

Promoting Democratic Governance

By Suzanne Jambo, New Sudanese Indigenous NGO Network

INTRODUCTION

The Sudan, the largest African country has undergone an identity crisis for more than 48 years running from even before its independence in 1956. The independence however marked the history of national liberation struggle by the people of South Sudan from the elite minority in the North Sudan. The first war broke out in the town of Torit (Equatoria region, South Sudan) in 1955 and lasted for seventeen years until 1972 when Addis Ababa agreement was signed. However, in 1975 there were mutinies in Akobo (Upper Nile region, South Sudan) and Wau (Bahr al Ghazal region, South Sudan) garrisons as a sign of dissatisfaction among the people of South Sudan with the Agreement. Then followed the rebellion of May 1983 which escalated the hostilities between the north and the south; and this is the stroke that led to the formation of the Sudan's People Liberation Movement/Army (SPLM/A) which waged a concerted liberation struggle against the Government of Sudan (GOS), a struggle that has persisted to date.

There is great hope that this civil war will come to an end this time though this is not the first time that the Sudan has faced a transition from war to peace. The transition to peace and democracy will bring challenges and opportunities for Civil Society Organizations (CSOs) as they assume an active role in creating a new, just and peaceful Sudan based on equality and justice for all regardless of race, ethnicity, religion or gender. It is the aspiration of many Sudanese people that all Sudanese citizens, particularly the people of South Sudan and the marginalized areas of Nuba Mountains, South Blue Nile, Abyei and the Darfur among others that the war will come to an end and they will get a chance to exercise their right to self-determination. Self-determination is a basic human right, which is to be exercised through a referendum supervised and monitored by the international community in which the people will determine their future destiny; whether to secede or remain united. Civil Society Organizations recognize that the exercise of this right comes with many challenges and there is urgent need to prepare for the successful transition to peace and development in Sudan.

Civil society organizations and other stakeholders need to analyze all challenges and opportunities that may arise in pre-interim and interim period at local, national, and international levels. In order to establish a new political dispensation in the Sudan there is a need for all stakeholders, particularly the political leadership to put in place accountable and transparent systems to all citizens; and it is for this reason that the civil society organizations shall advocate for good governance at all level and play a role in building peace among the people in their localities. Both civil society organizations and the emerging government of the South (and the whole Sudan) per the would-be agreed peace accord, need to work together to develop a system of rule that brings about change in society, which is based on democratic principles of governance, freedom, justice and peace.

The emergence of South Sudan civil society organizations was in response to the challenges facing the people of South Sudan and other marginalized areas during the civil war. The war is nearly over and the transitional period is at hand, therefore both the government and civil society organizations should prepare strategic plans and come up with development programmes to meet the challenges of the post war period.

New attitudes need to be ingrained in the people to develop and uphold a culture of hard work, peace building, tolerance and rule of law as a new way of life for the people of South Sudan. Millennium Development Goals (MDGs)* should form the basis for lobbying for peaceful co-existence and development in the new Sudan. The MDGs restate the rights of all humanity to a just and fair development and puts in place monitoring mechanisms to be taken seriously by civil society organizations, international organizations and United Nations agencies in lobbying governments to live up to the millennium development objectives for holistic human development. The catastrophic situation in South Sudan is quite different from the goals set out in the MDGs. Some areas have continued to receive humanitarian services while others have been completely neglected.

National power and resources sharing have been some of the causes of the civil war because power and wealth has been concentrated in the hands of a few people. Unequal distribution of power and resources has resulted in poverty, injustice and insecurity to the people and these injustices have resulted in loss of many lives and property. Therefore, power and resource sharing should be based on equality regardless of ethnicity, language, religion, sex or political background. This would be in accordance to the MDGs aims.

THE IMPACT OF THE WAR

The civil war in the Sudan has the following consequences; north-south war, inter-village and intra-tribal conflicts. Conflict among communities in South Sudan has resulted in total disruption of social order, economic activities and deterioration of local institutions, which normally guarantee the creation of social order within the communities. There has been destruction of social fabric, community networks and coping mechanisms that helped the people of the South Sudan in handling crises in the past.

