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**MEDIATION OUTCOMES FROM THE SECOND SUDAN
CIVIL WAR: AN ANALYSIS OF ABUJA AND IGAD
PEACE INITIATIVES**

by

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December 2013

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ANALYSIS OF ABUJA AND IGAD PEACE INITIATIVES**

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ABSTRACT

Context and process factors influenced mediation outcomes between the Sudan Peoples' Liberation Movement/Army and the government of Sudan during the second Sudanese civil war. This research analyzed the impact of the nature of the parties, mediator, mediator strategy, and mediation timing as contributing factors toward conflict resolution during the Abuja peace process and Inter-Governmental Authority for Development peace initiatives on mediation outcomes.

The factors most influential to mediation outcomes were based primarily on belligerents' perceptions of the usefulness of mediation. Third-party intervention created a forum for the disputants to negotiate, but mediator attributes and strategy had a negligible effect on mediation outcomes. Mediation resulted in failure when parties had not yet encountered conditions that made mediation a viable option to achieve their goals; however, mediation conducted at the right time, when parties were ready to negotiate, resulted in successful outcomes. No single factor determined mediation outcomes, but context variables were the primary determinant of mediation outcomes in Sudan civil war mediations.

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LIST OF ACRONYMS AND ABBREVIATIONS

| | |
|--------|--|
| DUP | Democratic Unionist Party |
| GoS | government of Sudan |
| IGAD | Inter-Governmental Authority for Development |
| IGADD | Inter-Governmental Authority for Drought and Development |
| IPF | IGAD Partners' Forum |
| MOU | memorandum of understanding |
| MEO | mutually enticing opportunity |
| MHS | mutually hurting stalemate |
| NCC | National Constitutional Committee |
| NDA | National Democratic Alliance |
| NIF | National Islamic Front |
| PNC | Popular National Congress |
| RCC | Revolutionary Command Council |
| TMC | Transitional Military Council |
| SAF | Sudanese Armed Forces |
| SANU | Sudan African National Union |
| SPLM/A | Sudan People's Liberation Movement/Army |
| SPDF | Sudan People's Defense Forces/Democratic Front |
| VMT | verification and monitoring teams |

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I. INTRODUCTION

Throughout history, parties involved in violent conflict have used mediation to settle disputes.¹ From 1860 to 1960, international actors attempted to mediate an end to international hostilities more than 300 times.² Forty-six percent of all international crises since the end of the Cold War used mediation, representing a 30 percent increase of incidents from 1918–1989.³ From 1990 to 2005, mediators settled 69 percent of all violent ethnic crises in Africa.⁴

International actors used mediation in 382 cases worldwide from 1945–1995; 52.4 percent of those ended unsuccessfully, and only 5.2 percent saw a full settlement to the conflict.⁵ Although actors' adoption of mediation demonstrated their beliefs in mediation's ability to end conflict, the low success rate suggests that intentions do not dictate outcomes. Mediators have had success rates as low as 5 percent for full resolution and 43 percent for partial settlement of conflicts. Given the low financial investment that

¹ Peter J. Carnevale and Dean G. Pruitt, "Negotiation and Mediation," *Annual Review of Psychology* 43 (1992): 532, <http://division.aomonline.org/cm/Award-Winning-Papers/1998-MIA-Carnevale.pdf>. Carnevale and Pruitt cite mediation that occurred in Mesopotamia; I. William Zartman and Saadia Touval, "International Mediation," in *Leashing the Dogs of War: Conflict Management in a Divided World*, eds. Chester A. Crocker, Fen Osler Hampson, and Pamela Aall (Washington, DC: United States Institute of Peace Press, 2007), 437. They state mediation is as old as history and "has been part of diplomacy since the establishment of the state system in 1648."

² The conditions of what constitutes "conflict" (interstate versus civil war, duration and conflict deaths) and "mediation" differ in each analysis. Edward P. Levine, "Mediation in International Politics: A Universe and Some Observations," *Peace Research Society (International) Papers* 18 (1972), 33–43, quoted in I. William Zartman and Saadia Touval, "Mediation: The Role of Third-Party Diplomacy and Informal Peacemaking," in *Resolving Third-World Conflict: Challenges for a New Era*, eds. Sheryl Brown and Kimber M. Schraub (Washington, DC: United States Institute of Peace, 1992), 241; Kyle C. Beardsley et al., "Mediation Style and Crisis Outcomes," *The Journal of Conflict Resolution* 50, no.1 (2006): 59.

³ Beardsley et al., "Mediation Style," 59.

⁴ Pelin Eralp, David Quinn, and Jonathan Wilkenfeld, "Delivering Peace: Options for Mediators in African Intrastate Crises," in *Peace and Conflict 2012*, eds. J. Joseph Hewitt, Jonathan Wilkenfeld and Ted Robert Gurr (Boulder: Paradigm Publishers, 2012), 91.

⁵ Jacob Berkovitch, "Mediation in the Most Resistant Cases," in *Grasping the Nettle: Analyzing Cases of Intractable Conflict*, eds. Chester A. Crocker, Fen Osler Hampson, and Pamela Aall (Washington, DC: United States Institute of Peace Press, 2005), 107. In the analysis the outcomes are, mediation offered only, unsuccessful, cease-fire, partial agreement and full settlement.

mediation requires, however, should mediators consider attempting mediation even when conditions forecast failure? What explains mediation outcomes? Why do mediation efforts fail at one time and succeed later?

A. PURPOSE

Successful mediation can reduce or eliminate the enormous financial, institutional, social, and human costs of violent conflict. If mediators can improve their understanding of what causes variation in mediation outcomes, then they should be able to enhance conflict resolution success rates. Mediators might reduce the impact of conflict by refining mediation skills or simply applying mediation resources more discriminately to situations where and when they might prove most effective. Understanding why and how events, actors, and situations influence mediation can help practitioners and scholars determine the profitability of future mediation.

No single factor adequately explains mediation outcomes. Rather, mediation outcomes result from factors relating to both context and process. This thesis evaluates process and context factors to determine which are more influential to mediation outcomes. It seeks to explain why mediation might fail in one instance but succeed in another. Multiple mediation attempts during the second Sudan civil war between the government of Sudan (GoS) and the Sudan Peoples' Liberation Movement/Army (SPLM/A) serves as the conflict for analysis for context and process factor evaluation on mediation outcomes. This thesis determined that the absence of a "ripe moment" for mediation results in mediation failures.⁶ Appropriate timing occurs when belligerents perceived mediation as a viable option to achieve conflict objectives. Furthermore, the nature of the party significantly affected mediation outcomes of Sudan peace initiatives and mediator attributes and mediator strategy played a minor role in influencing mediation outcomes.

