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The Current Conflict in Sudan and the Quest for a Final Solution for the People of Nuba Mountains

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The current conflict in the Nuba Mountains, which started immediately after the secession of South Sudan in 2011, is a result of the cumulative grievances shared by the people of African descent, generally referred to as people of the marginalized areas in Sudan. The policies pursued by the political elite in Sudan after the country attained its independence from Britain in 1956 were the main causes of the first and second civil wars. The people of the Nuba Mountains joined the Movement (SPLA/M) because of its national agenda, as crafted by the late John Garang in 1983, with the legitimate expectation that through armed struggle they would achieve their freedom. However, the peace processes that resulted in the signing of the Comprehensive Peace Agreement (CPA) did not address such a desire. This led to the resumption of armed struggle based on the same principles as enshrined in the SPLM's Manifesto of 1983. But in as much as creating New Sudan as the basis for a final solution would be in conflict with the prevailing system of beliefs in the country there will be a need for an alternative option that would satisfy the desire for freedom of the people of Nuba Mountains. Generally, the purpose of this article is to provide a better understanding of the nature of the current conflict in the Nuba Mountains and how it should be resolved.

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INTRODUCTION

The Nuba Mountains can be described as among the most neglected and marginalized areas in Sudan. This fateful situation can be traced back to the precolonial and post-colonial periods (Totten & Grzyb, 2015). The plight of the people of the Nuba Mountains is critical, particularly after the country, Sudan, attained its independence in 1956. The scale of suffering remains outside the focus of the international community. Gerald Caplan, the Author of the book, Rwanda: The Preventable Genocide, aptly describes it as "Not all injustices get the attention they deserve. It's been the fate of the Nuba people to be both attacked mercilessly and ignored by the outside world...." (Quoted in Totten & Grzyb, 2015). This depiction is part of the overall painful story of the Nuba people. Hence, it was not surprising that the people of the Nuba Mountains overwhelmingly joined the Sudan People's Liberation Movement and the Sudan People's Liberation Army (SPLM/A), which was founded in 1983 by the late John Garang de Mabior. Their response to join the armed struggle was more an affirmation of the principles of the Movement that were enshrined in the SPLM/A's Manifesto of 1983. It was, therefore, based on their commitment to those principles that the people of the Nuba Mountains became part and parcel of the armed struggle until the signing of the Comprehensive Peace Agreement (CPA) in Nairobi, Kenya in 2005.

This paper, thus, gives a historical overview of the Nuba Mountains and why the people of the Nuba Mountains became an integral part of the liberation movement. This will be followed by the peace processes that started in Machakos, Kenya until it culminated in the signing of the protocols, the components of the CPA. The paper also highlights the processes of the implementation of all the protocols until the time when the referendum was conducted in 2011 which resulted in the secession

of South Sudan. It is in the context of this moment that the Nuba Mountains of South Kordofan found itself in a disjuncture when the Government of Sudan decided to relent from implementing the Protocol, specifically, stipulated in the CPA as 'Popular Consultation' for the people of Nuba Mountains. It is this forlorn ending that a brief analysis of the CPA and the implementation process is highlighted, followed by the new trajectory for the continuation of the armed struggle through which the desired goal can be achieved. Again, it is also important to note that the current conflict in the Nuba Mountains, though overshadowed by the ongoing power struggle between the two Generals in Sudan, should be given priority by the international community. Generally, this last part is the focus of both theoretical and conceptual analysis as a way of deriving a justification for what should be the best option for the people of the Nuba Mountains. Basically, the purpose of this article is to describe the nature of the conflict in the Nuba Mountains. It is also envisaged that the findings would contribute to a better understanding of this conflict and how it should be resolved.

The Nuba People: A Brief Historical Perspective

The Nuba people are said to be among the first indigenous African groups who settled in greater Kordofan for almost thousands of years and cover an area estimated as 88,000 square kilometres and almost 30,000 square miles (Komey, 2015: 13). The people of the Nuba Mountains, like the rest of Africans, were marginalized right from the outset when the country went through the political process of statehood. Issues of culture, religion and identity were used as tools for differentiation for political mileage. The denial of political space, coupled with the appropriation of natural resources including land, started during the colonial period but became the policy of the day throughout the independence period since 1956 (Suliman, 1999). This bleak

depiction of such policy is also attributed to a renowned Sudanese scholar who stated that:

The Nuba share at least two predicaments with indigenous peoples the world over: state-sponsored policies assist in the systematic appropriation of their land and natural resources by colonists, capital, and private business interests. Also, their human rights are denied and political persecution, ethnocide, and genocide continue even after European colonialism has ended (quoted in Komey, 2015: 15).

Indeed, in as much as such policy of deprivation was a general phenomenon during the colonial era yet in each country in the post-independent period could be described as unique in its pursuit of particular policies. In the case of Sudan, the fact that those who assumed the reins of power right after the independence happened to be people with much affinity or claim of consanguinity to Arabism. The nature of such a trend later on became a combination of Arabism and Islamic ideology that had to shape the country's identity as a way of perpetuating its political power. The identification of Sudan as an Arab country fostered tremendously in shaping policies that aimed to marginalize other ethnic groups, deemed to be of African origin. The successive regimes in Sudan followed the crafted policies; as Muslims versus Christians or at times north versus south, particularly at the time of the rebellion in the south. However, the ugly policy was, essentially, Arabs versus Africans- the real indigenous in the country. This policy very clearly became obvious in various ways, whether in terms of development or all other aspects of social life. In fact, it could be described as policies of dominating Africans, who actually were the majority, according to the 1956 census, which put Southerners at 30%, Arabs at 39%, Non-Arab Northerners at 28% and others at 3% (Russell & McCall, 1973: 111).