Basic social services and infrastructure including health care, education, markets and roads have been damaged or destroyed. The impact of the war has also resulted in the judicial system being severely damaged or destroyed. The subsistence economy of South Sudan is perilously weak because of raids by the government of Sudan and its associated militias. The death, disappearance and conscription of large numbers of men in the fighting forces have made women more vulnerable. The traditional authority of village

* The Millennium Development Goals known as (MDGs) are the sets of goals prepared by United Nation Development Program (UNDP) covering different aspects of human development agreed by international community on a number of United Nation sponsored International conferences from 1990 to the submit held in new York in September 2000.

elders and chiefs has been weakened as their influence has been replaced by modern weaponry and political forces.

Displaced people and others affected by the war have lost their ability to meet basic needs as livestock and crops are destroyed due to conflict. Civilians, mostly women and children have had to bear the brunt of the conflicts as men and boys have joined the fighting forces, which has left women to assume the responsibilities of men in addition to their own. The conflicts have also imposed special burden on children, who are conscripted into the war as child-soldiers. The conflict related famines has resulted in impaired physical and mental development for majority of the children. Their schools have been destroyed and many are now homeless and orphaned. A number of children of South Sudan are growing up in a culture of violence and this fuels the desperation that forces them to use a gun before they reach adulthood.

The inter-village and intra-tribal conflict has also been responsible for a high number of internally displaced people and has pulled apart the social structures of South Sudan. The networks of family and social norms that historically helped communities through crises have literally broken down under the strain of current conflicts. Traditional values are not being passed along when displacement causes community breakdown and an increased number of households without elders to sustain social norms and values. Reduced access to grazing land, agricultural lands and fishing areas due to inter-community hostilities has resulted in reduced food production and economic stress. Increased internal displacements have also resulted in less economic activity, which in turn has added to tension and stress among the internally displaced persons and the host community.

Due to the perpetual state of war in the South Sudan, the military authority has replaced traditional authority thus, reducing prospects for local approaches to peace building and reconciliation. The interaction of the conflicts between tribes and clans, and the major south-north war has had a devastating impact on the populations in South Sudan. Lack of basic infrastructure, institutions, starvation, displacement and diseases are only few of its caustic effects. The continuous conflicts have also dis-empowered the affected communities, weakened and distorted their indigenous structures and value systems, incapacitated their ability to cope with the strategies to mitigate the culture of violence, develop initiatives to deal with threats to peace and break the cycle of conflict.

THE PEACE AND DEVELOPMENT PROSPECTS AND CHALLENGES

The prospects and challenges of the expected peace agreement between the SPLM/A and the current regime in Khartoum has raised both hopes and worries among the Sudanese population especially in the South Sudan. Many wonder; *will the Khartoum Government sign the agreement in good faith or is there a catch to all these? Will the parties stick to the agreement? Will there be another violation of the agreement leading to another bloody war and loss of lives?*

With the coming of pre-interim and the interim period where the SPLM/A will form or become part of the emerging government. The roles and responsibilities of civil society

organizations in the south Sudan would definitely change in accordance with the circumstances in which they will find themselves. It is with this understanding that CSOs see the following issues as preliminary overview of the post-war scenario with the following challenges:

I. POLITICAL CHALLENGES

- a) Imbalance of national power and resources sharing.
- b) Need to develop a people-driven representative constitution.
- c) Ensuring equitable representation within elective organs in the north & south.
- d) Ensuring the inclusion of all armed groups in the peace accord.
- e) Mechanisms to address corruption, misappropriation of public resources.
- f) The threat of bad governance and political isolation.
- g) Racism, nepotism, tribalism, repressions and discriminations.
- h) Absence of development.
- i) Human rights violations and many cases of torture
- j) Widespread of political insecurity
- k) Lack of transparency and accountability in the governance on the people.
- l) Inter-ethnic fighting
- m) Inter and intra-tribal, sectional, clan and village conflicts.
- n) Conflict on the use of natural resources, and recurrent cattle rustling
- o) Manipulation and exploitation by multi-national companies.
- p) Negative effects of globalization and free market policies.
- q) Unfair international treaty on use of Nile waters for development.
- r) Conflicting political interests in the region.
- s) Issues around the right of self-determination.

