Southern Sudan within a New Sudan: 
A Concept Paper for a Policy Meeting
Cape Town, 20 – 21 February 2006

I. The Quest for an Appropriate African Constitutional Model

This proposed policy meeting emanated from a discussion of African scholars and statesmen concerned with the way most African countries are being governed by constitutional models that are external in origin and not adequately grounded on the African cultural values and institutions of the peoples they are supposed to reflect and serve. It was widely recognized that African countries have yet to achieve clarity on what political and governance frameworks will best manage their rich diversities of peoples and draw upon indigenous African cultural values, organizational structures and institutions as sources of strength and legitimacy. Contemporary problems in Africa – civil wars, increasing disparities in wealth among regions and populations, and acute crises in nation-building – indicate that the legacy of constitutions and political frameworks left behind by its colonial powers has largely proven ineffective.

Post-independence governance frameworks have contributed to a crisis of national identity throughout much of the African continent. Existing legal frameworks that seem to stress unity through the suppression of diversity have left many Africans feeling disempowered and unable to see a reflection of themselves in the governance of the nations within which they live. If African constitutions and their attendant governing
frameworks are to embody the soul of the nation, as they are expected to do, they must accommodate diversity and build on the essential cultural values and norms of all of the nation’s peoples and their worldview. In doing so, constitutionalism for Africa must be seen not as a process that begins and ends with the elaboration of a constitution, but rather as a living process that is constantly evolving with the participation of its peoples to promote their ownership of the outcome in the resulting governing frameworks and makes them reflect the political, economic, social and cultural dynamics of the continent and its population.

The crisis of identity that this proposed policy approach seeks to address is not only the product of contemporary events, but the outcome of a historical evolution. Historically, the African state was carved out of racial, ethnic and cultural diversities that gave the state a pluralistic configuration. The African state was and is still largely a composite of distinct ethnic units – many of which would likely have described themselves at the time of colonization as nations in their own right. As the colonial powers applied a preferential treatment to the various groups and regions in the development of political and economic policies, this pluralism became characterized by considerable disparities in the shaping and sharing of power, national wealth, social services, and development opportunities. The effect of combining sharp diversities with extreme disparities was to sow the seeds of potential conflict among the component elements. Instead of seeking remedies in addressing these disparities through an equitable system of distribution of power and representation, many post-independence African governments invariably chose to merely adopt wholesale the constitutional models left behind by their colonizers. In doing so, they emphasized monolithic concepts of unity by suppressing territorially definable ethnic minorities who not only sought recognition for their distinctive identities against majority domination, but also a reflection of themselves in the constitutional and governing frameworks of the state within which they lived.

In a number of African countries, this culminated in armed conflict and a demand for various forms and degrees of self-determination. Sudan suffered a seventeen year secessionist war that began only four months before independence. Temporarily halted by a precarious peace accord, the war resumed a decade later with the unilateral
abrogation of that accord by the Government. The war only ended in 2005 with the Comprehensive Peace Agreement (CPA) of January 5, 2005, which, while granting the South the right of self-determination, including the option to secede, upholds unity as a priority to hopefully be made attractive as an option. In the former Belgium Congo, Katanga tried to break away at independence in 1960, igniting a civil war in which the interests of the major powers became involved and resulted in the death of U.N. Secretary-General, Dag Hammresfold. In Nigeria, Biafera waged a secessionist war that was only suppressed after considerable loss of lives and much destruction to the infrastructure. Eritrea fought an eventually successful war of independence, but one that lasted for 30 years. Civil wars also devastated Angola and Mozambique. Chad too suffered a violent conflict in which regionalism was a factor. These wars, which were more ideological than ethnic, had undercurrents of identity conflicts. And these are only examples of conflicts that were pervasive throughout the continent.

Some of these conflicts, or at least their root causes, persist today, even where peace has been achieved. The Democratic Republic of the Congo is back in arms. Cote d’Ivoire, previously seen as a model of stability, has exploded. Senegal is confronting a regional rebellion in the Cassamance region. The situation in Nigeria remains precarious, and although the North-South conflict in the Sudan appears to have ended, conflicts in the regions of Darfur in the West and the Beja region in the East continue to pose a major challenge to the unity and stability of the country.

Among the critical questions posed by these conflicts and the crises of identity behind them are whether the country is pluriculture and multiethnic and should be governed as such; whether the role of religion (in particular one religion) should dominate in the affairs of an inherently pluralistic state; and whether majority rule is sufficient to satisfy contemporary standards of democracy, even where the result is perpetually disenfranchised minorities of significant numbers. These questions do not merely reflect differing perspectives on race, culture and religion, but also the implications of those differences in the shaping and sharing of power, national wealth, public services, opportunities for development and the enjoyment of the status and rights of citizenship.
What is more is that African constitutionalism, instead of building on the fundamental values, norms and ethos of indigenous African cultures emulated the constitutional models of their former colonial masters who did not even apply the ideals and principles enshrined in those models during their colonial administration. At the dawn of independence, these models were adopted with minor cosmetic adaptations to be applied by people with no experience in Western constitutionalism, and no genuine commitment to the underlying values and principles which were alien to them. No wonder then that these constitutions were soon overthrown without any tears being shed for the loss.