The persistence of such policies, right from the independence, created much disenchantment among African people; people from Southern Sudan, the Nuba Mountains and other areas in the north. The

proximate causes of the civil war in the South, from 1955 to 1972 when the Addis Ababa Accord was signed, would have been the same as to the rest of the marginalized areas and Nuba Mountains included. In that, the people of the Nuba Mountains could have been part of the civil war in the South had it not been because of the demand for separation of Southern Sudan. That perception was popular among Southern Sudanese politicians as it was in line with the initial colonial policy crafted by the Governor-General of Sudan in 1945 that stated:

"The approved policy is to act upon the fact that the people of the Southern Sudan are distinctly African and Negroid, and that our obvious duty to them is therefore to push ahead as fast as we can with their economic and educational development on African and Negroid lines, and not upon Middle Eastern and Arab lines of progress which are suitable for the Northern Sudan. It is only by economic and educational development that these people can be equipped to stand up for themselves in the future, whether their future lot be eventually cast with the Northern Sudan or with East Africa (or partly with each)" (quoted in Russell & McCall, 1973: 96).

Such a policy was not pursued to the letter due to pressure from both, Northerners and Egypt which was a partner in the Condominium. This led to the abandonment of that policy and Sudan would remain a united country after the independence (ibid., 1973). Here, it is also important to note that even if such policy were to be implemented as clearly articulated, it would not have been fair to the rest of the indigenous Africans such as the people of the Nuba Mountains, who were not less 'distinctly African and Negroid' than the people of Southern Sudan. So, it was because of such characterization as the North versus the South that the political elite in Sudan came up with the rationalization of the 'Southern Sudan problem' when, in fact, it was a problem of the whole Sudan that included other marginalized areas in the north. Even with this problem of Southern Sudan, the northern elite would always be very quick to attribute it to the

colonial policy without recognizing their role in aggravating the crisis. According to Mansour Khalid, "Sudan's northern metropolitan elite, consciously or unconsciously, deflated Sudan's "national question" into regional one in order to obviate the national character of the crisis and, thus, absolve themselves from responsibility provoking it" (Khalid, 2015: 15). In fact, the policies pursued by the successive regimes in Khartoum since the independence contributed to more woes to the people of the Nuba Mountains than it was the case in Southern Sudan. Mansour Khalid, one of the veteran politicians, who served as Foreign Minister under the Nimeiri regime in the 1970s, honestly put it this way, "Invariably, northern politicians, media, and a number of political analysts made of colonialism a portmanteau for all the woes that had befallen Sudan; seldom did they analyze their own role in the creation of these woes" (ibid.: 9). The corollary, here, is patently obvious that the grievances that led to the civil war in Sudan from 1955 to 1972 were the same grievances that led to the war from 1983 to 2005 when the CPA was signed.

The Two Decades of Sudan Civil War (1983-2005)

The pendulum for the second civil war in Sudan, which started in 1983, could not only be attributed to the abrogation of the Addis Ababa Agreement of 1972 by Gaafar Mohamed Nimeiri, the then President of the Republic but also because of the cumulative grievances shared by the people of the marginalized areas in the whole country. In that, as to follow the hindsight, this was well articulated by the late John Garang in 1972 during the negotiations for peaceful settlement in Addis Ababa, that:

It is imperative that the basis and necessary conditions be created and for these basis and conditions to develop and mature so as to objectively arrive at a United (NEW) Sudan and lasting peace. This approach is to start from the objective realities of the Sudan. It is chauvinistic and naïve to start with the assumption of a United

(ARAB) Sudan and then turn around and try to force the contradictory objective realities to conform to the objective naïve assumption and wishes of a United Arab Sudan (Excerpt from John Garang's letter, January 24, 1972).

John Garang wrote this as part of a letter to General Joseph Lagu, Leader of the South Sudan Liberation Movement (The Anya-Nya) during the negotiations for peaceful settlement in Addis Ababa in 1972. This was clearly an objection to the would-be socalled resolution of the problem of Southern Sudan. The basis of his argument was that any agreement that would not address the objective realities of Sudan would ultimately be a blessing in disguise for the status quo ante- the United Arab Sudan. For him, moreover, unless the national question or national identity of the country was resolved, the issue of negotiating a peaceful settlement for regional autonomy for the South would be tantamount to affirmation that Sudan was, indeed, an Arab country, just in line with what was said by late Saddiq El Mahdi in 1965 that, "The dominant feature of our nation is an Islamic one and its overpowering expression is Arab, and this Nation will not have its entity identified and its prestige and preserved except under an Islamic revival"(quoted in Alier, 1973: 24). That exactly what happened, particularly when President Nimeiri unilaterally abrogated the Addis Ababa Agreement and introduced the Sharia Laws, known as the September Laws of 1983. Again, as a sign of political gesture, Nimeiri metamorphosed himself as an Islamic Imam and that "the first casualty on his road to Damascus was the Addis Ababa peace agreement" (Khalid, 2015: 19).

Here, in as much as the policies adopted by Nimeiri in the early 1980s were the proximate causes for the second civil war, the trigger cause came as a result of the attempted transfer of soldiers from the Garrison of Bor town in Southern Sudan to the North in May 1983. This was resisted by the soldiers, who were all from the Anya-Nya liberation movement, and, hence, the outbreak of the second

civil war and the formation of the Sudan People's Liberation Army and the Sudan People's Liberation Movement (SPLA/M). In fact, the turn of events and that John Garang became the leader of the movement could not have been a surprise as he was part of the internal cell within the Sudanese Army. He, in fact, in a very skilful pretext, happened to be in Bor town at the time. That, again, it was not even unexpected, perhaps, to those who knew John Garang right from the days of Anya-Nya that the trajectory of the liberation would not be the same again. In that, the characterization of the problem had to be in conformity with the vision and the mission of the Movement. Hence, according to the Manifesto of the SPLA/M of 31st July, 1983, in its first paragraph of Chapter One, it defined the problem as follows:

The so-called "Problem of Southern Sudan" is really a general problem in the Sudan. It is generally a "problem of Backward Areas" in the whole country that is particularized and exacerbated in the South by successive oppressive minority clique regimes in Khartoum. In fact, the problem has its origin in the spread of capitalism and colonialism towards the end of the last century when Africa was divided up among European colonial powers and the policy of divide-and-rule instituted among and within the colonies.... It is the colonial policy of divide-and-rule and the mechanics of peripheral development in the Sudan that are mainly responsible for the post-independence crises in the country.