II. ECONOMIC CHALLENGES

- a) Unequal distribution of state resources
- b) Low food production
- c) Poor physical infrastructure
- d) Poor trade links
- e) Poor market system
- f) Shortage of skilled personnel
- g) Natural calamities such as a draught pest, flood and famine
- h) Lack of access to social amenities
- i) Nepotism/corruption
- j) High illiteracy level especially among the female population
- k) Lack of hard and soft infrastructure
- l) Grazing land disputes
- m) Land mine and unexploded ordinances
- n) Widespread availability of small arms.

III. SOCIO-CULTURAL CHALLENGES

- a) Ignorance and illiteracy
- b) Racial, ethnic and religious discrimination
- c) Ethnic differences leading to violent confrontation

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- d) Gender inequities
- e) Harmful cultural beliefs and practices
- f) Inadequate skilled personnel
- g) HIV/AIDS and STDs cultural problems and myths
- h) Urbanization during post war reconstruction
- i) Superiority/inferiority complexes among the communities
- j) Loss of traditional cultural values

IV. TECHNOLOGICAL CHALLENGES

- a) Poor communication system.
- b) Lack of industries
- c) High illiteracy rates
- d) Lack of farm mechanization.
- e) Lack of exposure to technological advancements
- f) Constraints and restrictions to transfer of technology etc. etc.

It is imperative that civil society organizations and other democratic forces to work together for the greatest impact so as to turn all negative challenges into positive opportunities for the good of the society. Some of the roles to be played by civil society will be in the form of advocacy and empowerment activities around the following issues:

- a) Building unity of purpose and socio-cultural co-existence
- b) New democratic and representative Constitution of the country
- c) Respect of the rule of law
- d) Establishment of an independent judicial system
- e) Respect of institutions and separation of powers
- f) Respect and promotion of human rights
- g) Participatory democracy
- h) Creation of an enabling environment that promotes the growth of civil society
- i) Economic recovery and social justice
- j) Restoration of justice and reconciliation
- k) Promotion of free market economy and private enterprise while upholding necessary protections
- l) Ensuring access to basic social services
- m) Human resource development
- n) Equitable delivery of relief and humanitarian assistance to needy populations
- o) Right to the self determination
- p) Accountability for past human rights abuses
- q) Introduction of appropriate technologies innovations

CIVIL SOCIETY ASPIRATION & VISION

The marginalized areas CSOs' vision is of a strong, transformed and organized democratic civil society regardless of race, ethnicity, religion or gender. Their aspirations based on promotion of wishes of the people, which are peace, security, freedom rule of

law, tranquility and economic prosperity. As such, the CSOs will work relentlessly on the following issues:

1) RESTORATION OF JUSTICE, PEACE, RECONCILIATION AND UNITY

The CSOs shall work effectively on behalf of the people and unreservedly commit themselves to the unity of the people of South Sudan and of other people of marginalized areas of the Sudan. This is a prerequisite in bringing about the desired change in our society for the present generation and the generations coming. The focus of the unity must be predicated on equality, mutual respect and recognition for each other's rights and values. The CSOs believe that the people of South Sudan through their long history of the struggle for democratic change and immense suffering that they have experienced collectively, has served to forge a strong bond of common aspiration and identity.

Those responsible for grave human rights violations including crimes against humanity, and war criminals under NIF Government, previous Sudan governments, the SPLM/A and other armed groups should not be blanket forgiven, but should be brought to court of justice to account for their crimes in accordance with the rule of law and international standards, to ensure that justice is done. Truth and Reconciliation commission should be formed in order to play a greater role in this process of responsibility and accountability.

The task of the CSOs is to mobilize and rally the people of South Sudan around their noble cause of unity, peaceful co-existence and development. This should be undertaken as a matter of priority from the grassroots, regional and national levels of the emerging government in the South so that peace through development is achieved.

2) RESTORATION OF DEMOCRACY, GOOD GOVERNANCE AND RESPECT FOR HUMAN RIGHTS AND FREEDOMS

It will be the CSOs' duty to advocate for creation of an enabling political environment that promotes the growth of a conscious and vibrant civil society capable of fulfilling its tasks in the building of a democratic Sudan. They will also assist in the development of an effective system of administration of justice and rule of law, and influence the government to establish an independent judicial system, efficient law enforcement agencies with appropriate penal and corrective institutions. In addition, the CSOs shall empower the people at grassroots level through participatory democracy to hold public officers accountable at all levels.

