

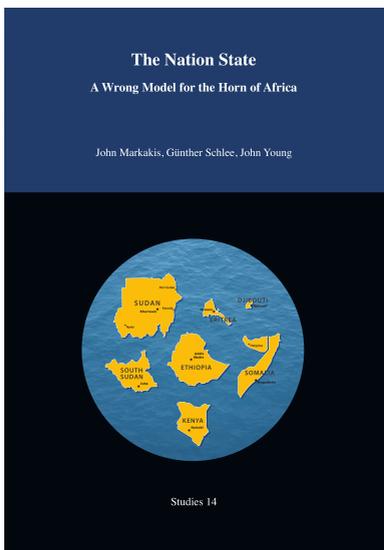
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Chapter 5

Borderlands and Transborder Processes in the Blue Nile Region

Günther Schlee

With a focus on the region between the Blue Nile and the Sobat, located in Sudan, South Sudan, and Ethiopia, this paper engages with cross-border interactions and cross-border comparisons following the separation of South Sudan from Sudan in 2011.¹ This division is reflected in some of the current problems of both South Sudan and Sudan, including the blocking of nomadic routes, redefinition of citizenship, and expulsions. Within the more narrowly defined resulting “states” in both Sudan and South Sudan, access to citizenship and concomitant entitlements are not granted equally to the entire population, even after the aforementioned processes of exclusion. Since late 2013, South Sudan has been in a state of intermittent civil war. Revolution broke out in Sudan in December 2018, leading to the overthrow of President Al-Bashir in April 2019. Rival forces appropriated the revolutionary process, spawning much violence and culminating in a massacre of peaceful demonstrators in June 2019. In August of that year, an interim government that combined military leaders and leaders of the civilian opposition was formed. In this situation, questions like what and who the state is, whom it represents, who belongs to the nation and who to the state, what kind of nation-state is now in the process of forming, and which rights such a formation entails, are far from having clear answers. There is neither agreement on the empirical level (what is going on) nor on the normative level (what is to be done about it).

Like all human institutions, the nation-state is not a thing but a way to speak and a way to act that works as long as it is shared by many people. What is its status in Sudan and South Sudan? Does it grant uniform citizenship (“universal citizenship”) to all its members? Is it just a self-representation addressed at outsiders (like Europeans and North Americans)? Is it an ideal in the head of activists and members of the opposition? Is it contested by people who claim membership or by people who want to keep others out?

Glances across the borders into neighboring areas of Ethiopia, Kenya, and Uganda show that some of these questions loom large much beyond the confines of Sudan and South Sudan. The question raised in the introduction to this volume of whether the nation-state is the right model for the region can be answered in the negative if we take “model” to mean a descriptive model, a model *of* the nation-state as it is, putting aside the question whether it is a suitable model *for* the nation-state, as it ought to be. The political forces at work are not based on identification with the “nation.” Whether this will change in Sudan as a result of the recent regime change remains to be seen. This chapter examines which other identifications are at work in current societal and political changes in the region.

¹ Fekadu Adugna, Carol Berger, Elhadi Ibrahim Osman, Ameyu Godesso Roro, Katrin Seidel, Timm Sureau, and John Young have made substantial comments on earlier versions of this chapter and I am greatly indebted to them.

5.1 The “Nation”-State: Questions of Identity and Cohesion

All three of the largest countries comprising the Horn of Africa have split into two or more parts. There has been the split between Ethiopia and Eritrea (1991), the de facto separation of Somaliland from the fragmented south of Somalia (1991), and most recently between Sudan and South Sudan (2011). This contrasts to the rest of Africa, which has honored the policy of the African Union, formerly the Organization of African Unity, that the boundaries of African states, inherited from the colonies which preceded them, should not be changed.² Focusing on the latest split, that between Sudan and South Sudan, this chapter seeks to explain this tendency toward fission in terms of the insufficient power of integration or insufficient will. It will explore who the state is, with whom the state identifies as a collective actor or a composite of heterogeneous actors, and which segments of the population identify with the state.

Discourses about the state in Africa show the dominance of the modern European nation-state model.³ This model is not only used on the level of the “nation”-states, by unionists and separatists alike. In many places, the administrative boundaries at all levels below that of the “nation” or state have been drawn to create miniature versions of European nation-states by following linguistic or ethnic lines. Africans have not been the only ones to do this. Often, the process had already begun during the colonial period. For the case of northern Kenya we have shown (e.g. Schlee and Shongolo 2012, 115) how miniature versions of “nation”-states have won the day even against economic and ecological imperatives. The drive to create “order” by dividing and subdividing the open range into tribal districts and tribal grazing grounds has done much harm to the pastoral economy by depriving it of some of its flexibility to respond to erratic rainfalls and the uneven distribution of pasture.⁴

Apart from a rather mechanical diffusion of inappropriate models, a degree of rationality may also have been involved in the decision to apply European nation-state models. These divisions might have made control easier, by reducing complexity and introducing ways of perception that fit the state, similar to what Scott (1998) describes in “Seeing like a State.” The ongoing processes of subdivision in recent years can often be explained as the result of a combination of government and local “elite” interests. The government buys acceptance from local “elites” by creating new districts so that there are new jobs, but the bill for these proliferating bureaucracies is paid by the taxpayer.

Founded in July 2011, South Sudan can be seen as the most recent replication of the European nation-state model, which aims at either giving a territory to a nation that existed before in the framework of some larger entity (the Wilson doctrine) or creating a nation for a territory that previously had a heterogeneous population but had not perceived itself as a nation (nation building). Either way, it is about building congruence between two entities: a nation and a territory. We have learned to accept this congruence as normal, and non-congruence as somehow deviating from the norm. But on closer inspection, territory, which refers to a surface area and is rather a material, and nation, which is a semiotic construct about a collective of people who can also be categorized in dozens of other ways, are unlikely candidates for congruence. One may also look at nation and territory as strange bedfellows

² Art. 3, OAU-Charter 1963, OAU Res. AHG/Res.16 (I), Cairo 1964, Constitutive Act of AU; see also Declaration on the AU Border Programme and its Implementation Modalities, BP/MIN/decl.(II) 2007; see also Touval (1967).

³ See Seidel and Sureau (2015); Wassara (2015).

⁴ Schlee (2011); Schlee and Shongolo (2012).

and the territorial nation-state as an odd phenomenon that one would not necessarily have expected to become a global model.

There are northern Sudanese who do not regard the separation of the south as a loss. Rather, for them it meant a contraction to what they perceive as the “real Sudan,” characterized by Arabism and Islam, mirroring the peoples of South Sudan who self-identify as African and Christian. Disregarding the still numerous citizens who do not fit the description of Arabs and Muslims, they saw the more narrowly circumscribed Sudan as a chance to live their culture and religion in a purer and intensified fashion. As they sought the congruence of their nation, their culture, and their state, they were in a tacit alliance with the leadership of the emerging South Sudan. They wanted to “un-mix” the people in support of creating a homogeneous nation-state, or rather two of them, at least in their rhetoric.⁵ Officially, this un-mixing was to be brought about by a referendum, and for that some preliminary division was useful.

The negotiated rules for the referendum stated that southern Sudanese, identified as those belonging to southern “tribes,” would be able to vote regardless of whether they were residents in northern or southern Sudan. In the months leading up to the referendum, the Sudan People’s Liberation Movement (SPLM) opposed the right to vote of southern Sudanese residents in the north. Having established themselves in the north, many of them might have voted for unity. In the end, residents in the north were permitted to vote, but long queues and other impediments made it difficult.

Possible fears by the SPLM that the polls were more vulnerable to fraud by the National Congress Party (NCP) were hardly justified given that separation was by then a forgone conclusion (Young 2012). Whether the NCP actually wanted southern Sudanese to vote for unity is also highly debatable. After the death of John Garang in 2005, the SPLM abandoned Garang’s stated aim of a united, reformed “New Sudan,” an aim that many of its leaders had only accepted grudgingly. They then embraced the goal of independence. Both sides sought to have their own people in their own territories and did not want any complications, such as the “transnational spaces” social scientists like to talk about, dual citizenship, or special status for minorities.⁶

Attitudes may have changed since 2011, most certainly for marginalized peoples in South Sudan. There, the enthusiasm for freedom from Khartoum and independent nationhood has disappeared in the wake of a new civil war that has killed tens of thousands and displaced millions from their homes. In the last years of the Al-Bashir regime, even NCP loyalists in the north engaged in some form of advocacy for the rights of South Sudanese. Furthermore, the outbreak of renewed civil war in the south saw refugees flee in waves to the north where they were welcomed. Harsh exclusionary policies may have given way to a more relaxed attitude, but this change should not be mistaken as a move towards secularism and pluralism. Rather, it can be explained as the generosity of those who can afford to be generous. Separation has made Islamism in the north only stronger.

The events of 2019 certainly deserve to be labeled a revolution in terms of the courage shown and sacrifices made by many young people. The long-term changes, however, have

⁵ To which extent all this involved sincere intentions and had realist prospects is, of course, debatable. As explained, the Arabic-Islamic identification offer in the north, was not comprehensive enough and did not fit nor appeal to important segments of the nation. “Nation building” in the south soon changed into undisguised attempts to spread Dinka domination, as many sceptics in the north had predicted.

⁶ See Seidel and Sureau (2015).

yet to be seen. Much of the Freedom and Change movement has a clear secular or religiously liberal and pluralist undercurrent, and peace outside the country (such as withdrawal from the Saudi war in Yemen) and inside the country (such as addressing ethnic claims and regional imbalances) is high on their agenda. Sceptics, however, note that the composition of the “new sovereign council”⁷ formed in August 2019 does not reflect this agenda.

But let us move back to 2011. Instead of dual citizenship and the mutual acceptance of minorities, there was a huge wave of repatriation to South Sudan as soon as that new state was formally founded. Timm Sureau witnessed boatloads of people being shipped up the Nile, often stranded halfway and undergoing all sorts of hardship.⁸ Some South Sudanese in Khartoum gave up their houses and apartments, but did not make it to South Sudan. Now, they live in tents provided by the UN on the outskirts of Omdurman and Bahri (Khartoum North). Others decided to stay and see what would happen. They have not been expelled but have lost their resident status and no longer have a local administration to rely on if they need documentation. Nor are they eligible for such benefits, such as buying consumer goods at reduced prices when they are subsidized by the government during Ramadan. (To be entitled to the subsidized prices, they would have to prove their resident status, not their religious affiliation.) If they are entitled to a government pension, they only receive half of it and are told that if they want it all the matter must be dealt with in Juba, the capital of South Sudan.⁹

In spite of all this, since the beginning of 2014 there have been new arrivals from South Sudan because of the renewed violence.¹⁰ Before the separation one would have referred to them as IDPs (internally displaced persons). Now they are international refugees. This status may (or may not) make it easier for them to be recognized as refugees by the UN and other agencies. In terms of the numbers of refugees, the situation is comparable to pre-2005 wartime. South Sudan, alone, produced as many refugees in this period as the whole of Sudan did when the north was still directly involved (Schlee 2014). The actual benefits of the “international” refugee status, for which South Sudanese in the north are supposedly eligible, is not quite clear. There have been changing positions on this issue within the NCP. The government of Sudan again has given them some special status, maybe to reduce UN involvement. They are, also, no longer the most conspicuous group of refugees. Since 2015, Khartoum has received a substantial number of refugees from Syria who have been granted a secure status and have started to found businesses. They come closer to the type of immigrants the Al-Bashir government wanted to have because they are Arabs, Muslims, and have much lighter pigmentation. Although impoverished Syrians could regularly be seen begging in front of mosques, other Syrians had money or procured money for investment. As a rule, refugees from South Sudan were destitute.

5.2 The Borderlands along the Blue Nile and the Sobat and the “Third Sudan”

The state Blue Nile, with its capital in Damazin, is part of the area for which the 2005 Comprehensive Peace Agreement (CPA) provided “popular consultations”¹¹ (instead of a proper

⁷ <https://www.middleeasteye.net/news/who-sudans-new-sovereign-council>, accessed September 2, 2019.

⁸ Sureau (2017).

⁹ Interview with a Dinka resident of Omdurman by Elhadi Ibrahim Osman, March 2014.

¹⁰ For the political events that led up to the renewed outbreak of violence, see Dreef and Wagner (2013, 23).

¹¹ CPA Ch. I “Self-determination,” Machakos Protocol, Kenya, July 20, 2002, 1.3; https://en.wikisource.org/wiki/Machakos_Protocol, accessed March 16, 2020 Naivasha 31 December 2004, Section B “popular consultation”:

referendum). The CPA stipulated that an elected government needed to be in place before popular consultations began, meaning that the elections were already over by the time the popular consultations were held. The wisdom of that regulation is, of course, questionable, because it means that most of the transition period from 2005 to 2011 was spent without effective broad consultations on this issue. The Sudan People's Liberation Army (SPLA) won across southern Sudan, the NCP in northern Sudan. Each side turned a blind eye to any rigging carried out by the other, and the separation of the country was a foregone conclusion. According to the CPA, the popular consultations should have been held within the interim period, but the elections of the State Legislative Assemblies in the two states were delayed by more than a year. Since the results of the popular consultations were meant to be the basis of deliberations of these assemblies, these were also postponed.

Thousands of people participated and addressed a wide range of issues, including the lack of development and security. According to Article 3 of the Popular Consultations Act, "constitutional, political, administrative, and economic issues" were to be discussed. But the discussions were politicized and narrowed down, by selective reporting and steering the procedures to the alternatives: autonomy (in the SPLA doctrine) versus federalism (not true federalism but a shorthand for the NCP position). As the consultations proceeded, more and more participants appeared to have been coached by one or the other party and made only formulaic statements. So the intended exercise of gathering a broad range of opinions meant to inspire legislative assemblies to look for political implementation was reduced to a kind of opinion poll with a choice between two positions, SPLA versus NCP.¹² The information collected was not suitable for any sort of quantitative evaluation as the participants were not representative and procedures not standardized. Like the CPA itself and other negotiations in and about Sudan and South Sudan, the popular consultations were hijacked by elite positions and reduced to narrowly defined alternatives rather than including a broad range of views and ideas (Young 2015b).

The other state (not in the focus of this chapter) where popular consultations were supposed to be held was South Kordofan, also known as Nuba Mountains. Whereas elections were held in 2010 in the rest of the country, disagreement regarding census figures caused them to be postponed in this region. War broke out when the SPLA did not accept the 2011 election results there. As a consequence, the consultations never took place. Shortly thereafter, war erupted in the Blue Nile.