⁶ I. William Zartman, "The Timing of Peace Initiatives," *The Global Review of Ethnopolitics* 1, no 1 (2001): 10, accessed on 15 August 2013, http://www.ethnopolitics.org/ethnopolitics/archive/volume_1/issue_1/zartman.pdf

From 1983–2005, the North-South Sudanese civil war raged between the GoS and the SPLM/A. During this period, the warring parties attempted mediation several times: The Abuja Peace Conference (1992–1993) and two iterations of The Inter-Governmental Authority on Development (IGAD) Peace Initiative.⁷ IGAD I took place from January 1994–October 2001, and IGAD II from 2002–2005. IGAD II had two phases: May 2002–July 2002 and August 2002–January 2005. Mediation efforts were limited in success and prone to failure for almost a decade of third-party involvement. This thesis examined the relevancy of certain factors to mediation’s success or failure in resolving the North-South Sudanese conflict.

B. LITERATURE REVIEW

In recent years, more countries have turned to mediation to resolve violent conflicts. As a result, researchers expanded their inquiry into mediation’s theoretical application and practice, and examined what determined mediation outcomes. Mediation is “a process of conflict management whereby parties seek the assistance of, or accept an offer or help from, an individual, group, or organization to change their behavior, settle their conflict, or resolve their problem without resorting to physical force or invoking the authority of the law”⁸ Most researchers agree that a complex interplay between conflict conditions, participant (both mediator and disputant) actions and reactions, and expectations determine mediation outcomes. Little analysis exists, however, on how these factors specifically influenced mediation outcomes. Most studies simply present a list of factors without identifying why those factors influenced mediation outcomes.

The literature defines the factors that influence mediation outcomes into context variables and mediation process variables. The literature on context factors examines the nature of the dispute, parties, mediator, and whether the conflict was “ripe” for

⁷ IGAD was originally named the Inter-Governmental Authority for Drought and Development but the group name changed to the Inter-Governmental Authority for Development in 1996.

⁸ Jacob Bercovitch and Allison Houston, “The Study of International Mediation: Theoretical Issues and Empirical Evidence,” in *Resolving International Conflicts: Theory and Practice of Mediation*, ed. Jacob Bercovitch (Boulder: Lynne Rienner, 1996), 13.

mediation.⁹ The literature on process analyzes mediation strategy and role. It is important to note, however, that process and context factors are not mutually exclusive variables. The purpose of the process is to affect the context of the mediation and the context impacts the strategy used and the role of the mediator.

1. Context Factors

Scholarship on mediation views context as a critical element in determining mediation outcomes. The nature of the conflict, parties involved, mediator, and whether a conflict is ripe for mediation each affect mediation outcomes in varying degrees. Scholars prioritize the nature of the conflict as the principal driver; the nature of the parties and mediator and mediation strategy are less influential on mediation outcome. Mediation ripeness is also a critical factor, contingent on conflict issues, parties, mediator and mediator strategy.

Researchers say that the nature of the dispute is the most important determinant of mediation outcomes.¹⁰ Conflict complexity negatively affects mediation outcomes, and mediators have more difficulty resolving them and are thus less likely to be successful when conflicts are ideologically driven.¹¹ Furthermore, the divisibility and intractability of the issues driving conflict significantly affect the likelihood that mediation efforts will succeed.¹² Conflicts of “subjective and emotional issues often provoke fear, resentment

⁹ I. William Zartman, “Ripeness,” *Beyond Intractability*, eds. Guy Burgess and Heidi Burgess (Boulder, CO: Conflict Information Consortium) accessed 15 August 2013, <http://www.beyondintractability.org/essay/ripeness>.

¹⁰ Bercovitch and Houston, “The Study of International Mediation,” 21. Bercovitch and Houston conduct an extensive comparison of the factors that influence mediation outcomes.

¹¹ Jacob Bercovitch and Jeffrey Langley, “The Nature of the Dispute and the Effectiveness of International Mediation,” *The Journal of Conflict Resolution* 37 no. 4 (Dec 1993): 687; Jacob Bercovitch, J. Theodore Anagnoson, and Donnette L. Wille, “Some Conceptual Issues and Empirical Trends in the Study of Successful Mediation in International Relations,” *Journal of Peace Research*, 28, no.1 (Feb. 1991): 12. The following success rates were noted in the authors’ analysis of issues in dispute: Territory-23%, Ideology-10%, Security-27%, Independence-11% and other-50%.

¹² Bercovitch, “Mediation in the Most Resistant Cases,” 119; Timothy D. Sisk, “Peacemaking in Civil Wars: Obstacles, Options, and Opportunities,” in *Managing and Settling Ethnic Conflicts: Perspectives on Successes and Failures in Europe, Africa and Asia*, eds. Ulrich Schneckener and Stefan Wolff (New York: Palgrave Macmillan, 2004), 254.

and distrust that make negotiation and mediation difficult.”¹³ There is no consensus on what conflict conditions produce favorable mediation outcomes. Conflict duration and intensity (fatalities) could improve or worsen mediation success.¹⁴ Researchers agree that the reason for the dispute is the primary determinant of mediation outcomes.

Many scholars in this field maintain that the nature of the parties involved impacts mediation outcomes. Mediators can more easily engage legitimate, cohesive parties with shared norms, cultural values, and sociopolitical similarities, which will lead to higher success rates.¹⁵ Timothy Sisk argues it is important to “look inside groups in conflict. ... the relative balance of power between moderates and hard-liners—those who will fight to the bitter end—is the most important factor in explaining why some countries move to peace and others stay trapped in seemingly incessant war.”¹⁶ Intra-party dynamics affects mediation outcomes. If there are differences in party objectives, then it is less likely that the parties will make a concerted effort to negotiate and mediations are therefore likely to be unsuccessful. This is because group leaders are pulled between different factions to satisfy their varying interests. Furthermore, negotiation delegations may be given different goals by different leaders, unable to satisfy the demands of either.

Aside from factors internal to each of the warring parties, the nature of the relationship between the parties in conflict is also important. David Quinn et al. and others report that mediations are most successful “under conditions of power

¹³ Jacob Bercovitch and Allison Houston, “Why Do They Do It Like This: An Analysis of the Factors Influencing Mediation Behavior in International Conflicts,” *The Journal of Conflict Resolution* 44, no. 2 (2000): 177.

¹⁴ Bercovitch and Houston, “The Study of International Mediation,” 21.