Accordingly, this policy project, focusing on the Sudanese experience, aims at addressing two sets of interrelated issues: 1) the management of diversities through various forms and degrees of self-determination, preferably within a framework of national unity, (including those that ensure equal participation in the governance of one’s country, as well as self-administration, autonomy and federalism), and 2) cultural contextualization through the application of relevant indigenous norms within the framework that recognizes both the peculiarities and commonalities. These two sets of issues will be examined with a particular emphasis on: approaches to conflict prevention, management and resolution; democratic principles of consensual decision-making; the pursuit of human dignity through culturally relevant principles of “human and people’s rights,” with special attention to gender equality; socio-economic development as a process of self-enhancement from within that balances growth with equitable distribution; and respect for the environment in formulating appropriate policies and strategies for development.

The proposed project approaches constitutionalism as a concept that goes beyond the focus on the constitution as a document and its related legal processes, to include political, economic, social and cultural dynamics in a comprehensive constitutive process. In this context, self-determination should be understood as a means by which people sharing distinct characteristics decide on the framework and the system of governance under which they wish to live and equally participate in the realization of the same – whether within the existing state framework or in a newly independent entity to which they choose to subject themselves. Accordingly, the project views self-
determination as a tool of conflict prevention, management, and resolution within or outside the unity framework. Secession is seen as a remedy of last resort.

With respect to the management of diversities through various exercises of self-determination, although national unity is a preferred option, the proposed project holds the position that it is indeed in the interest of unity that the principle of self-determination be pursued with credibility, not to promote secession, but to encourage the creation of conditions that would make unity attractive to potential secessionists. While the prospects of national integration in the long run should be cautiously and sensitively promoted, in the short run, governance in Africa should be pursued through a constitutional system based on coexistence within a broader national framework of unity in which the identity and integrity of every group is respected and equitably accommodated. With this goal in mind, whether the resulting constitutional system is labeled 'autonomy', 'federation', or 'confederation' is less important than the effective distribution of powers it stipulates and the manner in which the system attends to the needs and rights of all of its peoples, regardless of their racial, ethnic, religious or other differences.

A word of apology about the presumptive scope of this project is called for. Despite the differences in the situations of African countries, there is much in common in the conflicts and crises of nationhood around the continent. The conflicts that have raged in numerous countries such as Angola, Burundi, Cote d’Ivoire, the Democratic Republic of Congo, Ethiopia-Eritrea, Liberia, Rwanda, Sierra Leone, and Sudan reflect cleavages of varying degrees. And although Nigeria has been relatively successful in managing its diversities through federalism, the crisis of national identity continues under the surface and from time to time flares up. Even Somalia, reputedly homogenous, has experienced devastating conflict based on clan divisions.

Consequently, the project aims at building on both the differences and the similarities by focusing on the Sudan within a broader comparative African framework. The Southern Sudan is probably the least touched in Africa by the impact of Eurocentric systems of governance and socio-economic development. It has of course been devastated by civil wars throughout the independence period. And yet, its indigenous institutions, patterns of life, and even its cultural values and institutions have resiliently
survived. For that reason, Southern Sudan provides a virgin soil for experimenting with principles of and appropriate African constitutionalism and normative framework.

II. Sudan: Past, Present and Future

Geographically the largest country in Africa, Sudan is just emerging from a war that has raged intermittently for half a century. The war pitted the Arab Muslim North against the people of the South, who are indigenously Black Africans, Christians and adherents of traditional religious beliefs. Three questions pose themselves that need to be addressed: What was the war about? How has that been addressed by the Comprehensive Peace Agreement (CPA) that was concluded early this year? And what are the future prospects for the South, especially in light of the tragic and untimely death of Dr. John Garang de Mabior, the leader of the Sudan People’s Liberation Movement and Army, SPLM/A, in a helicopter crash only three weeks after he was sworn in as First Vice President of the Republic and President of the Government of the Southern Sudan in accordance with that CPA.

A. What Was the War About

The war in the Sudan essentially reflected a crisis of national identity. As with most, if not all, African countries, the colonial state brought together into the framework of the state groups that had been distinctive, separate, and in some cases mutually hostile. Although brought into a unity framework, they were kept separate and given disparate opportunities for development, with some groups or areas privileged and others virtually neglected. This resulted in severe disparities in the levels of political, economic, social and cultural development. The independence movement was a collective struggle that unified all the national groups, irrespective of their ethnic, cultural or religious diversities, or their marginalization in the sharing of power, national wealth, social services or development opportunities. After independence, conflicts over centralized political authority and the distribution of material goods surfaced, with the stakes heightened by the centralization and monopolization of power.
In the case of the Sudan, a history of animosity between the Arab-Muslim North and the Black African “animist” South resulting from slavery had deeply divided the two parts of the colonial Sudanese state. The British, who were the dominant partners in the Anglo-Egyptian Condominium rule, ended slavery, governed the country as two parts in one, developed the North politically, economically, and culturally as an Arab-Muslim society, and reinforced in the South an identity that was indigenously African in race, culture and religion, while also exposing it to Western concepts through Christian missionaries, but otherwise denying it any political, economic, social or cultural development. The independence movement, pioneered and championed by the North and Egypt, the subordinate partner in the Condominium rule, was reluctantly supported by the South, which stipulated federalism and guarantees for the region as conditions for endorsing independence. On the basis of Northern promise that their concerns would be given “serious consideration” after independence, Southerners voted for independence. It soon became abundantly obvious that not only did the Northerners dishonor their promise to the South, but worse, they stepped into the shoes of the British as internal colonizers, and adopted Arabization and Islamization as policies for national unification through homogenization.