In the north (the country that continued to be called Sudan after South Sudan had split off), particularly in the Nuba Mountains and Blue Nile states, the locally based forces of the SPLM felt cheated, abandoned, and sold off to the north by their fellow SPLM members in the Juba Government. Within what remained of Sudan, they continued their struggle for a secular "New Sudan," similar to the late Garang's vision of Sudan. The situation for them was not made any easier when, in 2017, the SPLM-N was effectively dissolved with the former chairman, Malik Agar (ex-governor of the Blue Nile state), and the former General

subjecting the comprehensive agreement to the will of the people of the two areas (p. 221), https://peacemaker.un.org/sites/peacemaker.un.org/files/SD_060000_The%20Comprehensive%20Peace%20Agreement.pdf, accessed February 4, 2020.

¹² Carter Center Urges Political Parties and Blue Nile Popular Consultation Commission to Ensure Genuine Dialogue on Key Issues in Blue Nile State, March 21, 2011; Statement on the Recent Developments of the Popular Consultations July 15, 2011, <https://www.cartercenter.org/>, accessed June 6, 2017.

Secretary, Yasir Arman, dismissed by the new chairman, Abdel-Aziz Al-Hilu (ex-governor of South Kordofan).

For the six years of the transitional period (2005–2011), the SPLM was part of a government of national unity,¹³ with northern Sudanese bureaucrats in many cases serving ministers from the south and vice versa. SPLA ministers had NCP deputies and at the end of the day the NCP may have had more leverage. Indeed, all SPLM ministries had NCP deputies, and it was understood that the NCP person held the power. But ostentatious displays of status and conspicuous consumption by southern elites became part of the Khartoum lifestyle. Oil had started to flow. In 1999, Sudan managed to produce enough oil for its own needs for the first time, and since then it became an oil exporting country throughout the CPA period (2005–2011). In 2011, due to the loss of the oilfields in South Sudan, the exported amount decreased, but the oil kept flowing from South Sudan through Sudan to Port Sudan, providing Sudan with high transfer fees. In 2012, the SPLM government in South Sudan stopped oil production because of a disagreement with Sudan on transfer fees to Port Sudan. So, a period of relative peace coincided with a period of a relatively relaxed budget situation.

War and peace also had effects on rural life, even far from the war zone. In the state of Sennar and other areas along the Blue Nile River in which Elhadi Ibrahim Osman, Awad Alkarim Tijani, and I conducted field research in agricultural villages in this period, laborers from the south no longer wore rags but fashionable jeans and T-shirts. The farmers complained that the costs of labor were rising, which put them in a difficult position as prices for their products did not rise proportionally.

Wages in Sudan never have been freely negotiated. Only late in the colonial period slavery has been abolished and been fully replaced by wage labour. Abolition often led to problems because the wages of the ex-slaves often did not meet the minimal costs of living which before had been carried by the masters. Later, large parts of the work force in agriculture has been composed of refugees as a result of the turbulent politico-military history of the country, and as these refugees had nowhere to go back to and nowhere else to go, they had no bargaining power and wages remained depressed. So, cheap labor—at worst, forced, at best, not quite voluntary—from slaves (who received no wages and were kept at low costs) and underpaid refugees, has been an essential part of Sudanese agriculture for most of its history.

Now, the southern Sudanese had other alternatives. They could go to the south where foreign aid poured in, the price of rent in Juba was increasing and Kenyan and Ugandan traders were setting up businesses. There, a remigrant might find employment and at least better chances of survival than before, during the war. To have alternatives elsewhere also gave them a better bargaining position in the north. It would be another six years after the beginning of the CPA period, before the region would see independence and the subsequent expulsions of South Sudanese from Sudan (2011). It is safe to say that it was better to be a southern Sudanese in the north during this period than any point in the past or future.

Most importantly, although fluctuations in the levels of violence in Darfur continued most of northern Sudan experienced peace. Fighting between the SPLA and the South Sudan Defense Forces (SSDF), two long-competing forces within Sudan, ended with the Juba Declaration of January 2006, which provided for the integration of the SSDF soldiers into the SPLA. The engagement of the Sudanese Armed Forces (SAF) had ended with the CPA

¹³ CPA Ch. II “power sharing,” Naivasha May 26, 2004, Part II 2.2.2.1.

in 2005. In northern Sudan, the TV features celebrating martyrs and martyrdom were no longer on the air, and parents no longer needed to fear that their sons would be lured or pressed into the army. Many people might remember these six years as the best time Sudan has ever had. The same was not true in South Sudan, where sporadic fighting particularly affected the Greater Upper Nile (Young 2012). However, in much of the Sudan, especially the central areas of the north, big projects were implemented (or at least started); there was foreign investment, often Chinese, and a building boom. At the time of writing (2016 to 2019) the city landscape of Khartoum is filled with buildings from that period, often only half-finished.

That relatively peaceful period ended when the SPLM governors of the northern Sudan (now Sudan) states of Blue Nile and South Kordofan, lost their offices and took up arms. Since then, both states can be seen in a broader picture, as part of the violent half circle on the new, post-2011, margins of Sudan. This region, called by some Third Sudan, stretches from Darfur via the border regions with South Sudan to the Red Sea. In both Darfur and eastern Sudan (Red Sea, Kassala and Gedaref states) there are armed counter-powers with whom the Khartoum government has had to negotiate. The Darfur “peace process” has dragged on without a conclusion for over a decade, while the Eastern Sudan Peace Agreement, signed in 2006, has never been properly implemented,¹⁴ especially as far as promised development funds are concerned. It is only a matter of speculation of when, rather than if, troubles will resume there.¹⁵

Sudan thus seems to be in the process of shedding its second layer of periphery. After losing South Sudan to independence, it does not even seem able to integrate the proximate south, “the south of the north.” Malik Agar and Yasir Arman want to reform the whole of Sudan, but they will hardly be in a position to do so. Abdel-Aziz al-Hillu advocates self-determination of the Nuba Mountains (South Kordofan). These layers of periphery are best visualized as an onion, whose layers can be removed, one by one, until no onion is left. South Sudan seems to be going down the same path. South Sudan may even break up first.

It is too early to say whether the revolution that started in 2019 will change this pessimistic picture. Peace is high on the agenda of the Freedom and Change movement, and there is plenty of good will to address regional imbalances and to solve the internal conflicts of Sudan. But travelling in Sudan in early 2019, when the demonstrations and sit-ins were in full course in Khartoum, I wondered how little the countryside was affected by these events. Rural people suffered from some of the same shortages, like that of gasoline, which had triggered the crisis. But I was surprised to find that national politics was not the dominant theme in the conversations around me, there. The protests and the convictions articulated in Khartoum and some larger provincial towns seemed to be an urban phenomenon (time of writing: August 2019).

There are also dominant and marginalized ethnicities and regions in South Sudan, but unlike the ongoing¹⁶ violence in Sudan, the recent fighting in South Sudan has not been

¹⁴ GlobalSecurity (2014).

¹⁵ John Young (2006a, 2007) describes the NCP politics of isolating the Beja Congress by striking a deal with their former supporter Eritrea and by insisting of treating the conflicts in the peripheral areas of the Sudan (Darfur, Southern, Kordofan, Blue Nile, Eastern Sudan) strictly as issues to be dealt with separately and in separate fora. See also Pantuliano (2014, 165) and Calkins (2014, 197).

¹⁶ “Ongoing” here does not necessarily mean incessant and high-level. The frontlines in the Blue Nile state and South Kordofan appear to have stabilized and violence may only be intermittent. An army member told me in 2018 how tired the army is of fighting and by 2019 a lot of attention may also have been absorbed by events in Khartoum.

between the center and the margins but within the center itself. Until recently, it has almost exclusively been between two dominant groups that had been fighting for the control of the country for many years. On one side were the Nuer who were mostly in the SSDF and in alliance with Khartoum. On the opposing side were the Dinka, the dominant component of the SPLA that “won” the war of separation (by forcing the government of Sudan to join the peace negotiations that led to the CPA of 2005 and ultimately to separate statehood in 2011). Their so-called win came with the aid of many outside factors, such as political pressure put on Sudan by the US to negotiate for peace, knowing that the SPLA had not come close to defeating the SAF and that parts of southern Sudan were actually controlled by the rival SSDF (Young 2006b). Power games within the SPLM/A have an international dimension because different fractions had different foreign sponsors. But as far as the local and ethnic dimension is concerned, one can say that they have always been between Dinka and Nuer groups and their leaders.¹⁷

The present split in the government has strong parallels with the SPLA’s Dinka-Nuer split in 1991, involving the same Nuer leader, Riek Machar.¹⁸ Though the current, now (2018) five-year-old, conflict initially involved only two ethnicities and can therefore be called an “ethnic conflict,” this term should not mislead us to believe that ethnicity or cultural difference is the cause of it.¹⁹ Rather, it is similarity leading to competition that makes the Nuer and Dinka rivals. They have a long tradition of warfare,²⁰ maintain similar forms of social organization, speak related languages, and, especially because of the large number of Dinka incorporated into Nuer society,²¹ share most of their ancestry.²² They practice similar forms of agro-pastoralism, which means they compete for the same resources. Their leaders and the educated among them also share the common ambition to run the country. The history of conflict between their pastoralist followers, moreover, helps them to mobilize their communities. In fact, the acquisition of the state as a resource and the practice of pastoralism are not just parallel activities but closely interwoven. Army officers and government employees with urban residences might still invest in herds of cattle kept for them by relatives. Lack of trust in the currency leads to money being quickly converted into cattle and ultimately into wives who again give birth to sons, who need cattle for bridewealth, and to daughters, for whom bridewealth might be received. Commanders may have twenty or so wives from different kin groups as a political resource; it narrows the risk of potential revenge by broadening the in-group (Berger 2014). Similarity, not difference, and competition for the same sort of resources, was thus at the root of the renewed outbreak of violence,²³ which started between Nuer and Dinka and later involved others, as far as structural causes are concerned. Of all South Sudanese, the Nuer came closest to the Dinka in terms of fighting skill, warlike traditions, and proximity to state power, and so the Dinka dominated government had more reason to fear Nuer than any other ethnic group. This fear was expressed in private military forces established by Salva Kiir, who were recruited exclusively among coethnics, a system also applied to other government forces.

¹⁷ Hutchinson (2009) ; Johnson (2009).

¹⁸ de Vries (2013, 165); Walraet (2013, 175).

¹⁹ Schlee (2008).

²⁰ Sahlins (1961).

²¹ Sahlins (1961, 339, 341); Evans-Prichard (1940, 125 ff.).

²² For similar dynamics between Nuer and Anywaa, see Feyissa (2011).

²³ Cf. Schlee and Horstmann (2018).

These were the structural causes, but not the triggers of the renewed violence. In December 2013, Dinka-led Juba government forces massacred thousands of Nuer civilians in Juba. The desire to avenge these atrocities led to spontaneous mobilization of Nuer youths. Following a pattern that has existed since 1991, the Nuer youths mobilized community defense forces, known as white army forces, or rather a plurality of such armies because there was no formal military hierarchy encompassing them all. Later, some of these were coordinated with or even incorporated into the regular army contingents loyal to the SPLA-IO. Riek Machar claimed to speak for all of these military forces, “white” or regular (“black”), in the context of internationally sponsored peace negotiations, but the fervor of the Nuer forces was fueled by the desire for revenge against the Dinka and the desire to rid the country of Salva Kiir, who was held responsible for the Juba massacre (Young 2015a, 2016).

Precolonial states in Africa and Asia (if not universally) had the strongest articulation of statehood at the center while their power petered out at the margins into a stateless zone or the weakly controlled margins of another state (Schlee 1992). But in South Sudan, the most recent “nation”-state to come into existence, much of the state-like behavior is exhibited on its margins, on the boundaries. The thesis has been quite plausibly put forward that the country is being built up from its borders, although not so much by borderland peoples as by members of the politico-military class who man border posts and run businesses across the borders.²⁴ Instead of being marginal, the resource-rich and contested boundary with Sudan is the focus of attention, with the other borders also being fertile ground for the emergence of statehood. The state has been able to project such an image even at the border to Uganda, as de Vries (2013, 157) explains in a discussion of a disagreement between local police and the South Sudan government (GoSS) police: “[The local police] felt subordinated and occasionally intimidated by the implied superiority of the GoSS agents, whose understanding of themselves and their role derived from their guerrilla repertoire and their predominantly Nilotic background, which they broadly associate with power.”²⁵

The ongoing fighting in South Sudan reminds us of the factional wars in Somalia in the 1990s in at least one way. Until 2015, the conflicts had not involved marginal people striving for representation, participation, and an end to oppression (which is the pattern seen in South Kordofan and Blue Nile in neighboring Sudan). That is, they do not involve these marginal people *as fighters* or as party to the conflict. They are not fighting; they are being fought about. Some of the protagonists might have political ideas meant to serve the whole country, but the gross demographic picture lets the conflict appear like an internal affair among some dominant groups of Nilotes: “national” leaders and their predominantly²⁶ Dinka or Nuer followers. Inside this ethnic core of the state, the Nilotic nucleus, the Nuer are clearly the numerically weaker part. With some justification, they feel sidelined by the Dinka, but they do compete for power with the Dinka, which is something many groups of the outer margin, especially the non-Nilotes, never dared to do until recently.

²⁴ Schomerus, de Vries, and Vaughan (2013, 2, 9).

²⁵ On the continuities between the wartime military factions and the present South Sudanese army, see Jok Madut Jok (2014).

²⁶ The ethnic base of this political class is broad in terms of numbers as well. The Dinka make up 40% of the population of South Sudan (Dreef and Wagner 2013, 6). This is a high demographic proportion for a dominant ethnic group in the region. In Kenya, the Kikuyu comprise only some 20% of the population, while the Amhara make up about 30% of the Ethiopian population, alongside only 6% of the, until recently (April 2018), dominant Tigray.

In Somalia, there were indeed marginal and oppressed people during the 1990s: the cultivators of the south, some of whom were former slaves and of Bantu origin. They were just a resource to be appropriated by others, at least until some of them had a good harvest and could invest in firearms. Until then, the fighting was about them (along with other resources), not with them and was conducted between northern and central Somali groups of pastoral background with a fighting tradition, not unlike the Nuer and Dinka.²⁷

In South Sudan we can note a similar development. The war started in 2013, triggered by the Juba massacres. The political class situated itself in this conflict to compete for state power. All relevant actors were Nilotes: Nuer or Dinka. But since 2016, much of the fighting has been between Dinka and Equatorians. Just like the agriculturalists in Somalia, the Equatorians rapidly changed from being mere victims to being fighters. A difference between the Equatorians and the agriculturalists of southern Somalia may be that the latter were appropriated as a captive work force along with their land. They were part of the loot. The Equatorians often were just expelled. Their land was needed for Dinka cattle. In Western Bahr al-Ghazal, an identical pattern can be observed. The same is true for the Greater Upper Nile region. SPLM-IO, which has its stronghold there, is a broad house that began as a largely Nuer organization but now includes fighters and politicians from many tribes. Even at its inception, many senior IO officials were from non-Nuer tribes. With the fighting increasingly shifting to the Equatorians, Henry Odwar, an Equatorian, was appointed deputy leader.