Religion is essentially a personal matter for individual concern. Sudan is a home to many religions and the two major ones are Christianity and Islam, there are also traditional Sudanese spiritual beliefs practiced by many others. In the 'old' Sudan, it has been said that there is freedom of religious worship, but in practice this was never the case.

Freedom of expression is also a major source of concern if a truly democratic and peaceful Sudan is to be established. There is need to empower the people and create room for them to be able to speak out for themselves on issues that concern them.

3) NATIONAL PEACE AND THE RIGHTS OF SELF-DETERMINATION

It is the responsibility of the Civil Society Organizations to work hard for support of national peace based on justice and equality regardless of race, ethnic, religions or gender. It will also be the duty of civil society organizations to advocate for fair and just referendum once the peace agreement is signed.

The exercise and mechanism of the right to self-determination are integral parts of the right itself. The working out of these mechanisms, structures and procedures is and should be an immediate task. And once this right has been acknowledged, by implication and justice it cannot be denied to similar people who have been marginalized and fought for equality and justice such as the Nuba, Funj and other periphery groups. The exercise to self-determination for the people of South Sudan and other marginalized areas should be free, fair and under the supervision of the international community.

4) CONSTITUTION MAKING

A constitution for Sudan needs to be formed based on national consensus, a common set of values and minimum universal legal standards while also safeguarding the fundamental rights of Sudanese citizens. The issues of territories, states, their borders, their residents, and their right privileges and duties should be clearly and definitively resolved in the constitution. It should be a people's driven constitution.

5) NATIONAL, REGIONAL DEVELOPMENT AND SECURITY FOR THE PEOPLE

It is the role of the civil society to advocate for the protection and security of the people including their property and general well being. They must also assist in the creation of a conducive environment for voluntary repatriation and reintegration of the people to their home of origin in South Sudan from where they had been displaced to by the war and local conflicts. Both CSOs and the government/governments need to lobby for international humanitarian assistance and donor agencies support to assist in this process by committing necessary resources and services to South. Disarmament and the rights of former combatants in the armed struggle as a matter of great concern and should be a priority. A disarmament commission should be established to research into the proliferations of small arms in Sudan and the region and make appropriate recommendations without delay. Respecting the right of former combatants will be a high priority including providing them with education, skills, employment and other rewards. Disabled former fighters, widows and orphans will all need to be catered for. All efforts must be made to eradicate the existing culture of militarism in Sudan, particularly the South Sudan and the marginalized areas.

There is need for independence of the Judiciary as an institution and judges as state officials should be provided with security of tenure. The courts will play an important role in implementing law and order. The law enforcement agencies; police, prison officers must be transformed so that they become agents of keeping the rule of law and order. They must be actively and genuinely involved in protecting the rights of the citizen.

6) SOVEREIGNTY OVER THE NATURAL RESOURCES

It will be the duties of the CSOs to advocate for the sustainable management of all natural resources within territorial boundaries of South Sudan. The resources include: water, agricultural lands, forestry resources, petroleum deposits and wildlife that belong to the people of South Sudan. Their development and utilization should be in the best interest of the people of South Sudan.

7) SELF-RELIANCE AND SELF-SUFFICIENCY

The CSOs intends to contribute to the restoration of the people's dignity, spirit of confidence and self-reliance through encouraging the development of productive economic activities to replace the dependency syndrome that is as a result of a long period of dependence on relief and humanitarian assistance. The CSOs shall formulate a programme for meeting the nutritional and food security needs of the people of South Sudan. It is hoped that temporary humanitarian interventions and mitigating measures will be introduced to help prop up the people temporarily as permanent ways of making them self-reliant are sought.

International humanitarian assistance shall be conceived within the context of rehabilitation and reconstruction of physical infrastructures such as schools, hospitals, clinics, water wells, etc, and provision of drugs/medicines and school materials and other important necessities. The war has completely destroyed or erased the few economic opportunities that existed in the South. Therefore, whether the peace agreement is signed or not, there is urgent need to rehabilitate the economic infrastructure in the south, and the development of a market should be a top priority.