¹⁵ Bercovitch and Houston, “The Study of International Mediation,” 21; Daniel Druckman, and Katherine Zechmeister, “Conflict of Interest and Value Dissensus,” *Human Relations* 23 (1970): 431–438; Glenn, E., et al., “A Cognitive Interaction Model to Analyze Culture Conflict in International Relations,” *Journal of Conflict Resolution* 14: 35–48 as quoted in Gregory A. Raymond and Charles W. Kegley, “Third Party Mediation and International Norms: A Test of Two Models.” *Conflict Management and Peace Science* 9 (1985): 38.

¹⁶ Sisk, “Peacemaking,” 257.

symmetry.”¹⁷ J. Michael Greig and Paul F. Diehl similarly observe that power parity in civil conflicts “both increases the likelihood of full settlement and reduces the likelihood of failure overall ... and conflicts among equals are also more likely to achieve partial agreements and cease-fires than conflicts with an unequal distribution of power.”¹⁸ Ronald J. Fisher notes that “some degree of power balance is necessary before third-party interventions can operate effectively.”¹⁹ Where power parity exists, both sides recognize that they are equally matched, making a violent defeat unlikely; mediation then becomes an acceptable means to end the conflict.²⁰

Findings in the literature have been inconsistent, however, about what effect the nature of the mediator has on the mediation outcomes. Saadia Touval and I William Zartman suggest that the nature of the mediator is important, considering the mediator’s ability to directly influence involved parties.²¹ The mediator’s arrival changes the

¹⁷ David Quinn et al., “Power Play: Mediation in Symmetric and Asymmetric International Crises,” in *International Mediation: New Approaches and Findings*, eds. Jacob Bercovitch and Scott Sigmund Gartner (Washington, DC: Routledge, 2009), 208–209; Beardsley et al., “Mediation Style,” 77; P. Terrence Hopmann, *The Negotiation Process and the Resolution of International Conflict* (Columbia: University of South Carolina Press, 1996), 108 quoted in Quinn et al., “Power Play: Mediation,” 187; Hopmann stated, “Influence is symmetrical when [state] B can use counter-threats or counter-promises to cancel or to in some way substantially negate A’s attempt to influence B. Conversely, influence is asymmetrical when B has little or no such ability to exert influence in reply to A”; Robert Lyle Butterworth, *Managing Interstate Disputes, 1945–1974* (Pittsburgh: University of Pittsburgh Press, 1976) quoted in Bercovitch and Houston, “The Study of International Mediation,” 22; Oran R. Young, *The Intermediaries: Third Parties in International Crises* (Princeton: Princeton University Press, 1967) quoted in Jacob Bercovitch, “Mediation in International Conflict: An Overview of Theory, A Review of Practice,” in *Peacemaking in International Conflict: Methods and Techniques*, eds I. William Zartman and J. Lewis Rasmussen (Washington, DC: United States Institute for Peace, 1997), 145; Bercovitch and Houston, “The Study of International Mediation,” 21; Raymond and Kegley, “Third Party Mediation,” 47.

¹⁸ J. Michael Greig and Paul F. Diehl, *International Mediation* (Cambridge, MA: Polity Press, 2012), 132.

¹⁹ Ronald J. Fisher, “Third Party Consultation: A Method for the Study and Resolution of Conflict,” *Journal of Conflict Resolution* 16 (1972): 67–94 quoted in Ronald J. Fisher, “Methods of Third-party Intervention,” *Berghof Handbook for Conflict Transformation* (Berlin: Berghof Research Center for Constructive Conflict Management, 2001), 19.

²⁰ Marieke Kleiboer, “Understanding Success and Failure of International Mediation,” *Journal of Conflict Resolution* 40, no. 2 (1996): 368; Fisher, “Third Party Consultation,” 92. Fisher noted that “if there is an extreme power imbalance, it is likely that the applicability of third party consultation is severely reduced. In the first place, the more powerful party may have little urge to enter discussions since it has what it wants and feels that it can keep it, and in the second place, the weaker party may feel it that will have no real influence in such discussions.”

²¹ Saadia Touval and I. William Zartman, “Introduction: Mediation in Theory,” in *International Mediation in Theory and Practice*, eds. Saadia Touval and I. William Zartman (Boulder, CO: Westview Press, 1985), 10.

relationship from a two-party to a three-party dynamic and the third-party's interests can be critical to the mediation outcomes.²² Thomas Kochan and Todd Jick caveat this, noting that the, "personal qualities and strategies of the mediator have the greatest impact in cases where the parties are somewhat less sophisticated or where they have not clearly defined their bargaining objectives."²³ Touval and Zartman view the overall impact of mediators as critical to outcomes, while Kochan and Jick consider mediator influence conditionally based on the status of the parties. In either condition, the mediator's ability to influence is based on parties' perception and power of the mediator.²⁴ David A. Brookmire and Frank Sistrunk note that "a mediator perceived to be high in ability exerted more influence on negotiators to move toward the suggested solution ... and a mediator perceived as having high ability was also seen more favorably."²⁵ Jacob Bercovitch states that "what mediators do, can do, or are permitted to do in their efforts to resolve a conflict may depend, to some extent, on who they are and what resources and competencies they can bring to bear."²⁶

Scholars argue that the identity of the mediator (perception/legitimacy) and the resources available (power/leverage) are characteristics that could influence mediator effectiveness or his or her ability to influence results.²⁷ Legitimacy is "the belief that the mediator has the right to prescribe behavior, and derives from a norm that has been accepted by the disputants."²⁸ "Leverage or resources buttress the mediator's ability to facilitate a successful outcome through the balancing of power discrepancies and

²² Frank R. Pfetsch, *Negotiating Political Conflicts* (New York: Palgrave MacMillan, 2007), 154.

²³ Thomas Kochan and Todd Jick, "The Public Sector Mediation Process: A Theory and Empirical Examination," *Journal of Conflict Resolution* 22, no 2 (June 1978): 236.

²⁴ Dean G. Pruitt, "Mediator Behavior and Success in Mediation," in *Studies in International Mediation*, ed. Jacob Bercovitch (New York: Palgrave Macmillan, 2002), 51.

²⁵ David A. Brookmire and Frank Sistrunk, "The Effects of Perceived Ability and Impartiality of Mediators and Time Pressure on Negotiation," *Journal of Conflict Resolution* 24 (1980): 323.

²⁶ Bercovitch, "Mediation in International Conflict," 127.

²⁷ Bercovitch, Anagnoson, and Wille, "Some Conceptual Issues and Empirical Trends," 15.