Southern reaction to the impending Arab domination first took the form of a mutiny by a battalion that soon escalated into a rebellion that resulted in the civil war which devastated the South for 17 years. That war, led by the Southern Sudan Liberation Movement (SSLM) and its Army, the Anyanya, aimed at the independence of the South from the North, but ended in a compromise solution that gave the South regional autonomy. The unilateral abrogation of that agreement in 1983 by President Nimeiri, who had made it possible in the first place, triggered the second civil war championed by the Sudan People’s Liberation Movement and Sudan People’s Liberation Army (SPLM/SPLA). Unlike the first liberation movement, which called for Southern secession, the SPLM/SPLA postulated the creation of a New Sudan that would be free from any discrimination based on race, ethnicity, religion, culture, or gender.

The vision of the New Sudan was mainly that of Dr. John Garang de Mabior, Chairman of the SPLM and Commander-in-Chief of the SPLA. Initially, it was not understood, far less supported in the North and the South, even within his movement.
The fighting men and women in the South took it as a clever ploy to allay the fears of those opposed to separation within the country, in the African region, and in the international community. Their attitude in the popular saying attributed to the soldiers, most of them Dinka, said in their language, “Ke tharku, angicku,” meaning “What we are fighting for, we know.” This meant in essence that while Garang was talking the language of the New United Sudan, they were fighting for the secession of the South from the North.

What is important to underscore in the context of Garang’s vision for a New United Sudan is that the dichotomy between the Arab-Islamic North and the African South is largely a fiction. While the North has been labeled Arab, even those who can trace their genealogy to Arab origins are a hybrid of Arab and African race, and even their culture is an Afro-Arab race. Significant portions of the country in the Nuba and Ingassana or Funj areas bordering the South are as African as the Africans of the South. The Beja in the eastern part of the country are also indigenously Sudanese. The Fur and several other ethnic groups in Darfur to the far west also have large African populations. And even the Nubians to the far north have retained their pride in their identity and ancient Nubian civilization. And in most cases, these non-Arab pockets of the North, though predominantly adherents of Africanized Islam, have been almost as marginalized as the people of the South. The vision of the New Sudan therefore promises to liberate all these people, along with the South, from their marginalization, and to create a country of genuine pluralism and equality, with a greater influence for the previously marginalized African groups. An aspect of Africanization therefore underlay the vision.

While the Nuba and the Fur were the groups that fought for the central government during the first war in the name of Arabism and Islam, the vision of the New Sudan altered their loyalties in favor of the SPLM/A. The Nuba and the Ingassana (or Funj) of Southern Blue Nile were the first to join the SPLM/A. The Beja have been staging their own parallel movement in cooperation with the SPLM/A. And while a 1991/2 rebellion in Darfur that was supported by the SPLM/A was crushed, the 2003 rebellion by the Sudan Liberation Movement and Army, SLM/A, and the Justice and Equality Movement, JEM, are a combination of the spreading quest for the New Sudan. Even the Nubians to the far North have organized themselves against the “Old Sudan” in
collaboration with the SPLM/A. Garang’s New Sudan is no longer a vision for the future, but an unfolding reality on the ground. The question as to whether the causes of the war have been effectively addressed still has to be posed and answered.

B. Have the Causes of the Conflict Been Effectively Addressed?

Two sets of normative issues underlie the North-South conflict: Failure to manage constructively the racial, ethnic, religious and cultural diversities of the country and, correlatively, failure to build on the indigenous cultures, values and institutions, which were deemed primitive and inferior to the Arab-Islamic culture, postulated as the national framework for unity and nation-building. While this was initially perceived simplistically as a North-South issue, it became evident over time that the national challenge penetrated deep into the North and made those who had been mislabeled Arab and had accepted the label begin to question that label.

The Comprehensive Peace Agreement (CPA) addresses this multilayered crisis of identity by giving the South the right of self-determination, to decide whether to remain within a united Sudan or become fully independent, through a referendum to be exercised after a 6-year interim period, while, at the same time challenging the North and all those who want to see the Sudan united, including African countries, the West, the Arab World, and others, to exert all efforts to make unity an attractive option for the South.

Meanwhile, the South will have its own government, fully independent of Northern interference, its own army, virtually at par with the national army, its own branch of the National Bank, which, unlike its Northern counter-part branch that will remain Islamic, will be conventional. Despite a national foreign policy, the South will have the right to establish bilateral relations with international trade and development partners. In addition, the South will have an effective role in the Government of National Unity (GNU) and to that end, key ministries have been divided between the ruling National Congress Party and the Sudan People’s Liberation Movement.