In defining the problem as a general problem, the SPLA/M had struck the right chord, particularly among the people of all the marginalized areas in the Sudan; the barrier set by the successive regimes in Khartoum by particularizing the problem as that of the south, was dismantled and its fate was buried in the ashes of history. It was a complete departure from the schematic characterization of the problem. According to Mansour Khalid, this was the core of John Garang's crusade that "...won over disparate groups throughout Sudan, especially areas in the

geographic north that were coincidently populated by non-Arabs such as the Nuba Mountains, Blue Nile, Darfur, and Beja" and that, moreover, "It was not only Garang's charisma and gravitas that seduced those people to his call, but his articulation of their woes resonated most in their minds" (Khalid, 2015: 29-30) Such a sophisticated approach to the problem put off policies that were adopted by the northern political elite since the independence and that the SPLA/M's approach in bringing the objective realities to the fore, galvanized the interests of all people of the marginalized areas in the country. The Movement's objectives were considered as the only salvation for the whole country. Again, it was to be made clear to those in the centre of power not to make any mistake in interpreting those objectives in order to suit their political agenda other than mainly about the unity of the country. In fact, in attributing this new vision to John Garang, Mansour put it plainly well that, "... Garang made it clear to powers at the centre that his was a struggle neither for power nor for the extinction of the flames of the civil war per se, his aim, he declared, was to unite Sudan on a new basis and put an end to the manifold social tremors in the east, centre, and west Sudan, as well as to the impoverishment of the extreme north"(ibid., 2015: 16-17).

It was such political imagination that resonated clearly well with all the people of the marginalized areas across the whole country. The people of the Nuba Mountains, led by the late Yusuf Kuwa Mekki, joined the Movement in big numbers and became a very reliable and even instrumental force in fighting the enemy on all fronts in South Sudan as well as in the Nuba Mountains, Blue Nile and Western Sudan. Their commitment to the cause never came closer to wavering in all military engagements. Their loyalty to the leadership was tested against the backdrop of the split within the Movement in 1991-1994 when some senior SPLA commanders, from South Sudan, staged a coup against Dr. John Garang and later on became part of the Khartoum regime when they signed what

became known as the Khartoum peace agreement in 1997. In fact, the people of Nuba Mountains remained steadfast to the principles of the SPLA/M up to the time when the peace process started.

The Peace Processes for Resolving Sudan's Conflict

With escalation and intervals of de-escalation of military engagements between the government's forces of Sudan and the SPLA since the conflict started in 1983, the first attempt to address the conflict was under the auspices of Intergovernmental Authority on Development (IGAD) in 1994. This came about at the time when the Jihad Crusade miserably failed to achieve its objective and it was hinted in some circles in Khartoum that the war against the SPLA was unwinnable (de Waal, 2015). The SPLA, on the other hand, even became weary, particularly after the split within the Movement as mentioned earlier. So, with such a level of mutual exhaustion, the timing of IGAD intervention was ripe and right as it became conducive to peaceful settlement.

Having first established the negotiating forum, the IGAD came up with the draft, known as the **Declaration of Principles (DoP).** The contents of DoP included the right to self-determination for the South and was immediately signed by the SPLA in 1994. The Khartoum government though expressed some reservations but with pressure from the three countries- Eritrea, Ethiopia and Uganda- which were known for their support to the SPLA, signed the document three years later (ibid., 2015). In fact, the provision in the Declaration of Principles on the self-determination for the South, instead made the position of the Sudan government more hardened as it was reminiscent of their characterization of the conflict in the Sudan as indicated above. Hence, when the Khartoum government signed the Declaration of Principles, they demanded that the issue of the two areas -the Nuba Mountains and the Blue Nile- not be included as part of the agenda for negotiations. The implicit connotation was that the DoP clearly affirmed the problem to be between South Sudan and the North which included the two areas. As on the side of the SPLA/M, the provision thought it could have been the first reason for the crack within the Movement but the leadership gave no hint of any distraction from pursuing the vision of the SPLA/M as enshrined in its Manifesto of 1983. However, logic would dictate that the Declaration of Principles should have been considered as a caveat of what was going to follow during the final phase of the negotiations.

Hence, the lull that followed could be attributed to the unrelenting positions of the two warring parties; the Khartoum government and the SPLA/M. The IGAD could not proceed with the negotiations until 2001 when the late President, Daniel Arap Moi, decided to salvage the impasse by visiting Khartoum to prevail on Bashir for an emergency IGAD summit (Khalid, 2015). Henceforth, after a lot of hurdles, coupled with intervention from the U.S. and other friends of IGAD (Norway, Italy and the UK) as they were called, the Machakos Protocol was finally signed on 20th July, 2002. Thereafter, the signing of the Machakos Protocol could have been a recipe for joy as phrases; 'That the unity of the Sudan is and shall be the priority...' and 'That the people of South Sudan have the right to selfdetermination' were crafted to balance harmony within the Movement. However, the Protocol created an imbroglio and provoked a harsh reaction from commander Malik Agar Eyrie, who hailed from Funj of Southern Blue Nile. In that, he could not control his anger against Gen. Lazaro Sumbeiywo, the mediator of the peace talks, when he stood up and said: "General, if you do not include the Funj people of Southern Blue Nile, we shall finish you" (Waihenya, 2010: 93). The connotation was that General Sumbeiywo was to take the cross for having recognized the right to self-determination for the South only without the other areas such as; the people of the Blue Nile and the Nuba Mountains. Of course, such a reaction was a completely unnecessary outburst as it did not represent the formal position of the SPLA/M. Again, General Sumbeiywo, as a mediator, could not have been

qualified to lead the peace processes if all that reached the level of signing by the two warring parties could just be simply attributed to him to be his own making. However, this did not mean that a more formal and even cordial dissatisfaction could not be directed to General Sumbeiywo as the Civil Society Organizations of the SPLM from the Nuba Mountains did in their open letter, herein, read in part:

.... The Nuba people cannot live in harmony and coexist peacefully with the people of the North. Our strong adherence to religious tolerance, our strong African cultural identity and traditions, and our keen interest in freedom of belief are in direct contrast and conflict with the intolerant, dominating, and exclusive culture of the Arabs in the North (quoted in Totten, 2015: 127).

In effect, the eerie atmosphere created by the Machakos Protocol was real and had to be managed with care as it reduced the SPLM from championing the creation of New Sudan back to being only for the Southern Sudan problem and that:

As a result, not only did the SPLM almost disintegrate, but it also left the Nuba and the people of the Blue Nile very angry. In fact, Dr. John Garang, the Chairman of the SPLM and commander in chief of the SPLA, raced up to Kauda in the Nuba Mountains in order to quell a near rebellion in the Sudan People's Liberation Army, the armed wing of the SPLM (Adam, 2015: 39).

With such a high level of intervention, the SPLM was able to remain in the saddle and managed to sail over the difficult processes of the negotiations until the signing of the protocol as part of the Comprehensive Peace Agreement (CPA). The CPA was formulated in such a way that the people of the Nuba Mountains would be given the right for "popular consultation" by the end of the interim period, "a democratic right and a mechanism to ascertain the views of the people of South Kordofan/Nuba Mountains and Blue Nile states on the comprehensive agreement reached by the

parties" (clause 3.1). However, the totality of the wording of the Protocols was not without legal defects as it also did not augur well with the aspirations of the people from the two areas. Hence, Mansour Khalid, himself a lawyer, and Advisor to the **SPLM** Chairman. described popular consultation for the people of Nuba Mountains as follows: "Popular consultation was patently below Nuba expectations as it represented a toning down of their claim to the right to self-determination. Not only was popular consultation below the expectations of the people of the two areas, but the procedure proposed for conducting it was illdefined and undetermined" (Khalid, 2915: 223). Jok Madut Jok attributed such vagueness and toningdown status of the protocols to Mahmood Mamdani as "the et cetera of the CPA" (Jok, 2015: 157). Indeed, the devil in the details was to become the real challenge during the implementation process, particularly when the SPLM tried to save its face in pushing for the conduct of popular consultation on the one hand and the Government of Sudan, under the National Congress Party, applying hedging and dodging on the other. In fact, the process of implementing the protocols dovetailed well with the NCP's usual political manoeuvring, machinations and trickery as the instantaneous events emerged thereafter.

The Quandary of Implementation

As mentioned above the premise upon which the CPA was anchored formalized the ending of the conflict or the resolution of the conflict as that between the North, represented by the Government of Sudan and the South, represented by the SPLM during the interim period. However, as the interim period came to its end, with first, the elections in the whole country, followed by the referendum in the South, the situation in the Nuba Mountains started to go awry as the Khartoum Government demanded immediate redeployment of the SPLA stationed in the two areas in the south of the north-south border as per 1/1/1956 or be forcibly disarmed. This, indeed, in military terms, was an ultimatum and

should have been taken seriously. It also meant that the issue of the Nuba Mountains, by virtue of its location, should be under the responsibility of the Sudan Government and that even what to do with the conduct of popular consultation would ultimately be the sole prerogative of the Sudan Government.

In fact, the whole episode started with the countdown to the elections in Southern Kordofan state, marked by suspicions that the NCP would tamper with both the processes of voting and tabulations of the results. So, indeed, as expected when the results were announced the SPLM candidate for governorship, Abdel Azziz Al-Hilu, garnered 194,955 votes against his rival, Ahmed Haroun, from the NCP with, 201,455 votes. Those results were immediately challenged by the SPLM and Abdel Azziz Al-Hilu, who held a press conference in Kadugli, on May 15, 2011, and said the following:

Withdrawal and NOT TO PARTICIPATE at this stage of the process of matching and compilation of results; NO RECOGNITION of the results proclaimed by the NEC whatsoever; No participation in the legislative and executive institutions resulting from these elections [and to] Call upon the democratic forces and the masses of the state of Southern Kordofan, Sudan in general to work together in the work of peaceful democratic [means] to correct this situation; We call on the guarantors of the CPA and the international community to re-evaluate the process and assistance in finding treatment for this anomaly (quoted in Young, 2015: 173).

Of course, whatever the outcome of the elections was would still be seen in the contexts of many elections in Africa, in particular, that suspicion or claims of rigging cannot be outrightly dismissed. Again, like any other elections, the observation agencies would not always be uniformly in agreement with the final results (Kuperman, 2016) and that exactly was in the case of Southern Kordofan state elections. However, perhaps

conversely, assuming that the SPLM had won the elections, would that mean the implementation of the Protocol would go ahead as stipulated in the CPA? The answer would definitely be 'No' The National Congress Party (NCP) would not allow that to take place. Hence, in pursuance of their steadfast position against the implementation of the protocol, the Sudan Armed Forces (SAF), on June 5, 2011, attacked the SPLA troops at their base near Kadugli, the capital of South Kordofan, triggering what would become another civil war in Sudan right after the overwhelming vote in favour for the secession of South Sudan.