Just as there were changing alliances within the northern and central Somali clans and sub-clans, we also find alliances that cut across ethnic divides in the Nuer and Dinka clusters. Being capable of crossing the line and bringing one's followers along is a feature of political and military clout.

Moving on from these comparisons between fighting *with* marginal people and fighting *about* them, we return to Blue Nile and its cross-border dynamics with South Sudan. When the SPLM governor, Malik Agar, did not accept his dismissal and was replaced by an army officer appointed by the president, a full-scale war was waged against him and his followers. One may ask what the Sudan People's Liberation Army-North (SPLA-N) was fighting for after it had become clear that Blue Nile and South Kordofan would not become part of South Sudan. They may have rightfully felt betrayed by South Sudan, but the enemy they were fighting against was in Khartoum, not in Juba. Part of the explanation may be that they still received support from South Sudan, which, in turn, was supported by Uganda. Whether Juba and Kampala have any policy for the people in Blue Nile and South Kordofan may be questioned, but they still find it useful to have allies there who help them limit Khartoum's power in regional politics.

Being on the same side in a conflict does not mean having the same aims. The aims of these foreign powers need to be distinguished from those of local leaders and these need not be the same as those of their followers. Sudan People's Liberation Movement-North (SPLM-N) leadership wanted to use its bases in Southern Kordofan and Blue Nile to build a country-wide insurgency, but has completely failed and now simply wants to use these territories as leverage for political advantage in Khartoum. But people in Nuba Mountains now resent this game and are again demanding self-determination, not wanting to be used as cannon fodder by their leaders looking for higher positions in Khartoum. (Big positions are

²⁷ Schlee (2002) versus Besteman and Cassanelli (1996).

often the reward for stopping fighting, but to get a top position one first has to prove one's military clout.)

After massive ground operations and aerial bombings, new patterns of refugee flow have arisen. For the first time, modern day South Sudan has come to be a country that receives refugees, in addition to having been and continuing to be the source of refugees for many decades. Ingessana, Uduk, and Koma have sought refuge in Upper Nile,²⁸ but how these refugees will fare there in view of the troubles in South Sudan is anyone's guess. In the refugee camps in South Sudan, they have not been unaffected by Sudanese politics either, like the SPLM-N leadership division. There has been fighting between Ingessana and Uduk. The Khartoum government's influence is also felt there.

5.3 War, Politics, and the Disruption of Nomadic Movements

While these groups of sedentary farmers have fled south in large numbers or have crossed into Ethiopia, nomads who used to cross from Sennar all through Blue Nile well into what is now South Sudan have now gotten stuck in Sennar, north of Damazin, for a number of years.

I shall dwell on the example of the region between the rivers Blue Nile and Sobat somewhat longer than on other areas around South Sudan, as that is where I have been doing field research since 1996, including work with Elhadi Ibrahim Osman, Awad Karim Tijjani, and Al-Amin Abu-Manga on "Pastoralism in Interaction with other Forms of Land Use."²⁹ The processes observed and the social and political configurations encountered here, however, find their parallels throughout the whole border zone between Sudan and South Sudan. I will try to point out these parallels here and there, in an inevitably incomplete way.

For many nomads, Sinja used to be the northern turning point of their seasonal north-south migration. In the early 1990s, many Fulbe at the end of their migrations had two options. For a number of years many of them had been moving far into what is now South Sudan while others had been crossing into the Benishangul, Oromia, and Gambella states of Ethiopia.³⁰

A few contextualizing words about Gambella may be in order here. In colonial times, the British had a harbor on the Sobat river (the Ethiopian stretch of which is called Baro) in Gambella and used it to connect this part of Ethiopia to the Atlantic via modern day South Sudan, modern day Sudan, Egypt, and the Mediterranean. In contrast, the French had built a railway from Addis Ababa to Djibouti and tried to steer trade toward the Indian Ocean. The Ethiopian highlands, which separate the rivers flowing west from those flowing east, both literally and figuratively, provided watersheds to foreign influences and trade.³¹ Gambella was on the British side of this watershed and closely connected to what now is South Sudan.

The relationship between Ethiopia and Khartoum, however, tended to be conflictual. The history of these two countries supporting each other's armed opposition is a long one. The SPLA was established in Gambella in 1983 largely at the instigation of the Derg or at least its programmatic commitment to a united Sudan. The Derg support of the SPLA was a way to retaliate against Sudan for its unofficial support of various Ethiopian and Er-

²⁸ James (2013, 216).

²⁹ Schlee and Shongolo (2012); Alkarim and Schlee (2013).

³⁰ Feyissa and Schlee (2009).

³¹ See Triulzi (1981); Zewde (1976, 1991).

itrean rebel groups although support was on a very small scale. The Ethiopian People's Revolutionary Democratic Front (EPRDF) only supported the SPLA after the NCP tried to overthrow the regime and establish an Islamist Ethiopia. EPRDF support for the SPLA also took place in the context of regional opposition to the NCP and this was supported by the US. Gambella, marginal as it may be in all other aspects, was central to these power games. But since 2013 or 2014, in spite of all this, relations between Addis and Khartoum have been surprisingly close, and in 2016 Umar al Al-Bashir even attended the Nationalities Day celebrations in Gambella town, the capital of the state Gambella, as Mossa Hamid Wassie (n.d.) describes. This was neither the first nor the last time al Al-Bashir attended these yearly celebrations in different state capitals of the Federal Republic of Ethiopia.

Some Fulbe considered the Ethiopian direction preferable. On the Sudanese side (now South Sudan), Dinka militias carried out cattle raids and abducted Fulbe women. But in Ethiopia, local opinion started to form against the Fulbe and their cows, which were described as ecologically harmful and having different grazing habits from the smaller and less demanding local cows. Official fears of Islamist terrorism (of which the pastoral Fulbe were unlikely representatives) fanned the flames, and the Ethiopian option was closed to the Fulbe. The generally strained relationship between Ethiopia and northern Sudan, the part with which the West African originating Fulbe were closely associated, and Ethiopian sympathies for the cause of southern Sudan and Sudanese opposition forces certainly were of no help in this situation. Between the 1990 and 2016,³² there appears to have been an interruption of sizable Fulbe movements into Gambella.

What remained was the option to move seasonally into what is now South Sudan. Fulbe migratory groups made arrangements with the local Dinka, sometimes paying for their safety without actually obtaining it. Fulbe actually allied themselves with or joined southern Sudanese militias. Predominantly, however, pastoral Fulbe became even more closely associated with northern Sudan. While the north-south dichotomy and local pressure to identify with one side or the other was certainly not helpful, from the point of view of local arrangements involving pasture and water, it appears to have been inevitable. Osman (2009, 2013a, 2013b) shows how the Fulbe, who formerly had a reputation of being peaceful, evasive, and always preferring withdrawal to a fight, became more militant and assertive with the backing of the Khartoum government. They were not only provided with arms but with a measure of social security as well, receiving *zakat* (which in the Sudanese case stands for a tax for the poor collected by the state) in the case of the death of a provider or loss of animals.

One prominent figure is Salih Bank, a Pullo (singular of Fulbe) from South Kordofan who developed a following in the Blue Nile region and founded the Katiiba Maa Yanoom (the militia of those who do not lie down). He was believed to possess magic powers that would protect his fighters from bullets so that they would not have to seek cover during an exchange of gunfire. He died of bullet wounds in 2002 (Osman and Schlee 2014).

With the CPA in 2005, the SPLM became a legal and recognized party in northern Sudan as well. In Blue Nile, it had a power sharing arrangement involving the rotation of offices with the National Congress Party, the party of President Omar al Al-Bashir. Being in power in what would later become South Sudan, the SPLM/A was the obvious partner for nomadic groups that needed to cross the emerging north-south divide, and many Fulbe made arrangements with them. Some Arab groups succeeded in doing the same, overcoming the

³² Interview by Elhadi Ibrahim Osman at Kineeza, March 31, 2016.

suspicious the SPLM/A had because of the role northern nomads had played in various rival militias.

These arrangements did not help them when South Sudan officially became a separate country in July 2011. Along with many Rufa'a al-Hoi Arabs,³³ the other major pastoral element in the region, the nomadic Fulbe were expelled from South Sudan. With the war renewed after the dismissal of the SPLM governor, Malik Agar, Khartoum again armed the Fulbe, this time against Malik Agar's "rebels." It later disarmed them again, apparently for fear of independent action and under pressure from large land "owners."

In the southern reaches of the state of Sennar, there are now vast spontaneous settlements of Fulbe and Rufa'a whose nomadic routes have been closed. The Khartoum government, remembering the services of their former allies, has decreed that 10 percent of the large-scale mechanized farms should be given back to the nomads to be used as pastures. Many of these farms are in fact technically illegal, as they are not in the zone designated for farming. But the governor (*wali*) of Sennar, himself a large-scale agricultural entrepreneur, has not implemented this directive.³⁴

Ethnic interpretations are easily overdone. Local (Nuba) cultivators in the Nuba Mountains (South Kordofan) have complained about the government's pro-nomad (which in this setting amounts to pro-Arab) bias and spoken of "imposed stock routes."³⁵ In Darfur, the national government is in an uneasy alliance with pastoralist militias, and in many parts of the state well-armed pastoralists go where they like and take what they want.³⁶ These stock routes are defended with little success by range management officers in Blue Nile and Sennar, whose efforts appear somewhat desperate. More powerful players, such as state ministers who double as mechanized farmers, began encroaching on their land a long time ago, even denying rights granted to nomads by higher levels of government.³⁷ For those confronted by more powerful Arabs, having Arab ancestry is of little help.

The stock routes are typically two-kilometer-wide corridors of pastureland that connect wider pockets of pasture with each other and include water points and markets. They are official and well-documented but often disregarded in practice. Pastoralists who are sued for crop damage by farmers who are illegally using the land for agricultural purposes are usually held liable by local councils dominated by farmers. However, pastoralists might be found right and even successfully claim compensation for any harm done to their animals if they make it to a court of law. Judges who are not corrupted by power and money often side with pastoralists as do dedicated range management officers who want to revitalize the official policy, which they find to be good and sustainable for the overall economy and the natural environment. One other civil service group often allies with the pastoralists. At state level, the ministries of agriculture have different departments for rain-fed agriculture, for pasture and fodder, and for forestry. The "forest people" often sympathize with the pastoralists and want to maintain the stock routes. The routes allow for the survival of trees and shrubs (not

³³ Ahmed (1974).

³⁴ The *wali* stepped down in 2015 and has had four successors since, two of them since the regime change in 2019. But still nothing tangible has been done with regard to land allocation and provision of social services to the returnee pastoralists.

³⁵ Komey (2013, 135).

³⁶ Musa Adam Abdul-Jalil (2015) describes the war economy in Darfur. Some traditional stock routes are blocked while pastoralists in other areas are unimpacted and even graze standing crops of agriculturalists with impunity.

³⁷ Schlee (2013).

to speak of grasses and herbs), which would fall victim to bulldozers and plows outside these corridors.³⁸

State representatives, such as those in the forestry department, who prioritize “the creation of public goods,” as Alex de Waal calls it, are rare compared to those who are guided by personal or more small group interests.³⁹ Apart from the occasional support by judges who are concerned with justice and civil servants who want to do their duty, the situation as a whole has forced many pastoralists stuck in Sudan to return to South Sudan, irrespective of cost or safety. Agricultural fields not only encroach on areas reserved for pastoralists, but it has been reported that farmers may even burn the grass and other natural vegetation around their fields to oblige the pastoralists go buy crop residues like the stalks of sorghum left standing after harvest from them.⁴⁰ Such situations put pastoralists in an increasingly difficult position as money is extorted from them wherever they go and necessary resources for their production are more and more commercialized. Across Africa, farmers and herders long had a mutually beneficial relationship. Herders could graze their livestock on stubble fields at no cost, and the manure left behind by the animals was free fertilizer for the farmers.⁴¹ Now, pasture rights on stubble fields are sold. In years when grain production fails, the withered, immature cereals are only accessible with payment. Likewise, in places where grain production is not even attempted, land owners or controllers demand payment to access natural vegetation. The price of stock for slaughter does not reflect these new categories of cost (Osman and Schlee 2014). Pastoralists are fortunate if they get crop residues at all, even for money. Some farmers have been reported to burn crop residues so as to keep pastoralists away. Today, farmers regard dung as a source of seeds of weeds rather than a fertilizer. Agronomic rationality seems to change with group relations. The exclusionist attitude about nomads is transferred to the dung of their animals. All of these incidents pressure pastoralists out of Sudan and back into South Sudan.

Regarding the situation on the border of Kenya and South Sudan at the other end of the country, Immo Eulenberger (2013, 75) states: “Pastoralists on both sides of the border refuse to take [it] more seriously than the vital needs of the animals they rely on [...]. [T]hey routinely expose themselves to the consequences entailed by movement into territory prone to attacks.” Some Fulbe also decided they would have to take their animals back into South

³⁸ Interview by Elhadi Ibrahim Osman and Al-Amin Abu-Manga with Osman Al-Arabi, Damazin, June 16, 2013.

³⁹ “Most members of the political elites of northeast Africa have failed to create basic public goods, and many have abandoned the effort and come to resemble gangsters rather than civic political leaders” (de Waal 2015b, 9). Note that de Waal here speaks of politicians, not of civil servants or judges. Civil servants may of course collude with the political leadership, they may have to carry out orders issued by them, and they may be corrupt. But even de Waal, whose basic point is about venality, underlines the commitment of bureaucrats to maintain order and to keep institutions functional in some cases. For example, he mentions the uninterrupted continuity of statehood in Ethiopia (not all parts of Ethiopia, of course). When the TPLF moved into Addis Abeba and took power in 1991, it was three days before public service salaries were due. The state personnel were told to come to work, and salaries were paid on time (de Waal 2015b). One might call that a transcontinuity, i.e. a continuation across a revolutionary change (Janssen 1992; Schlee 2002). Young notes that the “bureaucratic state” has firmer roots in Sudan than in South Sudan (Young 2015b). This term may refer to commitment rather than technical capability. Alex de Waal observes: “The South Sudanese were perfectly capable of running institutions and developing their country. But Salva Kiir and the leadership had other priorities” (de Waal 2015b, 101).