8) NATIONAL, REGIONAL AND INTERNATIONAL RELATIONS

The CSOs will encourage the establishment of networks, partnerships and building of solidarity across the globe and lobby the Regional Government and National Government (both of the Sudan per the peace accord) to establish cooperation with the international community, especially within the African Union, the European Union and United States of America (USA). These partnerships and cooperation agreements will prove very helpful in conveying of development assistance to help alleviate the abject poverty that affects the people of South Sudan and the other marginalized areas. The IGAD peace initiative must be allowed to continue as a monitoring body to ensure lasting peace.

NESI NETWORK EXPERIENCE

NESI network membership is comprised of 37 community-based indigenous NGOs that are working in the field of relief, rehabilitation, human rights and development. NESI is a formidable part of the new emerging civil society of South/New Sudan.

NESI plays a major role in instilling the spirit and education on democratic principles and structures from the family unit up to the national level aimed at promoting human rights, social justice and equality. The Network works with and helps community groups to identify their needs, priorities and to access timely social services and information. NESI believes that community initiatives are crucial for the success of development projects

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since it is the people and not experts who have solutions to development challenges. This realization has reversed the development paradigm from top-down to bottom-up, from centralized standardization to local diversity and from blue print to learning processes.

NESI also recognizes that because it is not within the government (i.e. the SPLM) itself, it is not subjected to political pressure and control. The Network would like to think that it is trying to build a genuine and a dignified society that respects individuals' basic rights and hence becomes a genuine democratic society.

NESI's development work starts by a belief in self-reliance, giving tools, giving fishing nets and building a healthy society with respect for rights and gender equality. By doing so its member NGOs' programs are all oriented towards that. Most NESI Members, since at least 1994, have been carrying-out intervention programs on:

- i. Food security such as basic agricultural and fishing activities
- ii. Income generation and micro-enterprises schemes
- iii. Basic formal and non-formal education
- iv. Health projects
- v. Human Rights awareness creation and observation
- vi. Lobby and advocacy work
- vii. Civic education
- viii. Human rights monitoring and documentation

Besides, the Network is gradually adopting early warning systems on emergency intervention. In particular, it is trying to activate traditional coping mechanisms. NESI, through its specialized member NGOs has been creating education and communication on human rights violations and abuses.

THE CHALLENGES AHEAD

The Network, in its programs, 90% of it depends on donors and here comes our challenge of how to be totally independent and self-sufficient. Thus, at the Network and individual member NGOs levels, there is a clear need to strategize carefully, albeit, some have already been started, but still it is not enough. Other challenges include how we are working for development in the absence of peace although they should come together. It is not that one can be successful in the absence of the other. That is why it is possible to find some of our Member NGOs operating in the relatively peaceful areas or where there is hardly any peace at all – but their efforts are not in vain! Given this situation, some of NESI Member NGOs are also trying to have peace building components in their programs and developing peace-oriented programs such as civic and human rights education as part of instilling a culture of peace despite the on-going war.

Other challenges are that we have to build a democratic and transparent society by using checks and balances, examples of which, include bodies such as advisory groups/board and general assemblies. In addition, civic education, orientation, strategic planning and

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monitoring and evaluation workshops and training should also help in this democratization process.

As we live in the new-world order of Globalization, NESI is also challenged with bridging the gap between the New Sudanese civil society and the international community. As a start, we do have small liaison offices in neighboring East African countries in order to communicate with the rest of the world. Collectively, the hope is that there is an attempt to improve general infrastructures and movement of Sudanese civil society NGOs inside and outside South Sudan.

With regards to human resource development, NESI also facilitates for on-the-job training for its Member NGOs staff, in addition, the Network also is trying to seek ways to attract and encourage Sudanese professionals in the Diaspora - however, we are also frustrated with donor fatigue and this of course, remains a challenge to us. In summary, below are some of the challenges ahead of NESI:

- To develop self-sufficiency mechanisms (efficient and timely)
- Logistical and natural calamities mishaps such as floods and drought
- Limited funds
- Human resource limitation and inadequacy
- HIV/AIDS
- Illiteracy- education gap
- Gender imbalance
- Export of technical assistance and expertise
- Total poverty
- Moving from relief dependency syndrome to development and sustainable peace