²⁸ Peter J. Carnevale, "Mediating from Strength," in *Studies in International Mediation*, ed. Jacob Bercovitch (New York: Palgrave Macmillan, 2002), 28.

enhancing cooperative behavior.”²⁹ Amy L. Smith and David R. Smock note that mediation outcomes will more likely be negative when a mediator lacks commitment, resources, or credibility.³⁰ Legitimacy and leverage enable the mediator to engage the parties and influence the mediation proceedings with options, solutions, and recommendations, or to push or pull parties toward an agreement.³¹

Scholars view mediator knowledge of conflict issues through differing lenses. Some suggest that mediators with greater information capacity are more likely to produce a desired outcome than those with low capacity.³² Therein, mediators with an understanding of the complex issues of the conflict are more likely to successfully distill the dispute to its core points, dissect the conflict’s issues, and arrive with proposals for a successful compromise. John Paul Lederach suggests otherwise; he notes that naivety indulges the mediator to ask questions that may bring to light issues that are considered answered or assumed.³³ The lack of detailed understanding influences outcome because through mediator discovery new possibilities are brought to light.³⁴

When examining the nature of the mediator and its impact on mediation outcomes, the scholars also consider the mediator’s purpose for intervening. Bercovitch

²⁹ Bercovitch and Houston, “The Study of International Mediation,” 9; Kleiboer, “Understanding Success,” 371. Kleiboer noted that “ ‘Leverage’ is an elusive element of mediation ... it is not explicitly defined. Overall, it seems to refer to a mediator’s ability to put pressure on one or both of the conflicting parties to accept a proposed settlement. This assumes a mediator has power and influence that can be brought to bear on the parties.”

³⁰ Amy L. Smith and David R. Smock, “Managing a Mediation Process,” *The Peacemaker’s Toolkit* (Washington, DC: United States Institute of Peace, 2008), 26.

³¹ Bercovitch and Houston, “The Study of International Mediation,” 22; Bercovitch, Anagnoson, and Wille, “Some Conceptual Issues and Empirical Trends,” 15; J. Michael Greig and Patrick M. Regan. “When Do They Say Yes? An Analysis of the Willingness to Offer and Accept Mediation in Civil Wars.” *International Studies Quarterly* 52 (2008): 768–769.

³² Burcu Savon, “Mediator Types and the Effectiveness of Information Provision Strategies in the Resolution of International Conflict,” in *International Conflict Mediation: New Approaches and Findings*, eds. Jacob Bercovitch and Scott Sigmund Gartner (London: Routledge, 2009), 109; Jacob Bercovitch and Patrick Regan, “Mediation and International Conflict Management: A Review and Analysis,” *Multiple Paths to Knowledge in International Relations*, eds. Zeev Maoz et al (Lanham, MD: Lexington Books, 2004) quoted in Greig and Diehl, *International Mediation*, 121.

³³ John Paul Lederach, “Cultivating Peace: A Practitioner’s View of Deadly Conflict and Negotiation,” *Contemporary Peacemaking*, eds. John Darby and Roger MacGinty (New York: Palgrave Macmillan, 2003), 36.

³⁴ *Ibid.*, 36.

observes that “the material, political, or other resources mediators invest in the process provide the rationale for their own motives and interests.”³⁵ Mediators may be states, individuals, organizations, or a combination of these; historical linkages between the mediator and the parties influence the purpose for mediator intervention, mediator acceptability, and party willingness to accept solutions.³⁶ Therefore, what the third party seeks and whether it has the power to influence mediation become relevant factors for determining the mediation outcomes. “A mediator is not unlike another party in the conflict-management process whose behavior and performance—what it wants to do, chooses to do, or is permitted to do—are as conditioned by the context and circumstances as the behavior of the adversaries themselves.”³⁷

Within the literature, specialists disagree about the impact of a mediator’s neutrality on mediation outcomes.³⁸ Isak Svensson finds that neutral mediators are more effective in ending conflicts in the short term, but that biased mediators are more likely to reach long-term, sustainable settlements.³⁹ Touval and Zartman report that “mediators must be perceived as having an interest in achieving an outcome acceptable to both sides and as not being so partial as to preclude such an agreement.”⁴⁰ In other words, mediators may be biased as long as that bias does not undermine their ability to reach an agreement. Peter J. Carnevale and Sharon Arad conclude that “apparent impartiality can enhance the attractiveness and influence of a mediator.”⁴¹ While mediators may not be neutral, *per se*, the appearance that they would deal evenhandedly with both sides makes them more

³⁵ Jacob Bercovitch, ed., *Resolving International Conflicts: Theory and Practice of Mediation* (Boulder: Lynne Rienner, 1996): 3.

³⁶ Greig and Regan, “When Do They Say Yes?” 761–763.

³⁷ Bercovitch, ed., *Resolving International Conflicts*, 4.

³⁸ Bercovitch, ed., *Resolving International Conflicts*, 26; Oliver Ramsbotham, Tom Woodhouse and Hugh Miall, *Contemporary Conflict Resolution*, 2nd ed (Cambridge: Polity Press, 2005): 169; Fisher, “Third Party Consultation,” 21; Carnevale and Pruitt, “Negotiation,” 568; Thomas Princen, *Intermediaries in International Conflict* (Princeton: Princeton University, 1992), 25.

³⁹ Isak Svensson, “Who Brings Which Peace? Neutral versus Biased Mediation and Institutional Peace Arrangements in Civil Wars,” *The Journal of Conflict Resolution* 53, no. 3 (June 2009), 463.

⁴⁰ Zartman and Touval, “International Mediation,” 443.

⁴¹ Peter J. Carnevale and Sharon Arad, “Bias and Impartiality in International Mediation,” *Resolving International Conflicts: Theory and Practice of Mediation*, ed. Jacob Bercovitch (Boulder: Lynne Rienner, 1996), 49.

influential in the mediation process, as the parties do not believe that they favor one side. As Marieke Kleiboer describes it: “From the perspective of the disputing parties, a biased mediator may be an attractive option as long as the mediator has particularly strong ties to the party with greater control over the outcome of the conflict.”⁴² She further explains that partiality is usually the exception because “peacemaking is often intertwined with less-altruistic self-interests of mediators.”⁴³

Context factors play a significant role in mediation outcomes. Conflict issues are considered the most important factor followed by the nature of the parties. Within the literature, there remains disagreement on the influence of the mediator or how attributes of the mediator affect mediation outcomes.

2. Process Factors

Some scholars examine mediator strategy as a factor in mediation outcomes. A mediator’s perception of the conflict, the resource availability and the parties’ perception of the mediator are the basis for mediator strategy. Throughout the literature, there are different terms for mediator strategy based on the involvement of mediators in the mediation initiative. The level of involvement escalates from facilitative to formulative to manipulative. The communication-facilitation mediator is an information channel; he/she identifies issues to establish a common ground for negotiations, gains parties’ trust, and builds communication bridges between the parties.⁴⁴ The communication-facilitation mediator is an intermediary between the parties. The formulative mediator proposes solutions and actively attempts to overcome stalemates in the negotiation process.⁴⁵ The formulative mediator brings the parties together and, through persuasion, attempts to resolve dispute issues. The formulative mediator actively provides options but has no force to implement solutions. The manipulator uses power and resources to push the

⁴² Kleiboer, “Understanding Success,” 370.