⁴⁰ Interview Ali Osman al-Arabi.

⁴¹ Fricke (1969; 1979); Diallo, Guichard, and Schlee (2000). Regarding Darfur, Musa Adam Abdul-Jalil (2014, 112) writes: “The nature of that relationship [between pastoralists and farmers] has transformed from complementarity to conflict. The same nomads whom the sedentary used to invite to camp on their farms so that the soil would benefit from animal manure are now barred from passing by the village.”

Sudan, regardless of cost. And the costs turned out to be considerable indeed. Local administrations charge them all sorts of so-called taxes, often one in addition to others, including *dariibat ad-diginiyya* (beard tax, SDG 2,000 (about EUR 220) from every grown man), *dariibat qalam ahmar* (red pen tax, SDG 1,500 from every person), *dariibat ad-dul* (shade tax, SDG 1,500 from every person), *dariibat al-quta 'an* (herd tax, SDG 3,000 to 5,000 according to herd size), *dariibat al-fariq* (camp tax, SDG 20,000 to 30,000 according to camp size). Some Fulbe have gone as far as the Sobat River, paying all along the way.

A note on Fulbe relations with South Sudanese, based on interviews Elhadi Ibrahim Osman conducted with Fulbe elders in the village of Kineeza in Sennar on March 31, 2016, allows us to describe some more aspects of these recent interactions.

Traders from this village in Sudan hire a tractor and a trailer and take consumer goods such as sugar and sorghum flour to the area of Girinti in South Sudan to sell to the pastoral Fulbe groups who congregate there during the dry season. There are no Rufa'a al Hoi in Girinti. The last point they reached is Kashkaash in the Upper Nile area, not far from Buut.

One of these traders stated his dislike of the Nuer because they extract payments from northern traders. He has therefore avoided the Nuer areas (Jikaw and the surroundings of Nasir)⁴² and trades mainly with Dinka. He noted that the way the Dinka treat them is getting better year by year and there is no rigid system of fees and taxes as before. He describes this as a kind of normalization of the relations between the Dinka and northern traders after secession.

In contrast to the Fulbe traders, the pastoral Fulbe have good relations and arrangements with the Nuer allied to Riek Machar. (We repeatedly heard comparisons between Malik Agar and Riek Machar in favor of the latter.) Fulbe relations with the Thawra Jikani (Jikani Revolution, one of the militias), as with the rest of the Nuer, are good as long as the Fulbe make the payments demanded by the Nuer. The traditional authorities of both sides, like the Nuer chief Kong from Daat, the Fulbe leaders Omda Bayda, Omda Osman of Uuda Fulbe, and Omda Adam Gawe (killed in 2017)⁴³ of the Woyla Fulbe, mediate conflicts between their respective groups. Nuer chiefs regularly come to collect money from the Fulbe.

The number of those livestock traders from Sudan has increased and the growing demand has led to rising livestock prices. These traders have more problems with authorities in Sudan than in South Sudan. The Sudanese Armed Forces (SAF) in Buut only allow a limited quantity of consumer goods to go south and confiscate excess goods.

From an interview conducted by Elhadi Ibrahim Osman in Jar Maare just north of Damazin on May 5, 2016, we learned that the Fulbe have benefited from the fighting between the Nuer and the Dinka, which started in December 2013, as they can buy arms from both of them. Fulbe live in the lands of both Nuer and Dinka and have had conflicts with both, but conflicts with the Nuer are reputedly easier to resolve. Since the Nimeiri regime, clashes with the Dinka have led to long lasting hostilities but their clashes with the Nuer have been short. "We disagree with the Nuer today and might agree with them tomorrow."

Fulbe experience the lack of space and freedom of movement in the north as confinement and many of them have to move with their herds to the south. Older herders are tired of the sedentism forced on them in Sudan and join the younger generation with the herds in South Sudan. They say: "Let whatever happens to them also happen to us!" They are

⁴² Nasir town has been under the control of the government, i.e. Dinka, for many years. The trader is referring to the rural areas populated by Nuer pastoralists.

⁴³ He was killed in a quarrel over water allocation. (Conversation with Elhadi Ibrahim Osman, December 7, 2017).

aware of the risks. The south is said to be a place where cattle suffer from flood and flies. Moreover, the place is detached and there are no urban centers or markets anywhere near. One Fulbe sheikh is said to travel as far as Juba riding his bulls.

By contrast, Rufa‘a Arabs have only ventured into the neighboring Renk area of Upper Nile, where parts of the local population are also Arabs. They did not have to pay any taxes there.⁴⁴

On October 23, 2016, the land conflict between Rufa‘a (ex-)nomads who were stuck in Sennar and local forces turned violent. We say “local forces” instead of “the state” or “local (economic) elites” because it is not always clear whether state agents act on behalf of the state or on their own behalf. The redistribution of land had not been carried out systematically. Some land was given to the ex-nomads, but it may have been land for which the yearly fees had not been paid by their agro-entrepreneurial occupants or had reverted to the government ownership for some other reason. People spoke of token transfers. Other areas remained contested. One large-scale farmer, Kenaana by tribe, claimed a field on which Rufa‘a ex-nomads had grown sesame. Rather than letting the Rufa‘a harvest, he told the police that he ceded the field to them and that they should harvest it. The police, in turn, tried to stop the Rufa‘a from harvesting so that they could harvest the sesame for themselves and killed two of them. The others withdrew and informed their clansmen in Mazmuum. A larger Rufa‘a force then attacked the police unit, known as Abu Teera (the ones with the bird), killed many of them, and set a four-wheel drive mounted with a machine gun on fire. They also burned down the farm of the Kenaana man.

The conflict had been foreseeable. A month before, ‘Umar Abu Roof, an SPLA member and former minister in the Sennar state government under the National Unity Government (2005–2011) turned representative of the Rufa‘a family Nazir, had gone to Khartoum to alert the government about the harassment of Rufa‘a returnees from South Sudan by the police and the resulting growing unrest.⁴⁵

Our interviews about these matters point to numerous inequities and paradoxes. Land for ex-nomads who have been cut off from their pastures in South Sudan is normally taken from traditional small-scale farmers rather than the big schemes (*mashaari*). The latter are “registered and everything” and the authorities do not dare to interfere with their holders. According to the presidential order from Al-Bashir, if 1,000 feddan of land were taken from these large allotments then 200 feddan (20 percent) would be given to farmers who had cultivated (sometimes even officially!) inside the stock corridors.⁴⁶ This order was intended to indirectly help the nomads by clearing the routes but they in fact only got back what had been theirs anyhow. If they even got it back. By 2013, only one route had been opened.⁴⁷

In this section we explored an example of the identification of the state or the state class with a certain economic activity (with large-scale agriculture at the expense of pastoralism), be that a relationship of personnel overlap, part-time engagement in different activities, in-

⁴⁴ Conversation with and e-mail from Ibrahim Mustafa Mohammed Ali, Khartoum, March 18, 2014.

⁴⁵ Conversation with Elhadi Ibrahim Osman, Khartoum, November 28, 2016.

⁴⁶ Land within the stock corridors has been allocated officially to agriculturalists by the Ministry of Agriculture of the state of Blue Nile. This designation may help to explain their demanding attitude. Agriculturalists who settle inside the stock routes also use fields as traps (known as *champs piège* in West Africa). They have provoked crop damage in order to be able to sue the pastoralists. They have also acted in quite violent ways. (Interview by Al-Amin Abu-Manga and Elhadi Ibrahim Osman with Omda ‘Usman al-‘Arabi, Damazin, June 16, 2013).

⁴⁷ Interview by Al-Amin Abu-Manga with Mustafa Daa’uud, Administrative Director of Planning, Blue Nile, Damazin, June 19, 2013.

strumentalization of state-derived power for personal business activities, or kinship and patronage relations between the two spheres. Often, it is simply the same persons involved. Umbadda (2014, 42) describes the absentee landlords in possession of large mechanized schemes as being “mostly merchants from major towns, ex-army officers and retired government officials.”⁴⁸

This overlap between state and economy, including violence-based forms of economy, also corresponds with a regional pattern. In Uganda’s Karamoja District, Knighton (2003) discovered another overlap of statehood and economy. In his article “The State as Raider” about Karamoja District, he describes how disarmament of the pastoralists has enormously facilitated cattle raiding by the army. A similar relationship has been found by Walraet in South Sudan. The special relationship between a perceived Dinka domination and statehood in South Sudan has already been briefly mentioned, with Walraet (2008, 53) describing the relations “between the SPLM/A and the numerous Equatorial ethnic groups, who view the SPLM/A as a vehicle of Dinka domination,” as tense. Apart from forcefully appropriating the tobacco grown by the Didinga, Dinka in state employment or connected to Dinka in state employment engage in cattle raiding and have monopolized the transborder cattle trade with Uganda (Walraet 2008). The SPLA, instrumentalized by their Dinka officers, has also attempted to control the artisanal gold mining carried out by Toposa (Walraet 2013, 177). It goes without saying that the proceeds from such activities are not state revenue but end up in the possession of groups and individuals rather than institutions that regulate accountability and pursue institutional purposes. When the so-called nation does not identify with the state, and the state, likewise, does not identify with the nation, then these events beg the question who and what the state is, and who controls it. We shall come back to those questions after dwelling for a few more moments on the connections between armed force and agriculture and some of the consequences of that connection.

5.4 The Militarization of Agriculture and Migration to Europe

That agriculture, in the wider sense that includes livestock production, is increasingly carried out in arms is evident from some of the examples mentioned in the preceding section. Herders have to defend their herds from raiders, including the armed forces of the state. A landowner gives the right to harvest a crop to the police, and the latter do not manage to harvest because they meet armed resistance from those who have planted the crop. The list of examples of armed agriculture can be expanded. In peripheral areas of Ethiopia one can find farms run by army officers with their soldiers as workers and defenders of the crop.

In the area highlighted by this study, the lowlands around the Blue Nile, the president of Sudan stationed a unit of former Janjawiid (known as Janjaweed in an anglicized misspelling) from Darfur as “rapid deployment forces” (“rabbits,” in local pronunciation). For a while, local people compared them favorably with other armed forces, because they were not from the area, not tied to local interests, and also comprised people of pastoralist background. Then their leader, Hemeti, was rumored to have appropriated a large chunk of land near Mazmoum in the part of Sennar and to have started agriculture. Whatever the arrangement was, his soldiers were instrumental in keeping pastoralists out. Local farmers, often those who had leased parts of their land to him, settled around Hemeti’s forces to benefit

⁴⁸ See also, Ahmed (2008, 4).

from their protection.⁴⁹ In other parts of the country, Hemeti is said to have used the Janjawiid to bring gold extraction under his control. (In a different context and over two years later, these Janjawiid became notorious for their brutality against demonstrators in Khartoum. They moved around town in long convoys of Toyota Land Cruiser pick-ups, and it was they, not the military, who emerged from the gate of the military General Command into the camps of demonstrators in front of it and committed the massacre in June 2019. On whose order they acted remains a contested matter. In the context of the negotiations between the Freedom and Change forces and the military in August 2019, an amnesty for the Rapid Support Force has been discussed and Hemeti has become a member of the New Sovereign Council.)

There are two dimensions of this “militarization of agriculture” that deserve to be explored in the future. One is historical and one is contemporary. The first is the obvious parallel with feudalism in Europe, which was based on the same principle, namely armed groups acquiring agricultural lands, exploiting those who cooperate with them and killing those who do not. What are the merits and what are the limits of this comparative perspective? The other one is migration to Europe. Resources in the rural sector are forcefully appropriated by some people. In other words, those resources are taken from others who are deprived of their livelihoods. Typically, those deprived of their rural livelihoods would pursue as much education as they could get, move to a regional town or the capital city, fail to find proper employment, engage in occasional labor or petty trade (like street hawkers), and then try to migrate to Europe or North America. Migration to Europe started with relatively well-to-do people, and it continues to be expensive and no option for the poorest of the poor. It seems to be a phenomenon among those who believe in the promises of education, progress, and development, having pursued these goals to some extent before being disappointed by their failure to bring concrete improvements. The inexpensive areas of Khartoum (not the slums and not the posh areas) are where one hears stories of friends and family who have migrated and may encounter people paying condolences to the families that have lost relatives in the Mediterranean.

The precise links between the militarization of agriculture (and rural injustice and mismanagement in general) and migration to Europe and elsewhere (labor migration to Saudi Arabia is relatively well studied) remain to be explored. It may well be that with new forms of connectivity, smartphones, and the internet, people may jump stages increasingly and move directly from rural areas to Europe.

Migration is, of course, also a point of comparison between the historical and contemporary extensions of the militarized agriculture theme. A large segment of the American population descends from those who fled feudalism in Europe. Much has changed since then; the world has been impacted by colonialism, the Industrial Revolution, and the rise and fall of empires. But some factors have remained. Possession and dispossession of land played a role in the European migration to America just as it does in the African migration to Europe now.

5.5 Identity Issues: Who Is the State and for Whom Does It Exist?

Governments often base some of their legitimacy on the claim that they act in the interest of their people (Schlichte 2004, 150–151). The question of course is: whom do they

⁴⁹ Conversation with Elhadi Ibrahim Osman, Abu Na'ama, December 7, 2017.

regard as their people and how do they produce the image of this representation? These questions are difficult to answer and their responses can vary substantially from case to case as illustrated in a comparison of compensation policies for agricultural landowners whose properties are now submerged by water reservoirs following dam constructions. Around 1970, Lake Nasser in the north of Sudan and the adjacent areas in Egypt filled up due to the construction of the Aswan High Dam, and the Nubian riverine gardens and irrigated fields around Halfa were submerged. The Sudanese government then did the obvious and compensated the displaced farmers with farmland elsewhere. New Halfa was subsequently founded in eastern Sudan on irrigated land in the new Khashm al Girba scheme (Sørbo 1985). People from Wadi Halfa were not used to the occasional rain and had to cope with malaria, but it was still a form of compensation.