The principles of the CPA on decentralization, regional self-determination (albeit internally), and equitable share of power and wealth, are expected to apply to the marginalized areas of the North. What is likely to emerge is a restructured Sudan in
which the traditionally dominant Arab-Islamic center will cede power to the periphery and by the same token allow the process of African renaissance to bloom.

This arrangement provides the South with the opportunity to manage its own internal ethnic diversity, but also to orientate its system of governance to its indigenous values and institutions through a strategy of transition integration that bridges tradition with modernity in dynamic synergy. Whether the Government of the South will, in fact do this will remain to be seen. The immediate challenge, however, is how the implementation of the CPA will proceed without Dr. John Garang de Mabior, who was a major force in its achievement and the prospects of its successful implementation.

C. The Future with Garang’s Legacy

The first major step in the implementation of the CPA, the swearing in of the collegiate Presidency on January 9, 2005, with Dr. John Garang de Mabior as First Vice President of the Republic, was an unprecedented event in the history of the Sudan. The nation was euphoric. The day before the swearing in, millions of people had turned up to recieve Garang when he arrived in Khartoum after leading the Sudan People’s Liberation Movement and Army, SPLM/A, for twenty-two years. It was clearly a hero’s welcome that brought together Sudanese from all parts of the country, and especially the marginalized groups from the South, the Nuba Mountains, the Southern Blue Nile, The East and Darfur in the West, whose plight defied the simplistic North-South divide.

In his televised inauguration address to the nation, Garang declared that the people of the Sudan were now free. “Put on your wings and fly to greater freedoms,” he said in front of his new partners in power, from whom the Sudanese were supposedly freed. He declared the SPLM a national party, said it would open offices in all regions of the country, and called on Northerners to join the party. Obviously, he was challenging and threatening to win over supporters from the Northern political establishment, which included his partners, but he softened his appeal with the argument that such a development would reinforce the cause of national unity.
Garang was speaking as a diplomatic fighter who had significantly achieved the objectives of his struggle, the center piece of which was the right of the people of the South to decide after six years whether to remain in a united restructured Sudan or secede. The CPA stipulates that efforts will be made during the interim period to make unity attractive to the South. But Garang’s vision for the nation had already gone beyond the South, and he had already been applauded in the North as a champion of national unity in a reconstructed Sudan. He was therefore already set to demand more than just the South, although he realized that if his grand design for the country failed, an independent South that would remain committed to supporting the transformation of the North would be a guaranteed fall-back position. Suddenly, only three weeks later, the Sudan and the concerned world were shocked by Garang’s tragic and most untimely death. It is extremely difficult to believe that a man who had not only conspicuously shaped contemporary history, but was still in the process of doing so with spectacular visibility, would suddenly be gone because of a helicopter crashing in bad weather. That is what happened to Dr. John Garang de Mabior, a soldier, a scholar, a politician, and a statesman who, more than anyone in recent history, has started a radical transformation of the Sudan in a way that seems irreversible. Garang was at the helm of consolidating this achievement when he was struck down by a senseless incident that defies logic.

For over twenty years, Garang surprised everyone by reversing the separatist rhetoric of previous Southern Sudanese liberation movements in the civil war that pitted the dominant Muslim Arab North against the more indigenous African South, whose traditional belief systems have become synergized with conversion to Christianity. Garang’s vision for a New, United but restructured Sudan challenged this simplistic dualism. For one thing, those who identified themselves and have been labeled by others as Arabs are in fact a mix of Arab and African elements and their version of Islam in most areas of the Sudan is also a syncretic mix with indigenous beliefs and practices. Another ground for challenging the old paradigm is that imposing one vision of race, ethnicity, culture and religion on the whole country, despite striking pluralism, could never be a basis for national unity. What the Sudan needed was to revisit concepts of identity that claimed racial and cultural purity against the enrichment of mixed heritage
and tried to impose on the country a policy of homogenization based on the hegemony of the Arab racial, ethnic, religious and cultural identity, which at best represents only a minority of the country. The New Sudan of Dr. John Garang would be a framework with which all Sudanese would identify with pride and dignity, and would enjoy the full rights of citizenship as equals, without any discrimination based on race, ethnicity, religion, culture or gender.

Initially, this was a vision both Southerners and Northerners viewed with suspicion and even hostility. For Southerners, who overwhelmingly preferred separation, it was incongruent with their aspirations, and in any case was utopian, since the North could never allow it. For the North, it was not only utopian, but arrogant and at best naïve. With time, John Garang’s vision neutralized those opposed to secession in the Northern Sudan, Africa and the concerned world, and rallied support for justice in a reconstructed Sudan, especially in the marginalized, mostly non-Arab regions of the North. Garang incrementally challenged the whole country with the prospects of a nation enriched, rather than ravished, by its racial, ethnic, religious and cultural diversity.

Garang’s creative balance between the separatist aspirations of his people in the South and the wider national and international commitment to the Sudan remaining united was reaffirmed by the Comprehensive Peace Agreement (CPA) that gave the South the right to self-determination, including secession as an option, and challenged the North and Sudan’s international partners to endeavor to make unity attractive to the South during the 6-year interim period. Over the years and culminating in the CPA, the cause of unity has gained slow but increasing support. The millions of people who received Garang on his heroic return to Khartoum on 8 January, 2005 were not only Southerners, but people from around the country, in particular the marginalized regions of the West and the East. It was obvious that Garang’s vision had captured the imagination of the nation and had become a spectacular reality. Even the opponents grudgingly went with the waves of change.