Thereafter, and as the purpose of the attack was to disarm the SPLA, it resulted in mass atrocities, committed by government troops, together with their local militias. The indiscriminate attacks by shelling and even to the extent of troops entering the UN premises in search of individuals working for the UN prompted it to produce the following report, read in part:

Monitoring has also revealed that the SAF, paramilitary forces and government security apparatus have engaged in violent and unlawful acts against UNMIS, in violation of international conventions and Status of Forces Agreement(SOFA) including: verified incidents of shelling in close proximity to UN property, resulting in damage; summary execution of a UN national staff member; assaults on physical integrity of UN staff; arbitrary arrest and detention of UN staff and associated human rights violations including ill treatment amounting to torture; harassment, intimidation and obstruction of freedom of movement; and intrusion on UN premises including the UNMIS Protective Perimeter established to protect civilians internally displaced (ID) as a result of the conflict (quoted in Tinsley, 2015: 218).

The Kadugli incident, in essence, together with all series of violations of human rights that ensued, could be considered as the trigger causes of the current conflict (the new civil war) or the intra-state conflict in Sudan, which started just less than two

months towards the declaration of the independence of South Sudan. The government forces, like before, after the independence of Sudan and during the second civil war (1983-2005), once again unleashed and embarked on targeting people of African ethnic origin; they were being hunted down like animals (op cited., 2015). The government unashamedly killed its own citizens in such a flagrant manner and disregarded its responsibility to protect them and to safeguard the unity of the country as had been enshrined in the Comprehensive Peace Agreement (CPA). It also confirms that a country like Sudan, known for its diversity, would always be in political turmoil as long as managing such diversity would be in dire desire. This was exactly what Thabo Mbeki, the former President of South Africa, once said "Virtually all civil wars and other violent conflicts in post-colonial Africa have occurred because of the failure to manage properly the diversity that characterizes these countries...it is only by respecting our diversity- ensuring that each social group enjoys a shared sense of belonging, rather than feeling marginalized and excluded- that the state's unity and peace guaranteed" (quoted in Khalid, 2015: 441). Indeed, failure to manage the diversity such as the case of Sudan was the reflection of the situation that the people of the Nuba Mountains found themselves in as it was indicative of the worst to come.

This brings the issue of the effectiveness of conflict resolutions to the fore, in terms of analysis in the context of the Comprehensive Peace Agreement (CPA) of which the protocol for the people of the Nuba Mountains of South Kordofan was one of its components. The purpose of such analysis is to give a glimpse of an understanding of how the CPA came to its final phase and whether the SPLM could have approached it differently without international support for the peace process. In a nutshell, the whole process could not meet the desired expectations of the people of the Nuba Mountains.

Analysis of the CPA and the Implementation Processes

With such a painful ending of one supposed to be an important component of the CPA, and as described above, it is possible to mention that the trigger of the return to conflict in the Nuba Mountains was the dispute over the election results. This was followed by the immediate military action of the Sudan Armed Force (SAF) in attacking the SPLA's positions with, of course, the intent to forcefully disarm them. Now, the purpose of this part is to analyze the overall processes of the CPA and the apparent stasis by the international community in addressing the conflict in the Nuba Mountains.

So, the first thing to assess is the shift in the process of the resolution of the conflict that eventually recognized self-determination for the South and not the same rights as the rest of other marginalized areas such as the Nuba Mountains. There are many factors that played out in the process as well as in the denouement of the outcome. The general perception or the ultimate goal among Southern Sudanese, whether within the Movement (SPLA/M) or even among those outside the Movement, was that the war could not continue on the basis of attaining united democratic New Sudan; something that they considered to be a tall order. Hence, when the Declaration of Principles (DoP) was signed by the SPLA/M, in 1994 and later on followed by the Machakos Protocol in 2002, it was indicative of the shifting position of the Movement from championing the idea of creating New Sudan to what was generally seen as the fallback position- the right for self-determination for the people of Southern Sudan (Adam, 2015).

Again, besides that tacit internal pressure on the leadership of the Movement, there was also a clear trend within the international community that the Sudan government, headed by the National Congress Party (NCP), the then ruling party, was so entrenched in its credos. Based on such Islamic ideology, was that more pressure on them could have led to the debacle of the negotiations and,

possibly, the resumption of the escalation of the conflict, "the GoS/SPLM agreement was a compromise of positions applying the principle of give and take, under regional and, most importantly, international pressures led by the United States to resolution" achieve peaceful (EL Hassan, 2015:107). For them, the only way out was to come up with a compromising position that would guarantee acceptance by the Khartoum government and at the same time satisfy the South with the right to self-determination. In other words, in as much as the two warring parties signed the Declaration of Principles and decided to move to the next phase, the signing of the Machakos Protocol was a clear indication that the two parties would proceed with ease to the next rounds of talks without obstacles. In essence, there was much fear within what Mansour Khalid referred to as 'northern metropolitan politicians' that the creation of New Sudan, as articulated in the SPLM's Manifesto of 1983 would be tantamount to people of African descent taking over the reins of power in the Sudan, based on their mechanical majority, hence, the fear of the tyranny of majority.