Agricultural lands, including prime land for flood recession cultivation, have now been submerged in another area as well, with a ten-meter rise in the dam at Roseiris. The reservoir behind it has expanded accordingly, affecting a large area since it is located in a vast alluvial plain. That this extended, shallow lake also has an enormous surface exposing it to evaporation under a merciless sun is of no concern to the local people but might be an issue to regions downstream, further north. Along the new shoreline and in the area below the dam, where open range and rain-fed agricultural fields will be converted into irrigated land, large portions have been and will be allocated to foreign investors. To the local farmers, and now ex-farmers, this has been promoted as “development,” with the promise that they will find jobs in large-scale agro-businesses. But will they? It is unclear how much labor is actually needed in modern, mechanized farming. In one case, it was obvious that farmers needed to be compensated with land to be able to remain farmers while, in the other case, the demotion from being a farmer to being a laborer on someone else’s farm was presented as a blessing for the affected people. We shall now explore the reason for this difference.

The explanation might be found through an analysis of identity. With whom does the government identify? And who do they identify as the Sudanese people, the people they represent? Does the “nation” include all citizens in the modern sense equally? There is no doubt that the Nubians are real Sudanese. A substantial proportion of the ancestry of the northern riverine Sudanese is Nubian, irrespective of the Arab genealogies tracing patrilineal links back to the Qureysh, the tribe of the Prophet, which many of them have adopted. Even those who claim to be Arab along patrilineal lines would often not deny that their grandmothers were Nubian. But identity becomes more complicated south of Roseiris and Damazin, the area affected by the heightened dam. This region is home to the Gumuz and the Berta, who also live on the Ethiopian side of the border, the Hausa and the Fulbe, who live in Nigeria and Niger as well, and the Ingessana, who have resisted Islamization locally for a long time. Furthermore, there are representatives of many other smaller groups who are descendants of slaves. Their ancestors were not regarded as citizens in any sense, rather as resources, until just over a century ago. It does not seem to occur to the political class that farmers who have lost their farmlands should at least be given the option of holding land elsewhere. It instead appears to be rather a matter of course to them that they should become laborers, and alternatives are not discussed in public.

While the Hausa and the Fulbe have their own traditions of statehood or have lived, like many pastoral Fulbe, in the “gaps” between West African states (Diallo 2008), the Gumuz in Ethiopia have been described by González-Ruibal (2014) as marginal groups with a long history of withdrawal from statehood or resistance against it. The same author describes

the Berta as a composite group with different identities. They trace their history to the Funj kingdom that preceded the 1822 Egyptian conquest of the territory that makes up much of modern-day Sudan. They link themselves to northern Sudanese traders (*jallaba*) and their traditions of Islamic knowledge. But they are also Black, have pagan cultural traditions, and inhabit borderlands. On the Ethiopian side, Islam helps the Berta to differentiate themselves from other Ethiopians. In Sudan, Gumuz and Berta groups in villages along the Blue Nile had long struggled to integrate themselves with their fellow villagers in the vicinity of the state capital of Damazin. The fact that they were treated differently from the Nubians further north may have to do with culturalist and racist discrimination.

In addition, one may wonder whether the advancement of ideas inaccurately called neoliberal about large-scale agriculture in private hands does not play a role in explaining why expropriated landowners in the 1970s were treated better than those expropriated in recent years. Of course, there is nothing liberal about this sort of neoliberalism because it is based on state intervention and forceful allocation of resources to some people at the expense of other people. Land grabbing has become more and more common throughout Africa and the threshold of shame of those who engage in it has become lower and lower. But evidence that governments have the same level of high-handedness in their own ethnic constituencies or in the areas culturally closer to them compared to geographically or culturally distant areas is still missing. We shall come back to this point in connection with Ethiopia.

The expectation (or the pretense) was that the former farmers would become agricultural laborers on what used to be their land. To date, however, the government or the new owners of their former lands so far have not even provided employment for them. In November 2014, I saw a truckload of workers from one of the settlements built for those whose villages had been flooded at Wad an Nayyal, over 100 kilometers to the north. They had been hired as day laborers by the local owner of a rain-fed mechanized agricultural scheme. This form of agriculture was called “semi-mechanized” by Ahmed (2008, 5) because only plowing is done by tractor, and harvesting still requires substantial manual labor. As previously mentioned, labor over successive periods in Sudan has been performed by slaves, West African migrants, and refugees from the war in South Sudan. Following the Comprehensive Peace Agreement (2005), many southern Sudanese returned to southern Sudan or explored other options in 2006 and 2007. Farmers suffered because of the rising costs of labor due to these changes. The new inhabitants of these supposedly modern cities still encountered the demand for cheaper labor in rural areas, although the ones we saw at Wad an Nayyal clearly had not found work anywhere near home.

And what was the situation back at home, in and around the modern cities? This is what one official source had to say:

Resettlement in Blue Nile Over, Karori 2012-11-13

Dams Implementation Unit (DIU), Social Affairs Commissioner Dr Ahmed Al Karori confirmed that the resettlement process for all the citizens affected by the heightening of Roseris Dam is over. ‘We have resettled 20,000 families in 12 modern cities equipped with all the necessary services’. Karori said adding that these services include tarmac roads, bridges, schools, hospitals, mosques, clubs and over 120,000 hectares of agricultural lands. On their part, the citizens affected by the Roseires Dam heightening considered the new settlement towns a good achievement. ‘Citizens are satisfied with the resettlement process, which

was finalized smoothly and now citizens enjoy good services' said Al Amin Abd Al Gadir, Omda of Hamaj tribe that was affected by the heightening of the dam. 'This is the first time that we manage to access the various markets during the rainy season' said Ali Abaker, one of the resettled citizens adding that now his kids get education in schools closer to their homes. It is to be noted that the affected citizens formed cooperative societies to manage the agricultural projects and DIU provided farmers with all machineries and other inputs.⁵⁰

Reality, however, looked very different. The following paragraphs are based on my notes from a conversation with Elhadi Ibrahim Osman in Damazin on November 13, 2014.

Since the heightening of the Roseiris dam was completed in 2012, the reservoir has expanded and large areas have been flooded. The DIU had resettled people from the inundated areas into numbered modern cities, Cities No. 1–12 (*madiina waahid–madiina itna'ashr*). Numbers one to six are on the eastern bank, seven to twelve on the western bank.

Discontent rose in those cities for several reasons. First, the flooded areas were, at times, either larger or smaller than expected. In some regions, officials underestimated how much of the area would be submerged. Whole villages, who had lost their fields and homes, spontaneously resettled in the modern cities, living with relatives or building improvised sheds. They never received compensation of any sort.

Second, farmers in areas with less flooding than expected, where fields and villages remained accessible, were not more fortunate. Their lands had been taken over by the DIU (the right to live in a modern city was presented as compensation) and the DIU now appropriated the resources. Logging rights were sold and trees were felled. Some areas suitable for irrigation were rented to farmers with investment capital. In other cases, the DIU just harvested whichever crops, mainly mango, had grown and shared the returns with the prior owners. Nominally they were to receive one half, and that just for a period of three years, but they say they received only 10 percent of what they earned when they did the harvesting themselves. It goes without saying that the costs and benefits of the DIU were not accounted for and that they just paid "one half" of whatever amount they claimed to have earned.

Third, the situation of the modern city dwellers was further complicated by the military confrontation between the Khartoum Government and the forces of the deposed governor of Blue Nile. An armistice agreement with the SPLA-North (Malik Agar) guaranteed access to merchandize for the city populations, but this agreement was broken by the Sudanese government. Consequently, the cities were raided by the Ingessana, the ethnic group to which Malik Agar belongs. Malik Agar had never pursued policies to favor this group at the expense of others, but rightly or wrongly they were identified with the SPLM-N and had to suffer the consequences. As they were cut off from the supply of consumer goods, they regularly raided the markets of the modern cities. The resettled farmers, on one side, were deprived of land by the expanding lake whereas the new land owners, on the other side, were restricted in their activities by the security situation. No animals could be taken west of the road from Damazin to Geisan. Ingessana would kill herders and drive away the animals.⁵¹

⁵⁰ https://web.archive.org/web/20130708014105/http://www.roseiresdam.gov.sd/en/index.php/home_en/show/62, accessed December 28, 2020. Also cited by Linke (2014, 89).

⁵¹ Suffering in the Blue Nile and Nuba Mountains regions is a major preoccupation in the international community and negotiations are now (2017) under way to grant access to international aid organizations. Both sides fear if one side has control of aid, they will use it to their own advantage. People are made hostage to armed groups. With the break-up of the SPLM-N the situation has even become more difficult (John Young, personal communication).

Fourth, the fortunate former farmers were told that they would receive houses in a modern city as compensation. But these houses turned out to be euphemisms for shacks. Malik Agar, while still governor of Blue Nile, once perforated a wall of one of these so-called houses by throwing a hammer at it in order to demonstrate the inadequacy of these structures. The panels of the walls were made in China and some people attributed a new fungus disease, which affects skin, to the unidentified fibrous substances compressed to form them.

And fifth, the inhabitants of these structures, who either have received no compensation for their former lands and houses or inadequate compensation of the kind just described, are still responsible for utility fees. They pay for the electricity poles connecting them to the supply and for electricity. In principle, there is nothing wrong in paying electricity bills, but their source of income evaporated with their displacement, making such costs extremely burdensome. They must also pay for waste disposal. When their shallow latrines have filled up, they have to wait for enough neighboring latrines to fill to justify calling a truck from Damazin to empty them. During the rainy season, the rain water spreads the waste from the filled latrines evenly across the settlement.

If, in an informal context, one asks government officers about the living conditions of the former farmers of the flooded lands and their entitlements, one gets answers like, “They did not own anything anyhow”; “They are slaves”; “They are not real Sudanese.”

Sadly, Sudan fits into the wider political picture that reflects this kind of graded identification between government and people. There are those who properly belong to the political entity (who represent the image the government has of their people) and others whose membership is marginal or debatable. Ethiopia is conducting similar practices on a potentially larger scale. Properties that belong to families who resisted incorporation into the Ethiopian Empire a little over a hundred years ago and who were victims of slave raids are now in the process of being emptied of people and leased at ridiculously low rates to big agribusinesses. (The same argument is used: they will be much better off as a labor resource without land, settled instead in planned villages, and waiting to be hired as laborers by the very agribusinesses in possession of their former land.)⁵²

In Sudan, the government policy to promote Arab-Islamic civilization, often rather incongruously, provides a basis for distinction between supposedly authentic and inauthentic Sudanese. The discursive power exerted by governmental actors over the question of who is Sudanese has led to a few paradoxes. Darfurians, with a long-established Islamic tradition, are classified as Africans, as distinct from Arab Muslims (note the dissonant terminologies juxtaposing color adjectives with religious affiliations). Other Darfurians, pastoralists with little Islamic erudition and a similarly dark complexion, are classified as Arabs. On the other hand, so-called Nile Arabs of all complexions depict themselves as prototypical Arabs and Muslims⁵³ even though many of them are descendants of the Christian populations of the Nubian kingdoms that persisted well into the sixteenth century. But true or untrue, these classifications have social effects. Darfurians were among the keenest supporters of the National Islamic Front (NIF), until they belatedly realized they were not accepted by the Arab Islamists.

In Ethiopia, a similar line is drawn between the densely populated highlands and the lowlands. The core of the highlands is Semitic-speaking and Christian, but language fami-

⁵² Abbink et al. (2014).

⁵³ de Waal (2004); Beck (2004); Watson and Schlee (2009, 12–15).

lies no longer follow the geographical areas of altitude, nor do religions. Semitic languages are also spoken by those who do not belong to the conquerors but to the conquered, like the Gurage. Likewise, the Cushitic language family has representatives within the imperial core of the highlands (Agaw, Oromo), among conquered highland people (Sidamo, other Oromo groups), and in the lowlands (Somali, yet other Oromo, Arbore, Dasanech) to name but a few. In religious terms, Monophysite Christianity was dominant in the highlands while Catholic and Protestant missions, including Pentecostal missions, were only allowed in non-Christian areas, which is where they made their converts. Islam and traditional forms of belief (those which are not part of a world religion) are also more commonly found in the conquered highlands or in the lowlands, but there are exceptions to all these findings. More clearly than by any linguistic or religious differences, the imperial core of the highlands is circumscribed by a different type of land rights, where smallholders have recognized land property. There, development aims at drawing landed farmers into the commercial sphere. But there are divisions even within these core lands. Since the seventh century, Muslims have been denied land rights in the highlands (H. Ahmed 2006). In the lowlands, however, the lands of pastoralists, agropastoralists, and small-scale farmers are not recognized, and the state claims ownership of all land. Meanwhile, foreign and northern Ethiopian investors can acquire enormous amounts of land declared “uninhabited” for purely nominal fees (Makki 2014). In fact, in spite of the prominence of foreign direct investment in the activist discourse, many of these investors are locals. Most of the land especially in Benishangul-Gumuz and Gambella was given to domestic investors. The term domestic is interesting, here. In 2010, the researcher Fekadu Adugna acquired a list of 104 investors in Benishangul-Gumuz and found that only four of them were foreigners and the remaining were domestic. According to an anonymous student researcher in 2015, one Gumuz man included in the list of investors was the head of the Benishangul-Gumuz Regional State’s Investment Bureau. Estimates of the proportion of Tigrayans among the investors in the lowland lay at 90 percent on the high end while in Tigray itself there are no investments in land from outside the region. The discontent with this state of affairs was among the factors that led to the change of government and the accession of Abiy, an Oromo, to the office of prime Minister in April 2018 and to a violent escalation in 2020.⁵⁴ Just as in Sudan, new economic dynamics, triggered by the 2007–2008 food crisis and the rush for land, have very diverging effects on proper citizens

⁵⁴ According to Al-Jazeera, on Dec. 23, 2020, in the village of Bekoji in Bulen county in the Metekel zone of Benishangul-Gumuz, 207 civilians were murdered. The Ethiopian military claims to have killed 42 of the attackers in the following days. “Meanwhile, nearly 40,000 people have fled their homes due to the fighting, Bulen county spokesman Kassahun Addisu said.” (<https://www.aljazeera.com/news/2020/12/25/death-toll-from-attack-in-western-ethiopia-reaches-222-red-cross>, accessed December 28, 2020) While Al-Jazeera refers to the attackers as unidentified gunmen, it is possible to delineate at least the general ethnic fault lines (without attributing individual guilt): According to my email correspondence with Ethiopian friends the victims of the massacre (“over 260”) were mostly Amhara, Agaw, Shinasha, and Oromo and the attackers were local Gumuz militias. The background of these atrocities is described in the following way: Over the past two to three years, the Ethiopian government was accusing TPLF of recruiting, training, equipping, and financing the local Gumuz to destabilize the area. Tigray, Oromo, and Amhara have been in fierce competition with each other about land and mineral resources, most importantly gold, in Benishangul-Gumuz. Since the coming to power of Abiy as prime minister, the Tigray and their party, the TPLF found themselves in isolation and supported the local Gumuz, to defend the investments of TPLF military leaders and other Tigray in land and gold mining in Beni Shangul-Gumuz. Also foreign powers are suspected to be involved in destabilizing Ethiopia. The sole evidence for this is the interpretation of their interests. Egypt perceives its water supply to be threatened by the Renaissance Dam on the Blue Nile, the Sudan has a border dispute with Ethiopia over a 250 km² stretch of land on the border in eastern Gedaref, the Faqasha area. (Email correspondence, 26/12/2020) The border dispute with Sudan, however, seems to be resolved by nego-

and on marginalized citizens. These recent developments in Sudan and Ethiopia prompt an analysis on a larger scale, specifically through a look at how regional boundaries are drawn.

