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Prepared Statement of

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before the

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**Committee on Foreign Affairs**

**Subcommittee on Africa, Global Health, and Human Rights**

on

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Mr. Chairman, Ranking Member Payne, Distinguished Members of the Subcommittee:

I would like to thank you very much for the opportunity to testify today on the current situation in Sudan and to comment on the policy options for the United States with respect to them. With your permission, I will summarize my prepared testimony, the full text of which I respectfully request be entered into the record of this hearing.

Since September 1, war has come back to the Sudan. To describe the events that have progressively globalized the situation from Abyei to Southern Kordofan to Blue Nile over the last five months as either “a violation of the peace” or “a humanitarian crisis” does not do justice to something much bigger and much more serious: the Sudanese polity, after fifty-six years of almost continuous conflict, is probably entering the last stage of a fundamental restructuring which will transform it deeply and durably.

Being neither a political figure, nor a social activist, nor a humanitarian worker, I would like to use this remarkable opportunity to shed a deeper, more dispassionate, and more historical light on those momentous events. (By “dispassionate,” I do not, by any means, intend “disengaged.” I am linked closely to Sudan and its people and am very committed to their future, being closely tied to them by the bonds of marriage and family.)

“The Sudan” has never been a nation state. Its name itself, borrowed from the Arab term characterizing “the land of the Blacks” (*al-Bilad as-Sudan*) was geographical, rather than historical. A chunk of Africa arbitrarily cut out of the continent by Turco-Egyptian conquerors in the nineteenth century; it was – to simplify matters – an unstable blend of cultural Arabs, African Muslims, and African animists who later converted to Christianity. The social, political, military, and economic control of the ensemble was more or less in the hands of the conquering Ottomans, only to pass later, after the period of British occupation, into those of the Nile Valley Arab minority. Thus emerged a polity that was fundamentally unbalanced. The existence of an overall Muslim majority was seen, by the British and, later, by both the Arab world and the international community at large, to mean that Arabism was dominant in the Sudan. Indeed it was, but not as the result of a global cultural consensus. It was an expression of power and political domination. ***The Islamic culture was dominant, but the Arab culture was not.*** The Sudan was a majority Black African cultural mosaic where Arabism exercised an ascendancy based on having equated religion and culture. For the first twenty years of Sudan’s independence, the problem was seen as religious, pitting a Black African Christian minority against a Muslim majority which was considered to be an “Arab” one, although it was not. This led to the first civil war between 1955 and 1972 and to the uneasy period of “peace” between 1972 and 1983.

When the second civil war broke out again in 1983, the Southern rebel leader Dr. John Garang de Mabior offered a different narrative about the nature of the conflict. In his view the problem came not from a religious difference, but from the incapacity of the Arab center to democratize its rule and adapt it to the need for recognition coming from the African majority, ***both Christian and Muslim.*** He placed the cause of the Sudanese wars squarely on the domination of the Arab centre over the non-Arab periphery, regardless of whether it was Muslim or not and of whether it had been marginally arabized or not. His discourse about the need for the empowerment of the black Africans, regardless of their religion, drew to his movement a large number of Muslim Africans who, in the previous war, had sided with the ruling Arab minority because of religion.

The confirmation of the correctness of Colonel Garang’s views came in February 2003 when the low intensity conflict in Darfur which had been simmering over the last eighteen years finally broke out in the open, leading to the genocidal violence of Muslim Arabs killing Muslim Africans. But the situation resulting from this new state of affairs was not properly recognized by the Comprehensive Peace Agreement (CPA) signed in Nairobi in January 2005. The CPA was designed as if the only violent contradiction existing in the Sudan was that between a supposedly homogenous Muslim North and a similarly homogenous Christian South. Both views were abstract constructs and the present situation, unfolding since last May and that has led to

the present war, is simply a case of reality re-asserting itself against the simplifications imposed on the situation by well-meaning, but poorly-informed, foreigners.

What did happen after the implementation of the CPA? Colonel Garang having died accidentally six months after the signature of the CPA, his vision of a transformed unified Sudan fell by the wayside as his associates did not feel capable of winning a national democratic election and did not wish to remain united to a North they had come to hate after half a century of strife. This left those populations of the Black Muslim periphery which Garang's political discourse had attracted to the side of the fighting Southerners during the war years, in a tremendously uncomfortable situation. Millions of Black Muslims who had believed they were fighting for their own freedom within the framework of a future new democratic dispensation in the Sudan suddenly found themselves caught in the trap of a religiously designed "peace" which had scant regards for their aspirations. Those were poorly expressed in the vague provision for "popular consultations" which were supposed to allow an expression of popular sentiment but without any guarantee that these "consultations" would be given any practical expression once they had been carried out. On the contrary: schedules began to be interfered with, terms of reference became very vague, accepted outcomes turned controversial and the whole political landscape started to show an increasing disregard for those people who did not fit the Procrustean bed of the CPA.

This was a very grave miscalculation on the part of the international community. It had been thought that the main contradiction was a North-South religious one and that secession would solve the problem. After July 9, 2011, it suddenly became obvious that the problem had been wrongly perceived and that the neglected third term of the equation – the Black African Muslims – was not about to let itself be silenced and folded back into a new form of blanket Arab domination.