It is, however, obvious that when Garang came to that shocking end to his life, he was at a crossroads, called upon to help shape the national unity framework, including the
composition of a Government of National Unity, and yet needed in the South to form the Government of the Southern Sudan that would bring all diverse groups into a genuine Southern unity of purpose. Dividing his time between Khartoum and Rumbek or New Site in the South, not to mention maintaining close contacts with allies and friends in the region, of which the Ugandan President Yoweri Museveni was one of the closest, must have demanded an acrobatic sportsmanship only a heroic warrior could venture to undertake.

In light of the above, Dr. Garang de Mabior probably left at a moment that could both be viewed as tragic, and also as an opportune moment for him. He had raised the South and the Sudan as a whole to heights previously never conceived or considered possible, especially from a Southern Sudanese leader. He has now, passed the challenge on to those he has left behind. Will they allow the nation to fall from those heights, with shattering consequences, or will they come together, including those who had opposed Garang on personal grounds, to pursue this vision that will give all stakeholders their rights, whether their preference be partition or the unity of the nation? Southerners now have the right to decide after 6 years whether to secede or remain in a united Sudan. The North and friends of the Sudan have the opportunity to make unity attractive to the South.

A question that is bound to engage observers and policy analysts is what Garang’s death has meant for leadership in the South and Southern role in the North. All indications are that Southern leadership, military and political, are now rallying behind his successor, Salva Kiir Mayardit, the Deputy Chairman of the Movement and Chief of Staff of its army, whom John Garang appointed the Vice President of the newly established Government of the Southern Sudan. Salva Kiir Mayardit has stood in solidarity with Garang and in unwavering commitment to the cause of the liberation struggle since its inception. Fellow commanders left the Movement, repented and came back, but Salva Kiir Mayardit remained solidly loyal to the Movement and its leader, despite the differences in their styles of leadership and the manner in which they articulated the goals of the struggle.
Salva Kiir Mayardit is almost certain to bring a different kind of leadership that promises to consolidate Southern unity behind the vision and strategies of the Movement which Dr. John Garang de Mabior so skillfully crafted, articulated and consistently pursued and which have so far served the South and the country quite well. Kiir Mayardit is likely to attract also those who were alienated by Garang’s vision and style of leadership. Even in this devastating crisis there may be an opportunity to rejuvenate the Movement toward the liberation for which the people of the South Sudan have fought and suffered for so long. But Garang’s legacy not only promises the full liberation of the South, but also justice to all the marginalized regions of the North, in particular those in the Nuba Mountains, Southern Blue Nile, Eastern Sudan, Darfur, Kordofan and even the far Northern region of Nubia. The challenge for all Sudanese is to realize the dream and vision of Dr. John Garang de Mabior for the New Sudan.

With the CPA, the South now confronts the challenges of reconstruction, development and nation-building, whether its ultimate future is one of remaining within a United Sudan or becoming fully independent. Southern Sudan also has the opportunity of constructing a system of constitutionalism and governance that builds on indigenous cultural values and institutions. As indicated earlier, Southern Sudan is perhaps one of the least touched by foreign concepts of development and nationhood and therefore the one with the potential to build an African state on the pillars that link tradition and modernity in a dynamic fusion.

The challenge is for the South to develop an authentically African model that can compare favorably with other competing models or visions for the nation. But if Southern Sudan is to offer a competitive model based on indigenous African cultural values and institutions, what are they and how can they be operationalized in a practical system of constitutionalism and governance? In an attempt to answer the question and facilitate the process of transitional integration between tradition and modernity, we offer the cultural values of the Dinka as a sample which is shared by the Nuer, their closest kindred group, and probably, in varying forms and degrees also by other groups in the South. The purpose is to illustrate the need of building on identifiable cultural values, not to exclusively identify with one ethnic group, although it is hoped that the specific case of
the Dinka will inspire members of other groups to explore comparative concepts in their own sub-cultures.

III. Pertinent Cultural Values of Identity

The war in the Sudan that raged for half a century has been widely perceived as a conflict of identities. That means going beyond the negative self-descriptions of resistance to the opposing identity and substantiating the elements of the contending identities and the positive contribution they expect to make in building a restructured nation. Some of these will be distinctive while others will be shared and could provide a unifying base. Accordingly, an important factor in developing a system of governance that is appropriate to the context is the identification of elements of indigenous cultures, values and institutions, capable of application to contemporary challenges.

Although Sudanese societies may differ on details, to all of them, the family is the foundation of the culture and its value system. The main objective of the family is the continuity of the ancestral line. Traditional religion does not promise a paradise to come after death. Although people believe in some form of life after death that conceptually projects this world into the hereafter, death for them is an end from which the only salvation is continuity through posterity. A man who dies without issue leaves a moral obligation on members of his family to marry a woman for him, to live with a relative and beget children to his name. Equally, a man who dies leaving behind a widow of childbearing age devolves a moral obligation on his kinsmen to have one of them live with her to continue bearing children to the dead man’s name. This is a male-oriented culture, but one which accords women a paradoxically important status as wives and mothers, with an influence considered so pivotal that it has to be culturally constrained.