⁴³ Ibid.

⁴⁴ Bercovitch, “Mediation in International Conflict: An Overview of Theory,” 137.

⁴⁵ Ibid., 138.

parties to a resolution.⁴⁶ The manipulator is a full participant in the negotiations and often directs parties toward solutions. Researchers cite common ground that certain strategies have more likely outcomes, but there is no consensus that one is better or worse. What strategies the mediators use depends on the context in which they are working. Mediators determine their strategy based on context conditions, resources at their disposal and outcome expectations.

Quinn et al. argue that asymmetric conflicts favor a facilitative approach that allowed “parties to control the process while helping them to have fuller information about their relative capabilities ... and improve their relationship with each other.”⁴⁷ The facilitative approach opens lines of communication that previously had been closed. If one party is unaware of the other’s demands, then they could communicate through a facilitative mediator to discover important issues. This discovery goes beyond a mediator’s proposal of solutions or forceful demands; it establishes an open channel where parties could interact in a way that was previously unavailable. The arguments in the literature delineate that post-settlement agreements are most secure when mediators use facilitation because the actors produce their own solutions through voluntary discussion.⁴⁸

Kyle C. Beardsley et al. share similar views. They find that “formulative and manipulative forms of mediation are strongly associated with the achievement of formal agreements.”⁴⁹ Mediators who are more involved and forceful present options that parties might otherwise not consider or accept. Unlike the findings of Quinn et al., those of Beardsley et al. relate to the mediation of parties who were affiliated with each other and recognize the positions of the other party. Additionally, scholars consistently report that manipulation is the most effective style of mediation for securing a formal agreement and reducing tension in the short term.⁵⁰

⁴⁶ Ibid.

⁴⁷ Quinn et al., “Power Play,” 209.

⁴⁸ Ibid., 81.

⁴⁹ Beardsley et al., “Mediation Style,” 77.

⁵⁰ Ibid.

The downside of the manipulative strategy is that rather than negotiating for an acceptable solution, parties could wait for resolution? Manipulative strategies could achieve a short-term solution because mediators could force parties into a settlement that they might later abrogate. Thus, longer-term peace is not well advanced with the manipulative approach. While they may take longer to halt hostilities, facilitative or formulative strategies work better in the longer run. These approaches allow parties to reach an acceptable, mutually determined solution, which could be more binding as parties adopt resolutions of their own free will.

All scholars agree that mediators base their strategies on what they believe could work best and what tools are available. Within the literature, no single approach had a universal outcome and mediators must work within and adapt to the mediation environment in order to influence mediation outcomes. Though different strategies may be employed, mediators may not be effective because the timing of the mediation is not right.

3. Mediation Ripeness

While there is some disagreement in the literature about whether “ripeness” is an attribute of either conflict context or the mediation process, authors widely agree that mediation success rates are highest during “ripe” moments.⁵¹ Patrick M. Regan and Allan Stam are unable to identify “the specific timing of a ‘tipping point’ ... and the timing of diplomacy has important implications for subsequent duration of a dispute, and that tipping points or ‘ripe periods’ exist more likely than not.”⁵² Mediation outcomes are more likely to be positive when mediation is attempted at the right time, but scholars do not agree on the conditions that forecast a ripe negotiation period. Greig and Diehl argue:

⁵¹ Zartman, “The Timing of Peace Initiatives,” 10; J. Michael Greig, “Moments of Opportunity: Recognizing Conditions of Ripeness for International Mediation Between Enduring Rivals,” *The Journal of Conflict Resolution* 45, no. 6 (Dec 2001), 694; Dean G. Pruitt, “Whither Ripeness Theory,” Institute for Conflict Analysis and Resolution, Working Paper 25/2005 (Washington, DC: George Mason University, 2005): accessed on 15 August 2013, http://scar.gmu.edu/wp_25_pruitt.pdf; Dean G. Pruitt, “Readiness Theory and the Northern Ireland Conflict,” *American Behavioral Scientist* 50, no. II (2007); Patrick M. Regan and Allan C. Stam, “In the Nick of Time: Conflict Management, Mediation Timing, and the Duration of Interstate Disputes,” *International Studies Quarterly* 44, no 2 (June 2000): 239–260.

⁵² Regan and Stam, “In the Nick of Time,” 256.

One barrier to successful mediation is getting the parties to the bargaining table under conditions when mediation is most likely to be successful. In general, however, third parties do not offer mediation when it is apt to be fruitful. This disconnect between the timing of mediation and its success is problematic for two reasons. First, it suggests that third parties waste time and energy offering mediation to disputants when it is unlikely to yield positive results. Failed mediation efforts, in turn, run the risk of convincing disputants of the impossibility of managing their conflict, potentially spoiling future mediation efforts. Second, because third parties do not offer mediation when it is most likely to be successful, those conflicts that need third-party assistance the most may not receive the assistance of a mediator when they most need it.⁵³

Some practitioners observe that repeat episodes of mediation do not necessarily improve chances for conflict resolution, but negative experiences appear to decrease future positive mediation outcomes.⁵⁴ Positive mediation experiences between two disputants tend to facilitate more constructive talks in the future, while “the buildup of hostility and past negative interactions make this a difficult context in which to achieve diplomatic progress.”⁵⁵ These findings, while unsurprising, are notable; mediations that continually produce negative results are likely to reduce both the willingness of parties to negotiate and their perceptions of mediation as a viable option to end violent conflict. Lederach, however, suggests that ripe moments do not just happen but are “cultivated.”⁵⁶ Failed mediation efforts do not necessarily decrease parties’ interest to mediation but allow for the development a relationship between the parties; ripeness is nurtured through a process of interactions and facilitates, rather than impedes, successful future mediation outcomes.⁵⁷ Timing is an important consideration; mediation at the wrong time could negatively affect mediation outcomes.

⁵³ Greig and Diehl, *International Mediation*, 136.

⁵⁴ Bercovitch and Jackson, *Conflict Resolution in the Twenty-first Century*, 43.

⁵⁵ Greig and Diehl, *International Mediation*, 133.

⁵⁶ Lederach, “Cultivating Peace,” 34–35. Mediation ripeness can be cultivated by the mediator. External conditions can agents and conditions can also make mediation ripe by creating incentives that push or pull the belligerents to compromise.