The other factor, as part of this analysis, was the position of the late John Garang, who still believed in the unity of the country even after the signing of the CPA. In fact, at the Rumbek meeting in 2004, he tried to justify his position in maintaining the ideology of creating a New Sudan "We must remain constant to our objective of New Sudan and the right to self-determination. After six years you will vote either for unity or separation. The allegation that there are separatists in the South led by a unionist, me, is a lie" (Khalid, 2015: 335). Of course, such a statement, although a bit equivocal and inexplicit to some people was, essentially, meant to satisfy the different aspirations of the SPLM's audience. This was also clear during the signing ceremony at Nyayo Stadium on 9th Jan. 2005, when he said that "Sudan will never be the same again" and also referred to the occasion as the "birth of Sudan's Second Republic." In fact, if John Garang were to be alive during the interim period and even during the elections in 2010 the country would have been different, possibly in line with what he had in mind. Clearly, for those (the author included) who witnessed the reception when John Garang arrived in Khartoum on 8th July, 2005 to be sworn in as the First Vice President on the 9th July, 2005, it was clear writing on the wall that Sudan was at the beginning of the transformation. In that, the crowd that came out to receive him, right from the airport to the Green Square (Saha Al-Hadhraa), estimated to be over a million, was a clear referendum on the march for real change. Put conversely, that such popularity of the SPLM, perhaps, might have also created unease among some political elite in the country as the idea of New Sudan would pose a real challenge to them.

As to the most kernel issue, the unimplemented CPA Protocol for the people of Nuba Mountains of South Kordofan it became another 'casualty on the road to Damascus' when the regime in Khartoum, even before the Declaration of the independence of South Sudan, immediately unleashed military campaign against the Nuba people, triggering another civil war in Sudan. It became an intra-state conflict after the secession of South Sudan in 2011. Hence, what is surprising in the case of the conflict in the Nuba Mountains is the total absence of the international community in regard to the ongoing conflict in that part of Sudan. In that, one could have expected that since the Protocol was part of the CPA, there should have been a follow-up, particularly from those who helped mediate the conflict, until its final phase. Such indifference to the conflict in the Nuba Mountains, at times, led to strained relations between the Republic of South Sudan and the Republic of Sudan as the latter would always accuse South Sudan of assisting the SPLA/North. Such unverified accusation also, at times, led to counter-accusation by the South that the Government in Khartoum was harbouring rebels from the South. This also applied in the case of Blue Nile and the issue of the disputed area of Abyei, which was just transferred to Kordofan during the Colonial rule, for administrative purposes.

Given all these intricacies of the conflict and peace processes that led to the right of self-determination for the South, it is possible to refute the assertion by some circles that the people of the Nuba Mountains were betrayed or 'sold down the river' by the leadership of the Movement; that at Machakos, the SPLM/A should have stood firm also for the right of self-determination to the people of the two areas -Nuba Mountains and the Blue Nile. In fact, if this were to be the case, as supposed, the whole process of the resolution of the conflict would have immediately collapsed right from the beginning and, hence, the obvious relapse back to war. Again, there could have been a possibility of more splits within the Movement, particularly from those who would be opposed to such an alternative position. It was even possible, given the weight of support from the international community and, in particular, the United States of America, that any attempt to go against their support, would have definitely led to undesired and unwanted measures against the Movement (SPLM/A). So, the option for accepting the peace process in the way it was structured was unavoidable and, thus, the late John Garang might have correctly read the international political environment well at the time. Such an ending, of course, left the case of the people of Nuba Mountains in the balance; that is their core expectation was not achieved and, therefore, the only option was to continue with armed struggle as the only means of realizing their rights.

The New Trajectory from War to Peace

It must be first emphasized from the outset that the principles enshrined in the SPLM/A Manifesto of 1983 remain the guiding principles of the SPLM/A-North; that is establishing New Sudan as the only salvation for the unity of the country. However, this grand demand and given the nature of the way how the country has been ruled since the independence, as shown by the previous experience in dealing with the case of Southern Sudan, can still run into difficulty as those who control the reins of power in the centre will not relent their long-cherished

position that Sudan is an Arab country. Such a credo would always make the unity of the country untenable or implausible; and even if that could be crafted through compromises, the likelihood of sustaining it would be slim because of lack of commitment to one national identity. So, with such realities in mind, the feasibility of creating a New Sudan where all the citizens have equal rights regardless of race and religion, including political rights for high office, would always be a challenge. Thus, for the purpose of more illustration, this section is intended to explain theoretical and conceptual perspectives as a way of elucidating this particular claim in order to derive a well-balanced conclusion for the justification for what should be the best option or the last resort for the people of the Nuba Mountains; that is, there has to be a new trajectory in resolving the conflict in the Nuba Mountains that would finally satisfy expectations of its people.

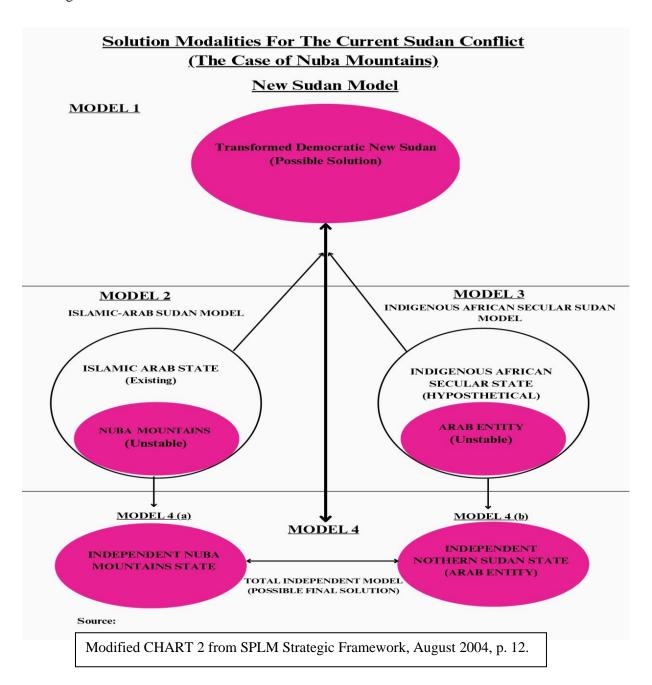
So, starting with the theoretical perspective, it is necessary to briefly highlight the meaning of the word 'recognition'. Etymologically, the word recognition comes from the Latin word, 'recognoscere'. It means to acknowledge and the strongest synonymous match is acceptance or admission and applying it to people means being identified or accepted as part of a whole, with equal rights and opportunities as in the context of a state. Again, as individuals are the most important component of a state some scholars such as Wendt (2003) describe a state as a 'corporate actor', constituting one structure of 'collective identity'. But achieving such collective identity would mean that individuals or groups of people within a state must accept to recognize each other and also be equally recognized by the state as this is the essence of state formation.