Ancestral continuity through the lineage implies a system of values that links the interest of every individual in the line to that of the collective interest of the lineage or the clan. This is a system that emphasizes unity and harmony despite, and perhaps because of, competitiveness, tensions and conflicts. Central to the value system among the Dinka is a concept known as cieng, which literally means “to live together”, “to look after” or
“to inhabit”. At the core of cieng are the ideals of human relations, family and community, dignity and integrity, honor and respect, loyalty and piety and the power of the word. Cieng is opposed to coercion, and, instead encourages persuasion and mutual cooperation.

Cieng has the sanctity of a moral order not only inherited from the ancestors, who had in turn received it from God, but is fortified and policed by them. Failure to adhere to its principles is not only disapproved of as antisocial, but more importantly, as a violation of the moral code that may invite a spiritual curse, illness and even death depending on the gravity of the violation. Conversely, a distinguished adherence to the ideals of cieng is expected to receive material and spiritual rewards.

Although cieng is a concept with roots in the heritage of the ancestors, it is largely an aspiration that is only partially adhered to and, indeed, is often negated. Hence, it can be improved upon, including through innovation. So vital to the Dinka is cieng and the ideals it embodies that even in the modern context, it is always highlighted in discussions, conferences, and congresses on how people should conduct themselves in human affairs.

A related concept which confers social status on a person based on living up to the principles of cieng is dheeng, appropriately translateable as dignity. When a young man is initiated and moves from being a boy to being a man, he is said to have become adheng, a “gentleman”, with the attributes of dheeng. But dheeng is a word with multiple meanings - all positive and also applicable to women. As a noun, it means nobility, beauty, handsomeness, elegance, charm, grace, gentleness, hospitality, generosity, good manners, discretion, and kindness. The social background of a person, his physical appearance, the way he walks, carries himself, talks, eats, or dresses, and the way he behaves toward fellow human beings, are all factors in determining his dheeng. Ting adheng, or nyan adheng mean respectively a woman or girl who lives up to the principles of dheeng.

A final set of concepts crucial to the values of leadership is dom, establishing authoritative or legitimate control over a group, muk, maintaining and sustaining the group in accordance with the ideals of a good leader, and guier, improving the lot of the group by enhancing unity, harmony and prosperity. It is obvious that each of these concepts connotes the observance of the principles of cieng and dheeng. A chief
establishes control and “holds” the land or the group, not only by the mere fact of wielding power and authority, but also by using his position wisely to ensure peace, security, and prosperity. The continuity or stability of that state of affairs is maintained through muk, which literally means “keeping,” a word also applied to child rearing, including handling, feeding, looking after, protecting, and raising, and therefore the ideals of materialism/immaterialism Guier goes a step further to imply improvement of the existing situation, whether through reconstruction or reform, the closest to development, in traditional thought, but with implicit cultural and moral values. These normative concepts are mutually reinforcing and cyclic in nature. When a chief has taken over the reins of legitimate and authoritative power (dom), has stabilized his benevolent control over the situation (muk), and has introduced reforms to ensure a constructive and stable leadership (guier), he is described as having held (dom) the land to ensure security, stability and prosperity.

While the overriding value of ancestral continuity favors men over women, the social norms associated with cieng and dheeng, apply equally to men and women. Even the leadership goals of dom, muk, and guier also apply to women, albeit within the framework of their responsibilities as wives and mothers. By the same token, because the male-oriented value-system relegates them to a subsidiary role, women are reputed to undercut these social norms by using their strong influence over their sons and husbands. In particular, because of their inherent resentment of polygyny, women are also reputed as being divisive and detrimental to the unity of the polygynous family and the clan. For this reason, their influence on men must be controlled and kept in check. It is generally agreed that as a function of the heart, a son is closer to the mother, while as a function of the mind, he must be seen as closer to the father and not susceptible to the jealousy and divisiveness of the mother. And indeed, a prudent mother will reinforce and develop this attitude in her son so as not to prejudice his position in the male dominated world.

Ironically, with the devastations of the war and the massive displacement outside the traditional context, and as the indigenous society gets shattered and cultural values become threatened, women are moving to be far more resourceful than men. Often assuming responsibility for the family, even becoming heads of households, they are
more adaptable to doing odd jobs for the survival of the family, the men become increasingly dysfunctional.

These concepts were the pillars of a coherent, well integrated social order, whose overriding goals and legitimate means for pursuing them were well defined and accessible to all members of the community, who adhered to them with varying degrees of success. They still provide overriding values and guidelines for behavior in virtually all aspects of life, both private and public, although their coherence, strength and functionality have been deeply affected and remain threatened by the upheavals of the war. Nevertheless, they need to be built upon, albeit with adaptation, especially as far as the role of women is concerned.

IV. Utilizing Cultural Values in Governance

In light of the above cultural values, we now consider their application to the development of a political, social, and economic order that is sensitive to the overriding values of society. For illustrative purposes, focus will be placed on conflict management, participatory democracy, human rights, self-reliant, development, environmental integrity, and the changing gender roles.

