preparing good ground for new peace government to get inaugurated with participation of heavy-weights politicians will be a critical litmus test and defining juncture for viability of both Sudan and South Sudan. Though doubt is real but optimism is high that sustainable peace, security, economy, rule of law and justice is possible with Khartoum at the lead and the region behind it.



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