⁵⁷ *Ibid.*

Ripeness is built on the parties' readiness to negotiate, a perception, and circumstances within and outside the conflict and the alternatives that mediation offers to violent conflict. Zartman argues that a mutually hurting stalemate (MHS) is a necessary precondition for mediation.⁵⁸ An MHS occurs when "the parties find themselves locked in a conflict from which they cannot escalate to victory and this deadlock is painful to both of them."⁵⁹ MHS explains the desire for mediation based on a need to mediate as the best available option. A mutually enticing opportunity (MEO) is the perception that mediation offers benefits that cannot be achieved through continued conflict or the "issue of the conflict becomes *dépassé*, no longer justifying the bad relations with the other party."⁶⁰ MEO provides incentives for mediation based on future expectations and not the current conflict dilemma. Greig argues that "ripeness occurs when both states [actors] increasingly become willing to move toward less conflictual strategies to achieve a mutually satisfactory outcome."⁶¹ Pruitt's readiness theory argues that actors are more likely to settle due to optimism instead of the last available option.⁶² Within the literature, scholars recognize that parties must perceive mediation, based on positive or negative consequences, as the best option for achieving their aims.

There is consensus in the literature that ripeness is perhaps the most important factor, following the nature of the dispute, in determining mediation outcomes: if neither party is ready to put down arms and negotiate, any talks would fail to make positive strides toward ending the conflict. Conflict that is ripe for resolution results from significant change in belligerents' attitudes and a corresponding acceptance of mediation as a viable solution for mediation. Mediators could influence ripeness by providing a forum for mediation, offering solutions, or creating more favorable conditions through the use of sticks and carrots. But mediation ripeness is also influenced by factors not directly related to the mediator that convince the parties to view mediation as a better

⁵⁸ Zartman, "The Timing of Peace Initiatives," 8.

⁵⁹ Ibid.

⁶⁰ Ibid., 14.

⁶¹ Greig, "Moments of Opportunity," 694

⁶² Pruitt, "Whither Ripeness Theory," 8.

option than violence. Within the literature, scholars note that ripe moments are contingent on a number of context and process factors that could influence mediation outcomes. These include the parties' readiness and optimism for mediation, resources of a capable mediator, and strategies that support party interests and bring them together. The weight of influence of these variables continually changes. However, there is recognition within the field that "there are situations where mediation simply cannot achieve anything proactively or reactively."⁶³

4. Mediation Outcomes

There is little agreement in the literature on what constitutes successful or failed mediation.⁶⁴ Authors generally evaluate mediation outcomes by both objective and subjective criteria. In looking at subjective evaluations, the literature identifies successful mediation when "the parties express satisfaction with the process of mediation, or when the outcome is seen as fair, efficient, or effective."⁶⁵ Conversely, objective criteria "rely on substantial indicators that can be demonstrated empirically ... if it contributed to the cessation or reduction of violent behavior."⁶⁶ This thesis used objective criteria to measure success or failure. Mediation was successful if it ended conflict or reduced hostilities.

It is important to note that there are varying degrees of success and failure. A mediation effort might fail to address substantive issues, but if throughout negotiations parties made agreements on technical issues or agenda items, then it would bring the disputants together. While this may not be enough to categorize the talks as successful, it does create an environment that encourages brokering deals in the future. Piecemeal or incremental mediation efforts and improvements could build to eventual success. Agreements between belligerents may see consent on issues or points of negotiation such as the following: temporary ceasefire, a framework for discussion, access for

⁶³ Bercovitch and Jackson, *Conflict Resolution in the Twenty-first Century*, 37.

⁶⁴ Kleiboer, "Understanding Success," 361–362. Kleiboer provides a clear analysis of the current arguments surrounding mediation success and effectiveness.

⁶⁵ Bercovitch, "Mediation in International Conflict," 147.

⁶⁶ *Ibid.*, 148.

international humanitarian intervention, or a consensus on terms to continue further discussion amidst a continuing conflict.

Sudan civil war mediations were selected for analysis to develop an understanding of what context and process factors were most influential in affecting mediation outcomes. Instead of simply listing relevant factors, this thesis explores how and why context and mediation process variables discussed in the literature review affected mediation success or failure. Sudan mediation effort analysis allowed process tracing analysis of mediation context and process factors that scholars suggest throughout the literature are influential to mediation outcomes. Analysis of Sudan allowed the author to contribute to the literature and mediator understanding of when, why, and how mediation should or should not be attempted. Identifying the final result (success or failure) allowed the tracing of events, personalities, and circumstances that contributed to the mediation outcomes.

If the primary objective of ending violence was not achieved, this thesis will consider the mediation outcome a failure. There may be success throughout the talks (settlement on minor issues), but if the conflict continues, the mediation outcome was a failure. Thus, in the Sudanese civil war between the GoS and SPLM/A, mediation failed in the Abuja Peace Conference and IGAD I and succeeded in phases I and II of IGAD II.

C. METHODOLOGY

The mediation's historical dimension served as the foundation to identify what factors influenced mediation, and how and why those factors affected the outcome. This thesis used process tracing to establish a casual mechanism between the mediation context, process and outcome. The study investigated four competing hypotheses:

1. Both context and process are equally important for determining mediation outcomes;
2. Context is more important than process in determining mediation outcomes;
3. Process is more important than context in mediation outcomes;

4. Some other category of variables is the most important in determining mediation outcome.

Additionally, this research employed the contingency approach to mediation that “treats the outcomes of mediation efforts (be they successful or unsuccessful) as dependent, or contingent, upon the environment (or context) of a conflict and the manner of behavior within it (i.e., process).”⁶⁷ Using the literature as a guide, this thesis evaluated factors of mediation and explained how and why those factors influenced mediation outcomes. Mediation outcome analysis used the variables in Table 1.

⁶⁷ Bercovitch and Jackson, *Conflict Resolution in the Twenty-first Century*, 37.