A. Conflict Management

Conflict management is at the core of governance and nation building. Essentially, it means reconciling the competing interests of the interactive groups. Whenever groups coexist as neighbors with competing interests, they will inevitably come into conflict. By the same token, they also develop conventional ways of regulating their interaction, managing their differences, and resolving their conflicts.

Generally speaking, before the impact of modern government in the Sudan, there was a relative balance of power between neighboring ethnic groups which made the development of conventional ways of managing and resolving conflicts a matter of mutual interest. Colonial administration reinforced this balance of power and constructive management and resolution of disputes. With independence, the various Governments began to penetrate in a divisive way that empowered some groups with
guns, thereby upsetting the balance of power and the mutual interest in peaceful coexistence. The abolition of the native administration in the North by the military regime of Jaafar Mohammed Nimeiri (1969-1985) compounded the problem as traditional methods of conflict management and resolution began to be eroded. Although the present regime has tried to revive the system of native administration, the authority of tribal leaders has weakened to the point where they have virtually lost most of their traditional influence. In the South, chieftainship was not abolished, but the strains of the war and the contested loyalties between the warring factions have had a debilitating effect on the standing and authority of the chiefs. Nevertheless, tribal leaders continue to wield influence and still play a vital role in conflict management both within and between the tribes.

Traditionally, at least in the war-like Nilotic tribes, there was a clear differentiation of roles between, on the one hand, chiefs and elders who were the peacemakers and on the other hand, the youth who were organized into warrior age-sets with corresponding female age-sets whose function was to encourage the warriors in defending society against aggression and performing public services that required physical strength. As warriors tended to exaggerate resort to force as a distinctive attribute of their identity and social standing, it was for the elders to restrain them. The Chief was also the spiritual leader and his distinctive attribute was promoting peace in human relations. In interviews conducted by the author among Dinka Chiefs in the 1970s, one Chief stated, “It is true, there was force. People killed one another and those who could defeat people in battle were avoided in respect. But people lived by the way God had given them. There were Chiefs of the Sacred Spear. If anything went wrong, they would come to stop the people from fighting. Each side would tell the Chief its cause and he would go to each side and settle the matter without blood. Men of the Sacred Spear were against bloodshed. That was the way God wanted it from the ancient past when he created people”.

The age-set system was for both men and women also a vital institution for sanctioning the behavior of members to observe the moral code of conduct. Such offences as theft, however petty the objects involved, or rape, met with severe measures that shamed and ostracized the member beyond retrieve. The age-set system was a
means of acculturating and socializing men and women through a life-long corporate membership that extended relations beyond the family. Members of the age-set engaged in a wide variety of social, economic, and cultural activities that varied with the changing phases of life. Members were first organized and initiated as warriors, with a corresponding female age-set, then they married and became fathers and mothers, and then, in the case of men, they became elders with a voice in public discussions and decision-making.

The disintegration of the age-set system has left a major vacuum in the social orientation of youth, especially young men, whose options now tend to be joining the rebellion or drifting into urban centers, where many of them fall victim to self-destructive behavior patterns that would not have been tolerated under the controlling authority of the age-set.

B. Participatory Democracy

Democracy is a concept that advocates popular participation in the political, economic, social and cultural life of a country. This raises questions of cultural legitimacy and poses a challenge for pluralistic states that are acutely divided on ethnic, cultural or religious grounds. Because democracy has become narrowly associated with elections, it poses serious dilemmas for diversified societies, where people tend to vote on the basis of their politicized ethnic or religious identity. On the one hand, democracy requires that the will of the majority prevails and be respected. On the other hand, that risks creating a dictatorship of numbers, with the majority imposing its will on the minority. To resolve the dilemma, it is necessary to draw a distinction between the normative principles of democracy that are universal and the operational procedures for its implementation that are contextual. While the normative principles of democracy are universally valid, they need to be contextualized by putting into consideration the local realities and making effective use of indigenous cultural values, institutions and social norms.

Perhaps the most outstanding characteristics of traditional society are the autonomy of the component elements and the devolution of power and decision making down to the smallest territorial sub-divisions, the lineages, the extended families, and
even to the individual. This is particularly pronounced in stateless or acephalous societies, of which the Nilotics of the Sudan are prototypes. It should also be noted that the stateless societies had much in common with centralized states and even kingdoms, such as the Shilluk and the Anuak. Also noteworthy was the significance given to leadership even in the so-called “tribes without rulers” and the persuasive values associated with leadership.

C. Human Rights

Human rights constitute the core of respect for differences of identities and the demand for equality and non-discrimination. The argument is often made that human rights emanate from a Judaic-Christian tradition and are therefore distinctively Western. To the extent that what is meant by human rights are the standards enshrined in the International Bill of Rights, comprising the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, as well as a wide array of other human rights instruments, this argument is, to a degree, valid. However, the more profound roots of the claim to universality lie in the fact that human rights reflect the universal quest for human dignity.