However, lack of equal recognition or what is referred to as 'asymmetrical recognition' can be the source of instability; that is "If people are denied something of fundamental importance to themselves their acceptance of a regime is likely to

be half-hearted and dependent on coercion..." (ibid., 2003: 513). It means that once the desire for recognition comes into conflict with the established political structure the loyalty to a regime becomes less and, hence, the option for struggle or resistance becomes inexorable; the perception by the individuals that if a state does not serve their common interests would eventually be tantamount to taking up arms against it as the only option of correcting it and that failure to achieve this then seceding from the union becomes an alternative

(ibid., 2003). So, based on this theoretical explanation, it can possibly be argued that the last scenario quite dovetails well with what is likely to happen in the case of the Nuba Mountains.

As in the case of a conceptual framework, it is necessary to depict the current situation in Sudan in the form of models as indicated below and to be followed by explicating them for the purpose of justifying alternative solutions.



Explicating the Models

Model 1

Deriving from the concept of New Sudan, this model represents what all the people of Sudan should be aspiring for. Initially, the concept of New Sudan was first coined by the late John Garang in 1972 as a possible solution in addressing what he referred to as the objective realities in Sudan rather than piecemeal and temporary arrangements as was the case of the Addis Ababa peace agreement of 1972 by granting regional autonomy to Southern Sudan.

In 1983, when the second civil war started and, incidentally, John Garang happened to be the leader of the Sudan People's Liberation Army and the Sudan People's Liberation Movement (SPLA/SPLM), the idea of New Sudan became the rallying cry as it resonated quite well to all the people of Sudan and in particular to the people of the marginalized areas. The SPLM's core objective for the future of the country was "...that the necessary internal and external conditions exist to enable it to transform the Southern Movement from a reactionary into a genuine people's liberation movement...beginning in the South where peripheral and dependency relations are weakest and spreading to all parts of the land" (SPLM Manifesto, 1983: 28). Indeed, the policies pursued by the successive governments in Khartoum since the independence, coupled with the external factors, created the impulse that necessitated the formation of a national liberation movement that would champion the aspirations of all the people of Sudan.

So, the transformation from war to peace would be anchored on creating a Democratic New Sudan where all the citizens will be equal regardless of their racial background, ethnicity or religious affiliations. New Sudan, moreover, was meant to put an end to all the problems of the Sudan. It is, therefore, within this context that although this could not be achieved through the Comprehensive Peace Agreement, for obvious reasons as mentioned

above, it can still be relevant as the basis for a final solution as in the case of the Nuba Mountains. It is for this reason that **Model 1** can still be put forward as a possible solution to the current conflict between the central government in Khartoum and the case of the Nuba Mountains. However, equally, there is also a good reason not to be optimistic about the realization of New Sudan as envisioned in the model, particularly when there is the likelihood of resistance from the Islamists and those who believe that New Sudan would be tantamount to abandoning both Arabism and the cherished mission of Islamic revival in Sudan.

Model 2

Model 2 is a depiction of the existing Sudan; it represents the persistence of the political elite with the tendency to maintain the current situation. For them, preserving the status quo ante is what they believe is the reflection of the 'dominant feature' and the 'over-powering expression' of the Islamic and Arab outlook of the country. It also means, further, that the political system as pursued by the successive regimes since the independence was to preserve such an identity at all costs as was the case during the two civil wars. But, of course, such a level of callousness has been the main reason why the country will never be in peace. Thus, maintaining this Model means perpetual instability as it would only be dependent on coercion as people of the marginalized areas would also not relent in challenging such a system.

Model 3

Here, whereas Model 2 is about the existing political situation in the country which remains unstable, Model 3 would axiomatically be in the same situation. In fact, Model 3 is a hypothetical situation where the reins of power are assumed to be in the hands of Non-Arab Sudanese as would be the case after the secession of South Sudan and if they apply the same policies of asymmetrical recognition against those who claim to be of Arab descent (Arab entity), it would equally lead to the same logic of

resistance and, therefore, the country would still be unstable.

Model 4

Model 4, in fact, is in two parts; Model 4(a) and Model 4(b). Both represent an exit from the unstable system; a typical resemblance to Hobbesian depiction of a state of nature. But, here, because the focus is the case of the Nuba Mountains, the rest of the analysis is only about Model 4(a). So, as per this Model, the secession of South Sudan can be cited as a good example; that is, if that secession came as a result of irreconcilable national identities, a situation that has not changed so far, then it becomes indisputable that the case of the people of the Nuba Mountains can be resolved differently in the end. Such an option, of course, can inarguably be in line with what Ali Abdel Rahman, the then Minister of Interior said in 1958, almost two years after the independence of Sudan, that "The Sudan is an integral part of the Arab world.... Anybody dissenting from this view must quit the country" (quoted in Russell and McCall, 1973: 104). Of course, although this was an off-handed statement and if what the Minister said were to be objectively qualified further then the only connotation of quitting would inadvertently mean secession as it would be unreasonable for a certain ethnic group, estimated to be in millions, to guit the country without their ancestral land; an obvious logic the Minister did not apply a bit of hard thinking. So, if secession will be the end result as applicable in the case of the Nuba Mountains, then there is a need to highlight the circumstances through which such a desired goal can be achieved.