Governments often go far in accommodating local forces whom they wish to integrate into their system of rule. In Ethiopia, the Tigray People's Liberation Front (TPLF) ousted the centralist government in a movement that supported self-determination. Since then, ethnic federalism and the celebration of diversity have been the official line (Fiseha 2006, 131–138).

For a period of its history, the TPLF went beyond self-determination within Ethiopia and subscribed to secession in the 1976 “TPLF Manifesto.” The secession option was dropped again in 1978. Apparently the TPLF wanted to underline its difference to the Eritrean People's Liberation Front (Berhe 2008). According to Young's (Young 1997b) “Peasant Revolution in Ethiopia: TPLF 1975–1989,” the TPLF was never a separatist movement but supported national self-determination within Ethiopia and also opposed Eritrean separation.

Be that as it may, both positions attribute a strong emphasis on nationalities and with that emphasis in its ideology to the TPLF, making it effectively impossible for them to pursue a centralist line openly when it found itself in power in 1991. With the TPLF at its core, a wider organization was formed, the Ethiopian People's Revolutionary Democratic Front (EPRDF), which comprises many regional branches. The map of the country was redrawn along ethnic lines, replacing earlier administrative units that followed geographical features and lines of communication. There have been remarkable efforts to give local languages the status of literary languages,⁵⁵ often making use of the Latin alphabet, while earlier attempts had used the Amharic syllabary (*fidel*).

Below the level of the regional states, the same patterns are reproduced for smaller units. Ethnic subgroups and minority groups within these states have a special status with separate administrations and cultural rights at the *woreda* (district) or even at the *kebele* (village) level. Thus, all Ethiopians should now have, and many actually do, a territory where they enjoy special cultural entitlements as guaranteed by the constitution⁵⁶ (the limitations of which shall be discussed shortly). Exceptions are those who migrated within Ethiopia, as Mossa Hamid Wassie (n.d.) shows. But the situation is different in regards to material uses of the land, such as the right to till. Here, the Ethiopian government has reverted to remarkably strong centralism. As in Sudan (Umbadda 2014), most rural land is ultimately government land and traditional rights are treated like grants that can be revoked any time, which happens when well-connected private investors come in. In Ethiopia, regional states can lease up to 5,000 hectares to foreign investors while all contracts involving larger chunks of land are the prerogative of the MOARD (Ministry of Agriculture and Rural Development) of the federal government (Rahmato 2011). This situation may have changed recently. According to Fekadu Adugna (personal communication) the question of who allocated the land was more a question of the power relations between the different levels of government than of the law. The late prime minister Meles Zenawi was in a position to assume the right to make allocations of more than 5000 hectares for the federal government while his successor (Hailemariam, in office until April 2018) was not in the same position. According to Ar-

tiation. (<https://www.aljazeera.com/news/2020/12/22/sudan-ethiopia-hold-border-talks-one-week-after-clash/>, accessed December 28, 2020).

⁵⁵ See Griefenow-Mewis (2009).

⁵⁶ See Art. 39, 40 FDRE-Constitution.

article 52 (2) of the federal constitution, the basic land policy and laws are set at the federal level and the mandate to administer land is given to the respective region, not to the federal government. The prerogative to make such allocations reverted to the regional level after the death of Meles Zenawi. Since 2016 land allocations are made again exclusively by the regional level of government. Between 2010 and 2016, however, hundreds of thousands of hectares of land have been given out by federal institutions, and the regional governments now have inherited a lot of headaches to administer them.

Recent literature shows that, in a number of cases, large-scale agro-industrial land yielded a significantly smaller output than the same land when it was previously used by “traditional” smallholders (Catley, Lind, and Scoones (2013); Schlee (Schlee 2013)). Nomadic pastoralism, which Markakis (Chapter 4) regards as obsolete, may also be taken as an example. This seems to apply both to the state farms of the Derg period and to the huge allocations to mostly foreign investors by the present government. Large-scale agriculture may have its advantages in terms of labor efficiency through mechanization and marketable surpluses, but these may vanish if we take into account the large amount of subsistence production that had fed the people living on the land before reallocation. Furthermore, the ecological impact of so-called oily agriculture is questionable, as it needs 12 kilocalories of fossil fuels, mainly for agricultural machinery and the transport of both inputs and products, for the production of one kilocalorie of nutrition. The fact that these government policies are not in the overall interest of the people, of the state, or of the nation again raises the question of identity in government. Governments clearly do not identify completely with the people but rather with some sections of the people more than others. If the people is taken as the reference point for cost-benefit analyses, then the explanation for these apparently irrational policies needs to be sought within narrower identity constructs as well as sub- and transnational clientelistic networks. More specific definitions of identities may also help to explain why some areas are chosen for land to be leased out while others are not.

One dimension of differentiation used to classify people, quite independently of their cultural closeness or association to government personnel, is their usefulness. The government may derive material benefits from certain sections of the population more than from others. In this case, we would not say that the government *identifies* with the kinds of people perceived as useful, because one can tax or exploit people regardless of their similarities or differences. But the government nevertheless has an interest in protecting and maintaining them. Governments try to keep taxpayers in their own territory, and they might even welcome the immigration of taxpayers from elsewhere. Ideally, they tax them in a sustainable way, which allows them to survive, maintain their productivity, and pay tax next year. The dependency of the government on the peoples’ usefulness gives taxpayers a voice. “No taxation without representation” was the war cry of the American revolution. Successful claims to representation may lead to a democracy. History is rich in examples of how *demos* is defined in a democracy. Women and slaves might not be included, or the right to vote might be restricted to property owners, and different categories of people might not have the same number of votes. Even modern democracies, which are theoretically based on “one person one vote,” access to power varies radically for different categories of people according to how constituencies are drawn, whether you need a university degree to stand for parliament (Kenya), how much money you need for a successful campaign (USA), not to speak of universally illegal obstacles to democratic representation like rigged elections, post-election

violence,⁵⁷ and pre-election violence.⁵⁸ In spite of all these caveats, limitations, and shortcomings, one can say that democracy can lead to a kind of identification between the people (or at least the majority of whomever manages to vote) and the state institutions. If people do not vote for representatives who are like themselves, they at least vote for those who reflect their dreams and ambitions. Whether or not elected representatives identify with all taxpayers and vice versa depends on the treatment of minorities. General welfare rather than the prioritization of the interests of citizens who voted for elected officials is the cornerstone of this policy.⁵⁹ This digression into taxes and democracy does not fully solve the problem of “identification with the state and identification by the state” but leads back to it.

But the topic of taxes leads us to another question: if governments (contrary to their own claims) do not identify with the people (at least not in the sense of an undifferentiated whole), do they maybe identify with the state in a fiscal sense? Identification with the state as an apparatus or an institution varies greatly across northeast Africa depending on how established the state is and how long it has existed. Alex de Waal (2015b) reports that when the Tigray People’s Liberation Front (TPLF) moved into Addis Abeba in 1991, and the Mengistu government fled, civil service salaries were due in three days. State employees were told to come to work and to keep the institutions going. The salaries were paid on time. Young (2012) explains that Sudan has a longer tradition of the bureaucratic state than South Sudan. Effective taxation however, seems to be a problem everywhere. A successful state in the fiscal sense would be one that offers good conditions for all branches of the economy and is able to tax them all in a sustainable way. Such a state would strive to gain the loyalty and cooperation of all taxpayers, a similarly broad identification like that of the people as a whole. But an effective system of taxation that is conducive to such a wider coherence appears to be missing. In marginal areas, the state (often a lower level of administrative units) sets up road blocks. Militias and other counter forces to the state might do the same. There, fees are collected for whichever state or anti-state organization has manned the barrier or are turned into bribes for the collectors. This system is a far cry from enhancing productivity and then taxing it.

A road block is a bottleneck. You tax people where they have to pass. Deriving revenue from bottlenecks is characteristic of many African countries. You get money where you most easily get hold of it, not where taxation has the best long-term effects. Charging a foreign investor a fee for leasing a huge area of agricultural land is easier than taxing the hundreds of peasants the investor will chase away. But it may be that the smaller-scale agriculture

⁵⁷ There are numerous examples of African presidents who are voted out of office and simply do not go. They stay on by force. Ultimately, they may agree to some internationally mediated “power sharing” deal, but such an arrangement has little to do with the will of the electorate.

⁵⁸ While large-scale post-election violence, like the 2007–2008 events in Kenya, has occasionally made it into the international media, pre-election violence has received less attention although it is a regular feature of politics in many places. It correlates to ethnic bloc voting. If one can anticipate election results on the basis of the numerical balance of the members of different ethnic groups, the only way to change elections results is by changing this balance. That is done by massacre, expulsion, or intimidation so that people do not register as voters or do not dare to vote. Other frequent features of pre-election violence include the arrest of opposition candidates and interference with the right to assembly (like firing into gatherings of people).

⁵⁹ “The question of the relationship between public welfare and the interests of those in power and their clients to the patron is exchanged for services and goods received by the clients. As a result, the line between the private and the public spheres is so blurred that notions of the public good and of independent civil society are ultimately absent” (Englebert and Tull 2008, 116f).

would have had a higher overall productivity and the effort to tax the peasants effectively, fairly, and sustainably would have paid out.

Another term prominent in the discussion of revenue in Africa is “rent.” Many African states are “rentier states.” They get their budget (and private benefits of the state class) from foreign mining companies. We have argued that paying taxes gives a voice to tax payers. In a rentier system, foreign companies have that voice.⁶⁰

Governments can also be sources of such rent. Governments in the global North pay governments in Africa and Asia for assisting them in the so-called War on Terror. This may have a paradox effect because the recipients of such rent are interested in a “non-zero level of terrorism” (de Waal 2015b, 185). “Many in the jihadist camp will probably find it more profitable to switch to the counter-terror business, and will find that they can organize an optimal level of terrorist threat such that US counter-terror aid continues” (de Waal 2015b, 126).

To examine different forms of revenue and the incentives they provide to different kinds of actors, we now move along the Blue Nile upstream into Ethiopia, into the area that used to be western Wollega and is now divided between the Benishangul-Gumuz regional state and Oromia. Recent research by Ameyu Godesso Roro (2017) sheds light on how ethnic federalism works here, on the interplay between ethnicity, organized in a particular system of ethnic federalism, and collective and individual material incentives, mostly connected with land rights.

From Ameyu’s description of the history in and around western Wollega, it seems that the Ethiopian state has historically played a role in the inception or escalation of ethnic conflict and continues to do so today. The liberation movements that caused the downfall of the Derg regime in 1991 also had an ethnic basis.

Some movements, most prominently the Oromo Liberation Front (OLF), were banned from contributing to the design of the new state, meaning the new policies were firmly grounded in TPLF beliefs. Because of the exclusion of some of these parties, the new regime was suspected of continuing the old Semitic⁶¹ dominance, with the Tigrayans now replacing the Amhara as the senior partner in the Semitic core of the state.

In the shadow of this great dichotomy (Semitic core, non-Semitic fringe) we find the local interethnic dyad of Oromo and Gumuz. From the beginning, this relationship was not equal. The Oromo were the senior partners. Oromo clans hosted and protected Gumuz groups, and there have been strong friendships between individuals in the two groups.

With the introduction of commercial agriculture, like cotton production, inequality increased and developed into exploitation. It began under the local Oromo ruler who had become a vassal of Menelik, and increased under Haile Selassie. But there has always been interaction, not separation. Territorial separation, as carried out by the present regime in the name of traditional ethnicity, has never been part of traditional ethnicity. In earlier times

⁶⁰ Somaliland, in spite of the lack of international recognition has been found by many authors a rather well functioning de-facto state. Somaliland is financed not only by port fees but by taxes paid by local telecommunication companies, livestock traders, and many others. The relative stability of Somaliland may be due to the fact that it is an “impecunious” non-rentier state, depending on local sources of taxation and a broad variety of these. This situation may change with international recognition followed by “development aid and mineral extraction” (de Waal 2015b, 140).

⁶¹ Political uses and misuses of the terms “Semitic” and “Semites” abound. In political polemics in Ethiopia, these terms mostly refer to Tigray and Amhara, and not to the minority Gurage and Harrari who also speak Semitic languages.

many of the nationalities of Ethiopia did not occupy mutually exclusive territories, but intermingled. "Ethnic unmixing," a term made infamous by the Bosnian war in the 1990s, is not a consequence of what ethnicity is and always has been all about, but it is a recent change in the character of ethnicity. It is only since 1991 that each of the peoples of Ethiopia have been told that they have exclusive rights to designated territories.

Far from idealizing the past, Ameyu also describes violent interaction, slavery, and armed revolts by Gumuz. Conflicts were aggravated by imperial penetration and heavy taxation. But he also describes forms of conflict resolution by councils of elders and different forms of collective adoption, individual economic partnership, and ritualized forms of interethnic friendship.

Discussing the present regime and the introduction of ethnic federalism, Ameyu questions the sincerity of this notion. Power was never really handed down to the local or the ethnic level. The main problems people have are not with the new federal order but with its absence, with malfunctioning state institutions and the instrumentalization of state institutions by powerful groups and individuals.

In this setting, there was room for maneuver for ethnic entrepreneurs and for strategizing and changing alliances. After an initial connection to the Oromo Liberation Front (OLF), outlawed in 1992, the Gumuz politicians sided with the winner, the ruling EPRDF, and the landscape of political parties was reshaped accordingly. The memories of the past (or the communicated part of these memories) then started to attribute negative evaluations of the shared history of Oromo and Gumuz and to leave out all positive elements.

The main contested issue is access to land at all levels. It is useful at this point to widen the focus from Benishangul and to look at territorial rights and land ownership as described by the Ethiopian constitution of 1994.

The constitution has a speaker: "We, the Nations, Nationalities and Peoples of Ethiopia." This plural speaker or collective author than allocates sovereignty to an equally plural entity, in fact to the same one. Article 8 reads: "(1) All sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia, (2) This Constitution is an expression of their sovereignty."