| Belligerents' Nature | Mediator Attributes | Mediation Strategy | Mediation Ripeness |
|---|---|---|---|
| <ul style="list-style-type: none"> *Internal cohesiveness *Consolidated positions or divergent interests *Moderates versus hardliners *Single leader *Power Parity between parties <p>Sources: Data from (Bercovitch and Houston (2000), Druckman and Zechmeister (1970) Raymond and Kegley (1985), Sisk (2004), Quinn et al. (2009), Hopmann (1996), Butterworth (1976) and Greig and Diehl (2012).</p> | <ul style="list-style-type: none"> *Legitimacy <ul style="list-style-type: none"> -Acceptance by both sides -International support *Neutral or biased <ul style="list-style-type: none"> -Perceived -Actual *Leverage <ul style="list-style-type: none"> -Ability to coerce parties -Availability of sticks and carrots <p>Sources: Data from Brookmire and Sistrunk (1991), Bercovitch, Anagnoson, and Wille (1991), Carnevale (2002), Savon (2009), Smith and Smock (2008), Kleiboer (1996), Svenson (2009) and Fischer (2001).</p> | <ul style="list-style-type: none"> *Facilitative <ul style="list-style-type: none"> -Opens communication channels -Provides forum for mediation *Formulative <ul style="list-style-type: none"> -Provide proposals/solutions -Engages/Disengages in mediations *Manipulative <ul style="list-style-type: none"> -Force proposals -Coerce parties through threats or guarantees -Direct parties -Set ultimatums <p>Sources: Data from Kleiboer (1996), Bercovitch (1997), Beardsley et al. (2006) and Quinn et al. (2009).</p> | <ul style="list-style-type: none"> *Mutually hurting stalemate (MHS) *Mutually Enticing Opportunity (MEO) *Party Readiness *Belligerent Optimism *Achieved through mediator cultivation or external pressures <p>Sources: Data from Zartman (2001), Greig (2001), Pruitt (2005, 2007), Regan and Stam (2000), Lederach (2003), Greig and Diehl (2012) and Bercovitch and Jackson (2009).</p> |

Table 1. Factors Influencing Mediation Outcome

The nature of the dispute, the most important factor in mediation outcomes, is excluded from analysis here because it is relatively constant in the cases. Removing conflict issues from the pool of analysis allowed this thesis to focus on factors other than the primary driver of conflict between the SPLM/A and GoS that are less understood and accepted in the literature. The nature of the conflict is an important issue, but with the commonly accepted factor of mediation outcomes removed, the author could look at the weight and influence of other factors on mediation outcomes.

Throughout the conflict and during mediation, religion and the state, self-determination, wealth sharing, an interim period for referendum, cease-fire, and power sharing were the central issues of debate.⁶⁸ Peace between the parties in Sudan remained elusive until the GoS and SPLM/A agreed to a different government structure for the south, that did not include *Sharia* as the basis for the government, gave the south the right to self-determine, identified political representation responsibilities, distributed wealth between the North and South, and established a cease-fire. The conflict was a result of political, economic, racial, ethnic, and religious marginalization of the periphery (southern Sudan) by those at that center, which the government manifested in its policies.⁶⁹ Sudan writ large suffered from a center versus the periphery dynamic.⁷⁰ Mediation between the SPLM/A and the GoS focused on changing the government's dynamic to allow the North to maintain its power, wealth, and Islamic character, while giving the south autonomy of rule, access to resources, and a secular character. Removing the nature of the dispute allowed this thesis to focus on belligerents' nature, mediator attributes, mediation strategy, and the condition of conflict ripeness for mediation.

⁶⁸ Ann Mosely Lesch, *The Sudan: Contested National Identities* (Bloomington: Indiana University Press, 1998), 172–186; Douglas H. Johnson, *African Issues: The Root Causes of Sudan's Civil Wars* (Bloomington, IN: Indiana University, 2003): xi; Ruth Iyob and Gilbert M. Khadiagala, *Sudan: The Elusive Quest for Peace* (Boulder: Lynne Rienner, 2006): 101–125; Atta el-Battahani, "A Complex Web: Politics and Conflict in Sudan," in *Accord Sudan: Peace by Piece* 18 (2006): 10–12; Umberto Tavalato, "The Peace Process in Sudan: North-South Accord or East-West Discord?" *Centro Studio* (7 April 2004) accessed 15 August 2013, http://www.centrostudionati.org/documenti/PEACE_PROCESS_IN_SUDAN.pdf.

⁶⁹ Lesch, *The Sudan: Contested National Identities*, 212–213; International Crisis Group, *God, Oil and Country: Changing the Logic of War in Sudan* (Brussels: International Crisis Group, 2002), 93–106; John Young, *The Fate of Sudan: The Origins and Consequences of a Flawed Peace Process* (New York: Zed Books, 2012), 1–16.

⁷⁰ Johnson, *African Issues*, xi; El-Battahani, "A Complex Web," 10–12.

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II. HISTORICAL PERSPECTIVE AND PARTIES TO SUDANESE CIVIL WAR MEDIATION

The history of Sudan is riddled with conflict and tensions that resulted in multiple civil wars. A question of state legitimacy and attempts by one group to dominate others resulted in civil wars and changes in regime. Internal and external interventions privileged few at the cost of many. Governments used political power to manipulate state resources, gain economic benefits, control or eliminate civil institutions, and maintain power on the basis of racial, ethnic, cultural, and religious dissimilarities. Throughout Sudanese history, divide and rule tactics resulted in “underdevelopment, exclusion, and violent conflict.”⁷¹ The inability of the state to address diversity and pluralism resulted in uneven economic development, political marginalization, and two civil wars, the second of which lasted more than 20 years from 1983 to 2005.⁷² The conflict was not based on a single division between North and South but “a complex armed conflict of ‘interlocking civil wars.’”⁷³ Successful mediation needed to address a history of complex disparities and disjointedness within Sudan. This section looks at the historical dimensions of marginalization within Sudan and examines the two major parties that fought and negotiated during the Abuja and IGAD peace initiatives.

A. HISTORY OF SUDAN

Most portray the Sudanese conflict as a struggle between the “Arab” North and “African” South based on language and religious differences. The issues involved in the conflict, however, were far more complex.⁷⁴ The fracture within Sudanese society began with Turco-Egyptian rule, and splintered further during the Anglo-Egyptian condominium. Post-independence military and civilian regimes internalized and perpetuated the fragmentations through “Arabization” and “Islamization” programs after

⁷¹ El-Battahani, “A Complex Web,” 10.

⁷² Ibid

⁷³ Ibid.

⁷⁴ Iyob and. Khadiagala, *Sudan*, 19; El-Battahani, “A Complex Web,” 10–14.

independence in 1956. In the history of modern Sudan, racism, religious fanaticism, political and economic marginalization, disputed national identity, and minority control of government and resources led to inequality not only between the North and South, but also for all regions distant from Khartoum.⁷⁵ Persisting since the start of the modern era, the conflicts within Sudan resulted from the center marginalizing the periphery and the center's attempt to control state through policies that undermined citizen equality and promoted a privileged few.⁷⁶

Modern Sudanese history began with the Turco-Egyptian conquest of the northern and central regions of Sudan by Muhammad 'Ali in 1821 and expanded in 1870 when annexation extended to the southern regions.⁷⁷ Turco-Egyptian rule ended in 1882 when Muhammad Ahmad, a man claiming to be the *Mahdi* led a "national liberation movement that delivered Sudan from the yoke of Turkish rule."⁷⁸ In 1898, a combined British and Egyptian army defeated the Mahdist theocratic state. The British and Egyptians divided the sovereignty of Sudan by implementing the Anglo-Egyptian condominium from 1899–1955 and established joint rule of the territory. Though Egypt gained independence from Britain in 1922, it was not until 1956 that Britain and Egypt relinquished control of Sudan.