One possible scenario will depend on the outcome of the ongoing power struggle between the two Generals-Mohammad Hamdan Dagalo, also known as 'Hemedti', the leader of Rapid Support Force (RSF) and Abdel Fattah al-Burhan, the military leader of Sudan- which has almost led to diminishing the control of the central government, and that if such a situation continues for a longer period, then the former Yugoslavia scenario which

occurred in 1991 and 1992 cannot be ruled out. That is, with further weakening or total collapse of the central government, the declaration independence by each region such as the Nuba Mountains is the likely outcome. The other possible alternative will have to be through a peace process, similar to that of the CPA arrangement; that is, if there will be a central government anyway that can effectively assert its authority over the whole country, regardless of who will be head of such a government, then that government will eventually need to negotiate with the SPLM/-North, led by Abdel Azziz Adam Al-Hilu, the current Chairman and Commander-in-Chief of the Movement.

However, the two scenarios- the former Yugoslavia route and the Comprehensive Peace Agreement (CPA) arrangement- might not necessarily be straightforward and easy options. As in the case of the former, the collapse of the former Soviet Union, coupled with a series of events that followed, led to an upsurge of nationalist sentiments in Yugoslavia and eventually led to the collapse of the central government in Belgrade. Again, as also part of geopolitics in Eastern Europe, the declaration of independence by Slovenia and Croatia in 1991 followed by Macedonia, Bosnia and Herzegovina in 1992 could not have happened with such astonishing ease without the role played by Western powers. So, in the same vein, the case of Sudan in the end will also depend on how external factors might play out, if the central government finally collapses and with no possibility of regaining its authority over the whole country.

As in the case of the success of the Comprehensive Peace Agreement that led to the secession of South Sudan was attributed to the role played by the United States of America and the Troika (UK, Italy and Norway), or 'Friends of IGAD'. The full support and the close monitoring of the implementation of the agreement by these countries and IGAD greatly contributed to deterring attempts by the National Congress Party (NCP) to destabilize the process as was the case of the events in Malakal

when some militia forces from Southern Sudan. allied to NCP in Khartoum, attacked the Garrison of the SPLA contingent of the integrated units on 29/11/2006 and on 21/6/2007. It can, thus, be argued that besides the firm stance by the international community, particularly, the guarantors of the peace agreement, and the unruffled approach by Salva Kiir Mayardit, the current President of the Republic of South Sudan, who was the First Vice President and President of the Government of Southern Sudan at the time, the Malakal incidents were quickly brought under control. In fact, those incidents were orchestrated by the National Congress Party in Khartoum with the intent to paint a picture that Southern Sudanese did not agree among themselves on the Comprehensive Peace Agreement (CPA) and, hence, would be exonerated from the blame. But had that plan succeeded, it would have meant that the conduct of the referendum would be in jeopardy as it would not possibly take place as scheduled because of the instability in Southern Sudan and that is exactly what the plan was all about. So, considering such events during the interim period as lessons learnt, it would be very important that the international community will have to play the same role as they did during the peace processes and implementation of the CPA if a similar situation arises in the case of the Nuba Mountains.

CONCLUSION

It is, perhaps, a general phenomenon that the dynamics of politics could be different from one country to another; in that each country is unique in terms of the nature of the conflicts and also how such conflicts could be resolved and even forging one national identity and how it can be managed and sustained. In the case of Sudan, which was colonized by Britain from 1898 to 1956, a combination of the effects of policies pursued by the British during its colonial rule and the policies pursued by the successive regimes in Khartoum right after the independence, had squarely resulted into grievances that led the majority of people,

particularly from African descent, to pit against the successive governments in Sudan as the political elite that happened to be the ruling class had more affinity to the Arab and the Islamic world. Hence, in order to maintain that status, they had to devise strategies for ruling the country in line with that outlook. The policy of divide and rule was applied as; north versus south and Christians versus Muslims; all aimed to perpetuate the hegemony of Arab entity over the whole country.

Hence, the commonality of grievances was what led the late John Garang to adopt a national agenda; that the problem was not about a particular region as it was the case of the first civil war from 1955 to 1972 when the Addis Ababa Accord was signed, leading to regional autonomy for the South. The experience of the regional autonomy in the South was taken as one of the lessons learnt that unless there was a fundamental change in the centre there could be no final solution to Sudan's problems. The formation of the SPLA/M was exactly meant to address the general problem of the Sudan rather than piecemeal solutions for a particular region. That political shift of strategy was what galvanized the support from all over Sudan and the people of Nuba Mountains became part and parcel of the liberation war from 1983 to 2005 when the CPA was eventually signed in Nairobi, Kenya on 9th Jan. 2005.

However, in as much as the implementation of the CPA led to the secession of South Sudan followed by immediate abrogation of the Protocol for 'Popular Consultation' by Omar Al Bashir, the then President of Sudan, coupled with the already simmering dissatisfaction about the whole process and the outcome of the CPA, the people of the Nuba Mountains found themselves with no choice but to resort to armed struggle once again. The current conflict in the Nuba Mountains has taken the trajectory with the same principles as pursued by the SPLA/M between 1983 and 2005 as the cumulative grievances of the African people in the then Sudan before the secession of South Sudan still remain

unaddressed. This is what makes the idea of creating a New Sudan as relevant as before.

However, the idea of New Sudan remains highly contested as those obsessed with avowed affinity to Arabism and Islamic credo will use all means to maintain such status quo. This means, equally, that the people of the marginalized areas such as the people of the Nuba Mountains will also continue to challenge such a system and, hence, the continuation of instability and other attendant consequences. So, as the unity of the country, based on the idea of New Sudan, will not be accepted as it would be in conflict with the entrenched ideology, it means the possibility of other forms of strategies for exiting cannot be ruled out. This is where the CPA scenario that led to the secession of South Sudan becomes a more appealing and appropriate option for the people of the Nuba Mountains.

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