Article 39 specifies the "Rights of Nations, Nationalities, and Peoples." It focuses on the right of self-determination including secession, and gives language a prominent place: "(2) Every Nation, Nationality and People in Ethiopia has the right to speak, to write and to develop its own language; to express, to develop and to promote its culture; and to preserve its history." It goes on to address the right to establish institutions of government. But the actual relationship to the land of this entity, be it a nation, a nationality, or a people, is not so clear. Do the natural resources of a territory belong to the local nation or nationality that has a right to that land, do they belong to nations, nationalities, and peoples as a whole, at the federal level?

Article 40 specifies that "(3) The right to ownership of rural and urban land, as well as of all property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subject to sale or to other means of exchange." Upon first reading, it sounds as if the land in question belongs to the respective nations, nationalities, and peoples, but a closer reading reveals that it is their "common property." The land belongs to all of them together. In other words, the federal government, as made up by all the nations, nationalities, and peoples of Ethiopia, owns the land.

What follows are two paragraphs that appear to reflect abstract norms rather than enforceable legal rights:

(4) Ethiopian peasants have the right to obtain land without payment and the protection against eviction from their possession. The implementation of this provision shall be specified by law.

(5) Ethiopian pastoralists have the right to free land for grazing and cultivation as well as the right not to be displaced from their own lands. The implementation shall be specified by law.

The next paragraph demands a squaring of the circle:

(6) Without prejudice to the right of Ethiopian Nations, Nationalities, and Peoples to the ownership of land, government shall ensure the right of private investors to the use of land on the basis of payment arrangements established by law. Particulars shall be determined by law.

How the federal government can give land grants to private investors without prejudice to the rights of individual nations, nationalities, and peoples is not specified.

Whereas the constitution typically refers to the “peoples” of Ethiopia, the “Economic Objectives” (Article 89), curiously employs the term “people” in the singular. This distinction makes it clear that development and use of the land are primarily the prerogatives of the federal government. “(5) Government has the duty to hold, on behalf of the People, land and other natural resources and to deploy them for their [natural plural] common benefit and development.”

In other words, every Ethiopian has the right to a piece of land where they can speak their own language, but not necessarily to a piece of land where they can grow what they want in the way they want. To whom the land is granted and along which lines it is to be tilled and developed is decided by the federal government.

In spite of the federal and devolutionist language and the alternating use of people and peoples, it is clear that the land in Ethiopia basically belongs to the rulers and that the higher-level rulers ultimately rule over the lower level rulers.

Ameyu describes how this hierarchical understanding of land rights came about in Benishangul-Gumuz and in former western Wollega in general. The history of land rights in this region began as a method of seizing control of land by a conqueror. Since the sixteenth century, the Oromo have divided up land and allotted it to their clans. When the Gumuz joined the Oromo south of Blue Nile in the late nineteenth century, they had to join an Oromo clan in order to be allocated land. Land allocations were also done as personal gifts to leaders. The Oromo, in turn, had to submit to the Amhara conquest and became part of the empire of Menelik.

The Komo, Gumuz, and other peoples had to seek arrangements with western Oromo chiefs, like Jote Tulu and Moreda Bakare, or they had to withdraw from lands into remote areas, not yet effectively controlled by either Ethiopia or the Sudan. These chiefs first lost their independence and then gradually the autonomy they had been granted when they submitted. The tillers of the land could no longer use it as they or as their coethnic seniors wished and the land was taxed. The situation continued until the end of the monarchy in

1974. The Derg was first to be perceived as liberating the peasants from the feudal economy and actively promoted this perception. At first, it enjoyed a high level of acceptance within the peasantry. The new rule, however, was centralist and was soon perceived as high-handed by many. Resettlement of impoverished peasants from the drought-stricken northern highlands region, forced villagization, and collectivization of land alienated much of the peasantry. The land now no longer belonged to feudal lords but to the people, but with that change came a more distant government.

As the previously cited excerpt from the 1994 constitution shows, the EPRDF has maintained this form of ownership. Land ultimately belongs to the state, and the state can declare land “unused” and lease it to big investors, many of whom are foreigners. Customary and local authorities can allocate small parcels of land, and in some areas, there is a rush to do so before higher levels of government lease land to others. Allocations to different people by competing authorities at the same time are not uncommon under these conditions.

Land rights at a communal level have traditionally rested with clans. Under so-called protective arrangements, the Gumuz were affiliated with Oromo clans, meaning the clan was in effect an interethnic institution. This arrangement resulted in ethnically mixed groups occupying the same tracts of land. With a faulty claim to “tradition,” land rights at this level have become ethnicized since 1991. Gumuz and Oromo have been said to traditionally occupy different territories, and even different ecological zones: the Gumuz the lowlands and the Oromo the highlands. Expulsions in the name of ethnic unmixing were the consequence of supposed tradition.

But the power of the state overrides ethnic rights. The Federal Republic of Ethiopia tends to respect traditional land rights in the highlands, especially the Semitic core areas of Ethiopia, where the land rights of peasants are relatively secure. Here, ethnic privileges have and continue to play a certain role in protecting the rights of Semites from interference by a government dominated by Semites. (Abiy, who became prime minister in April 2018, has enacted many changes, but the long-term impact of his policies remains to be seen. He is considered an Oromo (a speaker of a Cushitic language, although, in effect, he is a polyglot). Conflict in Ethiopia is still violent and inconclusive.) Land-grabbing takes place in the lowlands,⁶² but, there, it affects peasants and pastoralists of different ethnicities alike. The real issue seems to be a class issue: the state class (with internal competition between different levels of government) versus the rest. In all these areas one can say that the real problem is not the rights of the *peoples* but the rights of the *people*.

This is illustrated by Amhara and Oromo settlers who were expelled from the lowlands, which were wrongly but persistently described as the exclusive traditional habitat of the Gumuz. But instead of taking over these lands, Gumuz were restricted to certain areas due to the adverse effects their forms of use were said to have on the forest environment. In

⁶² However, there is significant displacement resulting from urban expansion and industries especially around Addis Ababa. According to unofficial reports, 150,000 Oromo households have been displaced as a result of the expansion of Addis Ababa, without compensation, of course, as the land belongs to the state (Fekadu Adugna, personal communication). This land seizure is an exception in regional terms (highlands versus lowlands) but not in ethno-linguistic terms. The Oromo, after all, are Cushites and not Semites. It is discontent with this policy which led the EPRDF to install an Oromo, Abiy, as prime minister in April 2018. To some extent he was expected to play the Oromo card to satisfy the Oromo opposition. He did not succeed in that. The current violent conflict (end 2020) with the TPLF, in 2018 still the core element of the EPRDF coalition, shows that also the EPRDF (now abolished) misjudged the situation in 2018 in other ways. Abiy not only failed to mollify the Oromo opposition but turned out not to be their man either.

the end, large holdings were given to foreign investors (Roro 2017, 145 f). In cases like this one, we hear much rhetoric about ethnic rights and the protection of minorities, but what materially happens is interaction among elites—the Ethiopian state class and foreign investors.

The resulting situation is far from peaceful. It generates territorial conflict on the interethnic level. Ameyu, therefore, discusses at length the effect of the proliferation of guns and the politics of disarmament on social order, starting with a history of the proliferation of gun ownership in the region under different political regimes. As one of his main findings, he describes the unbalanced way in which small arms control is carried out in the area. As the main (perceived) rivals of the government are the Oromo, and in particular the outlawed OLF, small arms control is vigorously enforced in Oromo areas while the Gumuz remain well armed. (Ameyu argues that the election of an Oromo candidate for prime minister in April 2018 can be seen as a major shift in the ethnic balance of the country. The effects of this change on center-periphery relations in Ethiopia remain to be seen.) There are state-sponsored peace initiatives, but their success is limited. Government politics or policies are often the root causes of ethnic conflicts, but government-sponsored negotiations and peacebuilding activities will hardly bring this to the fore. As to the role of state institutions, they are found to exercise power top down and instrumentalize rather than solve interethnic dissent.

This example may help us to answer some basic questions about ethnic federalism in Ethiopia. Twenty-five years after the present power holders in Ethiopia started what they called the liberation of the nations, nationalities, and peoples from oppressive centralist rule and what political and social scientists call the introduction of ethnic federalism, the ethnic dimension still looms large in the explanations of conflict in Ethiopia. The government is far from having organized a peaceful system of different peoples living under one constitutional system. It still has reason to feel threatened and the recurrent use of excessive brutality can be seen as a symptom of its weakness.

Why is this so? The answers to this question can be sorted into two categories. These two kinds of explanation diametrically contradict each other. One claims that ethnic federalism is wrong because it creates rather than solves ethnic conflicts.⁶³ The other explanation is that ethnic federalism has not gone far enough or even that it has never been tried. Under the guise of a federal institution and rhetoric of ethnic pluralism, the real power still emanates from the center.

Both views are too simplistic. Both are based on a twofold model of identities: identities on a subnational level (nations in a narrower sense, nationalities and peoples in the Ethiopian terminology, ethnic groups in sociological/anthropological diction) and on the national (pan-Ethiopian) level. The national level considers Ethiopia as a whole and as one of the almost 200 “nation”-states that are members of the UN and make up the political world according to common perception. Put simply, the model consists of particular identities within a shared identity and defines political entities at different levels. It is difficult to concretely define the protocol for determining which kind of entity may be granted rights

⁶³ Examples for this position are given by Hussein (2016, 344) who summarizes recent writings on ethnic federalism as deploring its effects like: “the long standing resource-based competitions become, in general, ethnically tainted. Even within a single regional state, the state restructuring ignited rivalry [over group representation [...]] and contrary to the pledges in the constitution] the arrangement led to a gradual indigenization of conflict between and within the regional states,” (numerous references omitted in this quote).

and political powers when the allocation of those rights and powers is at the expense of another entity. These entities are transformed in the process of allocating or withholding rights and powers. In other words, we are not dealing with fixed entities. When an ethnic group or any other political entity defined by a collective identity is given political powers, legal statutes, or territorial rights, its nature is inevitably changed by such decisions.⁶⁴

Ameyu calls this process “the transformation of ‘ethnic’ identities into political identities” (Roro 2017, 4), adding a twist to the Barthian perspective that ethnic identities form and articulate themselves at the boundary with each other. If this interaction takes place in a shared political space with its own institutions, a third element enters the system of binary interaction. The state, the nation, or, more generally, some more encompassing political entity comes in and changes the relation between the other two. Ameyu calls this “politicization,” using the narrow understanding of the term politics to mean something that has to do with states and formal institutions.

A further complication arises if we consider that an implicit assumption in this kind of reasoning is that entities, such as ethnic groups, the federal state, states, and institutions, are actors. The constitutional order provides them with different powers and they interact in consideration of these powers. These entities are subjects (rather than objects) in the sense that they grant powers to other such entities or acknowledge their powers. The Ethiopian constitution, as previously mentioned, has “We, the Nations, Nationalities and Peoples of Ethiopia” as a speaker, as an actor, and as the sovereign. This constitution (or any constitution for that matter) hardly describes the political reality. Ameyu clarifies that “political entrepreneurs make cultural identity politically relevant to their targeted interests. In this view, political entrepreneurs [...] are driven by predetermined instrumental rationality” (Roro 2017, 4). As often as not, the Oromo, the Gumuz, or the government (or any collective defined by identity constructs for that matter) are used selectively and instrumentally by other actors, individuals, or smaller groups in pursuit of their own interests.

If ethnic federalism serves as a means to solve or contain ethnic conflicts, it is implied that the ethnic conflicts existed before and that the state was introduced to resolve the issues. The way in which ethnic federalism works in Ethiopia, however, often generates or escalates problems.⁶⁵ When issues remain unresolved, the current approach seems to be to invest even more vigorously in the tenets of ethnic federalism and to fight the top-down power of local and international political and economic elites. Historically, ethnicity in Ethiopia never took the form of territorial exclusivity. Empowering people and empowering peoples should mean giving everyone a voice, not unmixing people and putting them into separate boxes.

According to an anecdote, Mahatma Gandhi, asked by an Englishman what he thought of Western civilization, answered that he thought that it was a good idea (implying that there had not been much of civilization in the West). In the same vein, one might qualify ethnic federalism in Ethiopia as a good idea.

We find a similar contrast between local perceptions of territorial group rights and administrative policies at a higher level of government in Sudan. There are intense controversies about whose *dar* (homeland) a given territory is in tribal terms. Firstcomers have a

⁶⁴ Cf. Woldeselassie (2017) discusses how the Gurage ethnic group was delineated, how the Siltie in their present composition came into being, whether and in which sense the Siltie were a part of the Gurage, and how the Siltie identity was affected by ethnic federalism.

⁶⁵ Examples of this are also provided by the Ph.D. theses of Fekadu Adugna (2009) and Dejene Gemechu (2011).

strong position and try to deny more recent arrivals any form of political representation in the *idaara ahaliyya* (“Native Administration”). “Recent,” in this sense, can even be a hundred years or so (Calkins 2014, 181). Fulbe and Hausa who arrived in Sudan after the conquest of northern Nigeria by the British in the first decade of the twentieth century are precisely such newcomers in the eyes of the longer established Arabs or Funj along the Blue Nile. As the Arabs and Funj regard themselves as the owners of the land, they grant the Hausa and Fulbe permission to reside there as guests in exchange for whatever they might demand. The Hausa and Fulbe, unsurprisingly, do not accept their status as so-called guests, nor do they acknowledge the authority of their self-proclaimed hosts. With varying degrees of success, they have always claimed rights of their own that are not derived from concessions made by the Arabs and Funj.⁶⁶ All this may soon become obsolete as bigger economic issues take prioritization. When land becomes more valuable, for example, after the expansion of irrigation, higher levels of government will become involved in its allocation. Lines of fission between the central and regional governments have already become visible. Land allocation will reflect the power games between these levels of governance.

The leading strata do not always identify with people who are most like themselves. They may also have an ideal of the people, a vision of how the people should be, which they themselves reflect only to a degree. In spite of intensified internal competition for land in Sudan, the Sudanese government offered 10,000 acres of irrigable land to small-scale Egyptian farmers according to a report by the *Daily News Egypt*, December 13, 2014.⁶⁷ All other sources reported that the area involved was 100,000 acres.⁶⁸ The reasons given touted unity and reflected the rhetoric of a rather distant past (“Sudan and Egypt are one country”) and development (“the great [farming] experience of the Egyptian farmers”). But the role of everyday ethnic nationalism and racism suggests that the farming scheme had a hidden agenda to incorporate a more desirable lighter-skinned population into Sudan. Sudanese people with dark skin encounter discrimination in the marriage market and in employment opportunities, not to mention daily abusive language. Even relatively light-skinned Arab Sudanese do not accept themselves as they are and do not necessarily act in favor of their own people or people who are like themselves. Often, they would like to have lighter skin and to be more Arab (ignoring the non-Arab origins of the Egyptians)⁶⁹ and favor those who correspond to that ideal.⁷⁰

Land and the right to make land deals is the core of political competition across Sudan and beyond. At the Darfur peace negotiations in Doha, the regional movements and the

⁶⁶ Abu-Manga (1999, 2009); Diallo and Schlee (2000).