The situation came to a head with the provincial elections in South Kordofan. There, the NCP candidate Ahmed Haroun (the same Ahmed Haroun who has been indicted by the International Criminal Court for war crimes and crimes against humanity in Darfur) "won" the gubernatorial election in controversial circumstances against the veteran politician Abd-el-Azziz al-Hilew who had fought on the side of the Southerners during the war. After Abd-el-Azziz allegedly lost the poll, the Khartoum government ordered his troops to be disarmed. From the point of view of the CPA's "logic" it was inescapable that those SPLA soldiers not being Southerners were to obey Khartoum's orders. But this was politically unfeasible since these armed Nuba men were the last protection of their community against a return to cultural and political subjugation which was going to be marginalized by the independence of the South. Khartoum's decision was simple: declare Abd-el-Azziz to be a rebel and crush his military and political forces. Placed in a similar situation his colleague Malik Agar, who had been elected Governor of Blue Nile Province on an SPLA ticket, felt that he could play a stronger hand, given his popular mandate and negotiate some solution that would be acceptable to Khartoum. But on September 1, the Khartoum authorities crossed the Rubicon and decided to submit him to the destructive treatment that had been reserved for Abd-el-Azziz al-Hilew in Kordofan. The war had become globalized across the whole country, West to East, from the Chadian border to the Ethiopian

border. But, in a way, Khartoum itself was now caught in a trap of its own making. The present regime, which is still commonly called “Islamist” or “Fundamentalist,” is in fact simply the last incarnation of Arab domination in the Sudan.

Arab domination in the Sudan has been embodied by military dictatorships under Ibrahim Abboud (1958-1964) and Gaafar Nimeiry (1969-1985), has presented itself under the guise of democracy in the 1960s and then later between 1985 and 1989, brandished the flag of Communism in 1969, and became “Islamist” twenty years later. Now, after fifty-six years of independence, a final decision has to be made concerning the shape of the Sudanese polity: either it tries to entrench itself in the abstract position of dominant Arabism, in which case it has to fight at least its non-Arab Muslim fellow countrymen and possibly the newly independent South; or else it accepts a new dispensation in which geography, culture and ethnicity are reorganized according to new democratic criteria. So the question posed today is the following: ***Can the present regime in Khartoum be expected to honestly accept such a tremendous groundswell of political, social and economic reform – in short, a virtual revolution?*** If we consider its record, the answer is probably “no.”

Under the pretext of “restoring order,” the NCP regime has started a full-fledged war against a whole segment of its population, the Muslims belonging to non-Arab communities. Militias are being recruited on a communal basis – Missiriya in South Kordofan, Rufa’a and Fellata in Blue Nile, Tunjur, Birgit and Berti in Darfur where the war is continuing. The ethnic basis of these militias are carefully chosen : they are the ones who, for a variety of social and economic reasons, can be expected to try to violently make room for themselves, even when they are themselves Black Muslims. We are looking at a picture of massive civil violence clear across the whole Sahelian strip, from Chad to Ethiopia. How long can the Southern Christians, now “independent,” accept to see their Muslim brethren massacred without intervening? The respective places of the three main groups of Sudanese communities – Arab, Black Muslim, Black Christian – are now being violently reassessed.

Considering this situation, what are the possibilities now open for a constructive U.S. approach to this crisis?

First of all, we should avoid deluding ourselves: while a miracle is not impossible, it is unlikely. Given its previous attitude towards the international community, the Khartoum regime is likely to do as it said: try its best to crush the resistance movement it deems to simply be an illegal revolt. Dilatory discussions are possible but a genuine negotiation which would accept to deal with the admittedly very deep roots of the problem seems quite unlikely. The last direct action that could be undertaken by the United States would be to renew the promise helping on Sudan’s debt, but making it very clear this time that such an offer is conditional upon an improvement of the regime’s human rights record in Darfur, Southern Kordofan, and Blue Nile – as well as its living in peace with the newly independent South Sudan.

Second, in a way, Sudan’s neighbors have a more open access to the problem. This is why the United States should, after due consultation, try to support the initiatives that could be

undertaken particularly by the Ugandan and Ethiopian governments. They are very concerned and they are at present trying to contribute perhaps not really to a solution (that belongs to the Sudanese themselves) but to an attenuation of the humanitarian consequences of the conflict.

Third, ways and means of helping the victims, particularly the wave of internally displaced persons, should be put into place, even though Khartoum will keep arguing that the victims are not victims but simply “bandits” or “rebels” who deserve their fate.

Fourth, continued consultations should follow with the Juba authorities who are in danger of being de-stabilized by Khartoum-sponsored rebels to prevent them from helping the victims in North Sudan.

Fifth, the Eritrean government should also be told that intervening in South Sudan for aiding and abetting such Khartoum-based destabilization plans is not an acceptable policy. The danger here is to see a repeat of Eritrea’s support for the Shabaab terrorist movement in Somalia and such a development should be strongly discouraged.

Sixth, contact should be made with the representatives of SPLM-North to heighten their degree of visibility and enable them to organize channels of humanitarian help for the victims.

Finally, the feasibility of creating a no-fly zone preventing Khartoum’s air force from bombing the civilians should be studied. It is not technically easy, but the possibility of using the American base in Djibouti as a point of departure should at least be studied.

Thank you for your attention. I look forward to your questions.