On the assumption that all cultures recognize the inherent dignity of the human person, it would be useful to understand how local cultures seek to achieve this global objective. A number of Dinka elders interviewed in the 1970s, following the Addis Ababa Agreement, articulated traditional values that would support the universality of human rights. As one put, “If you see a man walking on his two legs, do not despise him; he is a human being. Bring him close to you and treat him like a human being. That is how you will secure your own life. But if you push him on the ground and do not give him what he needs, things will spoil and even your big share, which you guard with care, will be destroyed.” Another, referring to what he saw as the disdain the Arab-Muslim North had toward the people of the South, said: “Our brothers [the Northerners] thought that we should be treated that way because we were in their eyes fools…A human being who speaks with his mouth cannot be such a fool. Whatever way he lives…and whatever he does…he deserves respect as a human being.”
The universal principles of human rights must be made to appear to be, as they indeed are, integral parts of the ideals of human dignity shared by all cultures, even though they may be articulated differently and pursued by various ways. It is through the local lens and cultural values that universal principles become grounded, contextualized, and legitimized.

D. Self-reliant Development

While identity is largely a subjective factor, access to development for an identity group is the material implication of identification. Quite apart from discrimination based on identity in accessing opportunities for development, there are deeper issues of the relevancy of cultural values to the challenges of development. Among the debatable issues in the cross-cultural discourse on human rights is the recognition of development as a human right. The focus of this project, however, is the need to see development in the cultural context, which should be viewed as an integral part of building on identity and cultural values. Traditionally, people pursued a self-reliant life-style that met their basic needs in a web of kinship ties and solidarity. Seeing development as a goal that is outside the indigenous purview and had to be imported and implanted is a novelty that runs the risk of dissipating local energies and resourcefulness.

The role of indigenous cultures in development requires understanding traditional values and institutions, and ways in which they can be used to support development as a process of self enhancement from within.

E. Environmental Integrity

The value of the human being and the related social and moral context cannot be divorced from the environment; indeed, they are intrinsically interconnected. Modern Africans used to consider environmental issues a Western preoccupation. However, it has now become increasingly obvious that dangers to the environment are a global concern. In Africa, armed conflicts and the massive displacement of people have led to a severe degradation of the environment. In particular, deforestation has raised the stakes. Encroaching desertification and recurrent drought have also added to the degradation.
Traditionally, to illustrate with the Dinka again, there was a strong religiously ordained respect for the environment. Their respect for the environment can be said to reflect the essence of the hymn that says, “All things, bright and beautiful, all things great and small, the Lord made them all.” They therefore all deserve respect. As one elder put it, “Our blood … was one…with our hyenas, with our leopards, with our elephants, with our buffaloes; we were all …one people…We should all unite the people, the animals, the birds that fly we are all one.” Another elder said, “Even the tree which cannot speak has the nature of a human being. It is a human being to God, the person who created it. Do not despise it.”

F. Changing Gender Roles

As noted earlier, the cultural values of ancestral continuity were largely male-oriented, although women played a paradoxically influential role that had to be contained to minimize the threat to the male dominated social order. With the devastations of war, especially massive displacement in unfamiliar circumstances, men become increasingly unproductive while women assume new roles, and become resourceful providers for their families. This has begun to alter perspectives on gender roles. Women are not only becoming increasingly involved in public life, but are assuming positions of leadership, and demanding full equality with men.

As women become partners in decision-making in family and public affairs, their role is bound to have a profound effect on the outcome of the process. In order to understand the logic of this change and its qualitative significance, it is important to understand the cultural context of what was, is and will be in the dynamics of gender relations and roles in society.

V. The Challenge in Perspective

Sudan appears to be at a critical juncture, poised between the threat of disintegration emanating from an acute crisis of national identity that is generating widespread regional conflicts with the Center and the promise of genuine unity within a
restructured national identity framework. The vision postulated by the Sudan People’s Liberation Movement and Army (SPLM/A) and personally championed by its leader, the late Dr. John Garang de Mabior, has reversed the separatist demand of the South into a call for a New Sudan that would be free from discrimination due to race, ethnicity, religion, culture or gender. This has resonated with non-Arab groups in the North, and among all men and women who believe in the equality of citizenship. To what extent this vision was genuinely shared within the Movement, or is a pragmatic ploy for gaining support for what may in the end be a separatist struggle, remains to be seen. However, the fact is that grievances generally associated with the South and now shared by non-Arab marginalized regions in the North are certainly tearing down the North-South barriers and improving the prospects for unity on radically transformed bases.

This is a development that calls for a close observation and appraisal. How credible and dependable is the trend toward unity in a restructured “New” Sudan? What is required to make the restructuring genuinely inclusive and attractive? What beyond the resistance by non-Arabs, non-Muslims, and other negative self-descriptions are the elements of identity and associated cultural values that need to be factored into the new framework? And how do these cultural values and institutional arrangements relate to the challenges of development and nation building?

These are among the questions the policy meeting will address with a focus on the South. While developments on the national level, in particular the prospects for unity under a reconstituted national identity framework, will continue to provide a relevant conceptual framework, specific attention will be played in the application of cultural values to specific issues in nation building, among them conflict resolution, democracy, human rights, development, the environment, and gender. Considering that the South is among the least developed or modernized parts of the country, it offers a particularly suitable context for bridging tradition and modernity. The contribution of the South to the restructuring and development of the country as a whole will, however, remain the overarching framework of nation building.