⁶⁷ <http://www.dailynewsegypt.com/2014/12/13/10,000>, retrieved December 14, 2014.

⁶⁸ E.g. www.africareview.com/News/Sudan-offers-Egypt-farmland; www.news.sudanvisiondaily.com/details.html?rsnpid243584 (both accessed December 24, 2014).

⁶⁹ This argument is not meant to single out the Arab Sudanese as particularly racist. Racial discrimination between Africans is an understudied phenomenon (but see O. A. Eno and M. A. Eno 2014; M. A. Eno 2017) because—understandably—racism against Africans by people of European descent has been much more conspicuous and has shaped a large proportion of anticolonial and postcolonial discourses. For understandable reasons, the critique of White racism against non-Whites has occupied such a central place that, for many, the discussion of other kinds of racism has become a kind of taboo. But, also within the region, one finds parallels to Sudanese racism in Ethiopia, not to speak of Somalia.

⁷⁰ Despite this somewhat paradoxical identity issue, the relationship between Sudan and Egypt is not free of ups and downs. At the time of writing (2017) all the brotherly Arab rhetoric has ended. Sudan has stopped all imports of Egyptian agricultural projects and accuses Cairo of arming Darfurian rebels. Sudan is now close to Ethiopia (John Young, personal communication).

central government agreed upon one issue involving land. The open range would belong to the state, and thus not to the tribes. Disagreement remains, however, on the point of which state is, in fact, involved. The Darfurian movements would like a unified Darfur to be the holder of these rights, while the Khartoum government views itself as the state.

In Ethiopia, such attitudes are not limited to the Semites. González-Ruibal's (2014) research on marginalized groups in western Ethiopia emphasizes that the Oromo, famous for their capacity and willingness to absorb other ethnic groups, do not consider people with very dark skin to be fit for assimilation.

In other cases, most of which involve few natural resources to tempt governments to assume direct control, devolution takes place. Following the logic of the aforementioned Kenyan case, Darfur was subdivided into several internal states with a large number of districts.⁷¹ This approach was clearly a matter of creating administrative posts and political fiefs, and a way for the central government to purchase loyalty. The local demand for these subdivisions is created by the aspirants to these posts.

And what of South Sudan? Does the region's newest state also display some of the tendencies found all around it? Much of rural South Sudan has been far away from any form of modern statehood and the CPA sought to address this issue by bringing "decision-making and budgeting closer to the people" (Rolandsen 2013, 37). This has triggered a process of ongoing subdivision and the creation of more administrative units, even as there has not been enough qualified staff to man the existing administration. Rolandsen identifies two driving forces behind this process. In the absence of a functioning government that would provide services, local government institutions provide nodal points for international networks with missionaries, UN institutions, and NGOs. "Whether a local government office will be able to carry out any of its formal duties is therefore seen as less important than its ability to attract attention of other entities capable of doing so" (Rolandsen 2013, 38).

The other factor is that higher levels of government gain in importance in proportion to the number of units subordinate to them. Salva Kiir introduced 28 states in breach of ARCSS (the 2016 Agreement on the Resolution of the Conflict in the Republic of South Sudan), which was based on ten states and has since created a total of 32 states to increase Dinka control and stop Nuer under Riek Machar from controlling the oil-rich states. Like in the case of territorial policies in the administrative sphere, we also find similarities between South Sudan and its neighboring countries in the case of land allocation for agricultural uses. To the deep frustration of all those who had fought for separate statehood in order to have their own land, by 2011 agricultural land amounting to 9 percent of the country's territory had been allocated to foreign governments, companies, or individual investors (Shanmugaratnam and Lokuji 2012, 4). The ongoing war has stopped deals of this kind for the time being and may make many of these allocations meaningless—maybe the only positive aspect of an otherwise political disaster and humanitarian tragedy.

5.6 Conclusion

In northeast Africa, the light is brighter than in many other parts of the world, ranges in temperature and altitude are wider, and the effects of rule and misrule are more extreme. To be poor in Europe may mean inability to afford a vacation; in northeast Africa, it may mean starvation. To lose power in Europe means to receive a pension or to wait for the next

⁷¹ Hadi (n.d.).

election on the opposition benches. In Africa, it may mean death or exile. Many aspects of society across the African continent may be similar to other parts of the world, but more extreme.

I do not think that we need a special kind of anthropology for northeast Africa or that we need a special kind of political science to explain African politics.⁷² Human nature and the nature of politics is the same there as in the rest of the world. Maybe we can rather see the events that occur in Africa, which are applicable to humankind and their relationships with each other as a whole, in a stronger light and in starker contrast.

Alex de Waal has entitled his recent book *The Real Politics of the Horn of Africa* (2015b). It has its emphasis on material rewards and individual agency. He examines the logic of action of political entrepreneurs on a political marketplace. Ethnic and religious collective identities also find his interest, but mostly from an instrumentalist perspective. Loyalty is basically bought, and political entrepreneurs need a personal budget (rather than a state budget for which they are held accountable) in order to buy loyalty. “What is the price of a militia in Darfur?” is a question which logically comes up in this perspective. For de Waal, identities play a role in the negotiation of the price of loyalty. “Among the ways of reducing loyalty spending are [...] invoking popular solidarity by appeals to ethnicity, nationalism or religion” (de Waal 2015b, 25). “Co-ethnicity is part of the bargain to minimize the risks of a payroll mutiny.” A payroll mutiny is the effect of underestimating the price of loyalty and the effect of co-ethnicity is enhanced if you kill members of other ethnic groups or tribes. The fear of retaliation will then strengthen the cohesion of an ethnically defined fighting force and their loyalty to their leader. Ethnic identities are still relevant even when the conflict has ended. “Darfurians say that ‘conflict defines origins,’ because when disputes come to be settled and compensation paid, everyone must identify with their tribal group which is responsible for paying blood-money” (de Waal 2015b, 54). The same holds true for the Somali⁷³ and others.

De Waal keeps the promise implied in the title of his book and everything he describes is real. But is that all there is to be said about identity? Much of what is described in this chapter can be analyzed in terms of payment for loyalty and individual material benefits. When the president of Sudan wants to allocate land for the northern pastoralists expelled from South Sudan, he wants to reward them for past loyalty and to secure their future loyalty. If the governor of the local state does not follow his directions and keeps the land he is supposed to give to the nomads for himself and his kin, his material benefit (and the support of the network of the local state class turned farmers) is obviously closer to him than the national level politics for which he is not held responsible. But how about the sincere conviction of those who believe to be defending Islam (against the southern “infidels” or the West)? It is difficult to measure the effect of such sincere convictions but it is equally difficult to deny their existence.

This chapter has a broader perspective on political identification. It is not only an instrument; it also defines the beneficiaries. Identity broadens and complicates the self, so that cost-benefit calculations are no longer purely individual but include others to varying

⁷² This is my general position. I also think that we do not need a postmodern sociology to explain postmodern society, nor a postcolonial theory to explain postcolonial power relations nor a postsocialist theory to explain the postsocialist world. I believe that we can only describe different things as different and explain their differences if we look at them from the same theoretical vantage point.

⁷³ Hagmann and Hoehne (2009); Schlee (2017).

degrees. Northern Sudanese favor northern Sudanese not only because they may be of immediate use to them, but because this form of self-identification can be visualized as concentric circles radiating from each individual. These concentric circles allow us to understand the concept beyond pure instrumentalism. Instrumentalism answers the question of how political aims are achieved. Our model also addresses the question of whom political successes are meant to benefit. With the concentric circles, we can visualize that some potential beneficiaries are closer to the decision maker than others and more likely to be included in the cost-benefit analysis (like extensions of the self). In the outer circles people are less likely to be included into these calculations or they are meant to benefit to a lesser degree. Beyond the outer circles, criteria of identification are used in a way to find differences rather than similarities and people are excluded from the benefits resulting from a decision.

The perspective on collective identities and the institutions associated with them (like the people belonging to a state and the state serving the people or serving the nation) leads us to dissolve larger categories into smaller ones. It also encourages smaller groups, who actually share an interest and cooperate with one another, to question their associations with institutions and to look at what institutions actually do rather than what they just claim to do. It is fair to say that this perspective of the relationship between the people and the state is akin to Marxism, which argues that the state does not identify with the interest of the entire people but is the instrument of the ruling class. But again, this claim is overly simplified. A Christian-Semitic bias in Ethiopian politics or a Nile-Arab Muslim bias in Sudanese politics combines people of different economic classes, potentially linked to each other through a relationship of exploitation. These broad categories do not stand for classes. Members of these categories might carry out their struggles with each other in a more sportive or more courteous ways while outsiders might suffer blatant human rights abuses and even be dehumanized. But class is not what unites the insiders; they are united by religion, language, real or fictive genealogy, regional origin, pigmentation, or the language of pigmentation.⁷⁴

“The history of all hitherto existing society is the history of class struggles,” says *The Communist Manifesto*. The following paragraph illustrates this claim: “Freeman and slave, patrician and plebeian, lord and serf, guild-master and journeyman, in a word, oppressor and oppressed, stood in constant opposition to one another.” (Marx and Engels 1848, 14) This position cannot be easily dismissed as far as the driving forces of societal change are concerned, but it does not hold true from a statistical view of the frequency of conflict. There have been peasant wars (between “lord and serf”), yes, but there have been many more wars between lords about the control of territory and the right to exploit the serfs inhabiting it. The economic rival of a slave owner is the other slave owner who competes with him as a cotton producer. Unless the slave owner is stupid and brutal (qualities admittedly frequently found in such types), there is good reason to keep the slaves strong, healthy, and productive. Visible conflict, therefore, occurs primarily within classes rather than between them.⁷⁵

⁷⁴ I recall a scene in which two of my visitors at the University of Bielefeld were standing next to each other. One of my guests identified as Black Brazilian and produced Yoruba style Black art; the other one identified as Arab Sudanese. Guess whose pigmentation was darker.

⁷⁵ On this passage, I have received the following editorial comment: “It is argued that statistically more conflicts happened between slave owners rather than between slaves and slave owners, and that ‘there is good reason to keep slaves strong, healthy, and productive.’ It may indeed be true that there are more conflicts between land owners than there are slave revolts. But it should, nevertheless be made clear that this does not erase the horrors of slavery” I therefore hasten to assure that I am against slavery and do not deny its horrors. It is my mistake to have thought that such assurances were no longer necessary in the 21st century. Here I did not want to make a moral or political

Let us shift from the examples laid out in *The Communist Manifesto* back to the Horn of Africa. The Nubians, who received land as a compensation for their submerged properties, and the Gumuz, who were in no way recompensed for their lost land further south, belong to the same peasant class but were treated differently because they were racially or culturally constructed as different. The government in Khartoum, the state government of Sennar, and the Rufa'a pastoralists were all composed, predominantly or entirely, of people belonging to the same broad ethno-religious category: Arab Muslims. In another of the examples discussed in this chapter, the government in Khartoum wanted land to be redistributed to the Rufa'a, but the Sennar government ignored that wish, and violence sprang up between the Rufa'a and the Sennar police. Here economic differences at various levels (individual, small group, class) overrode ethno-religious sameness. We could go through the entire chapter in this fashion, but the conclusion is clear already. Identity, economic interest, class, ethnicity, and religion cannot be reduced into one collective category. Their individual aspects as well as the many different ways these categories interact must be looked at separately. The use of identity in this context may be instrumental, i.e. a means to maximize benefits, or it may define benefits recipients.

This terminology is borrowed from economics or rational choice theory. The concept of rationality we find here is a means-end relationship, which maximizes the ratio of benefits and costs. If an action achieves its goal at reasonable cost, we call it rational. Many events and decisions in Africa, such as failed states, are not described as rational by outside observers. In some cases, one group of people may benefit greatly from policies while another group carries the cost. From the point of view of those who benefit, any actions taken to implement policies appear quite rational even if the overall cost-benefit ratio looks disastrous. Whom has a failed state failed if those who run it have become rich? Any cost-benefit calculation needs to ask who is supposed to benefit. The answer is usually the decision maker, but sometimes people act in the interest of others.

Far too often, analysts imply that states are designed for the people, although they know this case is rarely true without some differentiation or is plainly wrong in other cases. Goals and targets are attributed to unidentified entities. Failed states are classified as failed because they are believed to have not met their goals. But they have not failed in the eyes of those who became rich from them. Missing the target is often attributed to poor marksmanship. But that assumption presupposes that we know who was aiming and what the target was. International aid agencies react to "missed targets" or "missed development goals" with "capacity building" and "human resource development" in order to overcome the incapacity of African institutions to meet their aims. Such missions will have little impact if the failed state's decision makers are happy with the way the country works because their unstated goals are met. From the perspective of who are blamed for the havoc in South Sudan, the

statement but to point to a more general finding of relevance to conflict theory. It is the similarity of social positions and economic interests which generates competition and conflict. In the example at hand slaves might compete for the favours of their masters, masters might compete for markets for the products of their slaves. Both are examples for conflicts within classes rather than between classes. The phrase that people 'fight out their differences' is misleading. More often they fight out their similarities. In the course of conflict, enemies even tend to become more similar to each other by imitating each other's strategies and symbols. Two book length studies (Schlee 2008, Schlee and Horstmann 2018) abound with illustrations for this general principle. Another example is provided by the Nuer/Dinka relationship (above). I think this is of interest here, because in the present context it diametrically contradicts the central arguments of a classical text, *The Communist Manifesto*, and it is 'counterintuitive' in the sense of diverging from popular parlance and thinking habits.

state has not failed; they have profited from the evolution of events there (de Waal 2015b, 109).

Technocrats ask “how” questions, and economists ask “what” questions in combination with “how much” questions (“how much of what?”). To analyze human interaction (for example, conflict, development, politics, and law) from a social scientific perspective, we must focus on the “who” questions, which have long been understudied. Who identifies with whom? Who acts in favor of whom and against whom? These “who” questions cannot be limited to the biographies and psychoanalysis of individual leaders. They must address collective identifications (Eidson et al. 2017).