The origins of southern Sudanese society's marginalization stem from Turco-Egyptian favoritism for peoples and villages of the northern riverine areas. The Turco-Egyptian government supported Arab Northerners, Ottoman, and European businessmen, in slave raids to the south and developed the northern riverine areas of Sudan with administrative structures, education facilities, communication and security infrastructure to expand commerce throughout the regions.⁷⁹ The government permitted slaving and

⁷⁵Lesch, *The Sudan: Contested National Identities*, 3–45.

⁷⁶ Ibid., 3–45. Religion and ethnic based policies were often used as the tool of the state to force a single national identity that benefitted the elites in power who gained access to resources and increased political support by touting a religious-ethnic political ideology.

⁷⁷ Gabriel Warburg, *Islam, Sectarianism and Politics in Sudan Since the Mahdiya* (Madison: University of Wisconsin Press, 2003), 6.

⁷⁸ Mansour Khalid, *War and Peace in Sudan: A Tale of Two Countries* (New York: Routledge, 2010), 13.

⁷⁹ Lesch, *The Sudan: Contested National Identities*, 27.

natural resources extraction but made little effort toward developing social or political structures to support society. Much of the development took place in the central riverine areas.⁸⁰ Outlying areas remained undeveloped and suffered from political and economic marginalization.⁸¹ Disaffected by Turco-Egyptian rule, Muhammad Ahmad (the *Mahdi*) revolted and overthrew the regime in response to slave trading, taxation, and corruption within the government. Dying shortly after the overthrow, Mahdi followers attempted to create a policy that was based on the Quran.⁸²

British and Egyptian forces returned in 1888 and defeated Mahdist forces and recaptured Khartoum. While they did not wish to fully colonize Sudan, they did not want other European colonial powers to have control of the region.⁸³ The British and Egyptians established a condominium agreement that allowed the British rule without the corresponding financial expense of regional government and put in place a bifurcated strategy to manage religious differences and governance in northern and southern Sudan.⁸⁴ British policies sought to limit the influence of Islam (by allowing the spread of Christianity and prohibiting Muslim proselytizing) in the South but promoted the use of Islam to improve governance in the North. From British perspective, the “primitive and pagan” South needed to be protected from the North.⁸⁵

Britain remained disconnected from heavy administrative engagement in the South until 1930 when its policies became more forceful in establishing a “Christian South that would have a non-Islamic, non-Arabic, and non-Northern identity.”⁸⁶ The British sought to limit both Egyptian and Muslim influence in the south, but in so doing

⁸⁰ Andrew S. Natsios, *Sudan, South Sudan and Darfur: What Everyone Needs to Know* (New York: Oxford University Press, 2012): 11. The Shaiqiyya, Ja’aliyyin and Danagla tribes, comprising 5.4 percent of the population have dominated the country since independence.

⁸¹ *Ibid.*, 12,18.

⁸² Khalid, *War and Peace in Sudan*, 7–20; Warburg, *Islam, Sectarianism*, 55; Natsios, *Sudan, South Sudan and Darfur* 26

⁸³ Khalid, *War and Peace in Sudan*, 16.

⁸⁴ *Ibid.*, 18; Lesch, *The Sudan: Contested National Identities*, 31.

⁸⁵ Lesch, *The Sudan: Contested National Identities* ,31–32; Warburg, *Islam, Sectarianism*, 58

⁸⁶ Khalid, *War and Peace in Sudan*, 20.

undermined Southern progress and development.⁸⁷ While the British favored the South, the majority of development and investment in infrastructure occurred in the northern riverine areas. The southern population, it was argued, did not want to develop.⁸⁸

In the run up to independence, the British agreed, against the desires of southern politicians, to keep the South within a united Sudan.⁸⁹ The Juba Conference in 1955 marginalized southern representatives and the northern majority paid lip service to their aspirations for independence or equal representation within the government. Instead, Northerners placated Southerners with half-hearted guarantees that they would address their issues of equal representation, protection of minority rights and separate political status for the South following independence.⁹⁰ Throughout the pre-colonial and colonial period, four themes affected Sudanese society and created tension within the state: (1) International intervention that undermined indigenous rule and complicated the relationship between government and local populations, (2) a pejorative view of the South, (3) the use of religion as tool to govern the state, and (4) the marginalization of peripheral regions (specifically the South). These issues were complicated with regime changes, civil war, and unequal resource distribution after independence.

The regime changed a number of times between independence in January 1956 and June 1989. A democratically elected civilian government ruled until a coup d'état in 1958 installed a military dictatorship, under the rule of Major General Ibrahim Abbud. In 1964, a popular rebellion overthrew Abbud and installed a transitional national civilian government. In 1969, Jaafar Numeiri led a military coup and assumed the presidency. He

⁸⁷ Ibid. Known as the Closed District Order of 1922, the British sought to further prevent the expansion of Arab and Muslim influence in the south. "The British sought to "degrade Egyptian influence in the Sudan on the one hand, and Northern influence in the South on the other."

⁸⁸ Khalid, *War and Peace in Sudan*, 24. "Economic, social and political investment "was concentrated in the northern riverine areas where relatively large sums were spent on infrastructure ... the South, and indeed other non-riverine areas of Sudan were neglected and left mired in squalor;" Lesch, *The Sudan: Contested National Identities*, 32. British policy purposely sought to block government and private development of the southern area "arguing that the indigenous population had no desire to improve its economic welfare."

⁸⁹ Lesch, *The Sudan: Contested National Identities*, 34–35; Arop Madut-Arop, *Sudan's Painful Road to Peace: A Full Story of the Founding and Development of the SPLM/SPLA*. North Charleston, SC: BookSurge, 2006, 21.

⁹⁰ Lesch, *The Sudan: Contested National Identities*, 36.

remained president until 1985 when a group of officers overthrew him and established the Transitional Military Council (TMC) to rule the country. A coalition government formed in 1986 and elected Sadiq al-Mahdi as prime minister. Al-Mahdi would remain prime minister until 30 June 1989 when a coup d'état organized by Hassan al-Turabi and executed by Omar al-Bashir established the Revolutionary Command Council (RCC) government under the control of the National Islamic Front (NIF). In 1993, Bashir assumed the presidency and powers of the RCC while Turabi served in various political government positions and head of the NIF. Leadership within the NIF and government remained unchallenged until Islamic leader and Speaker of the Parliament Turabi attempted to amend the constitution to weaken the presidency. Bashir dissolved the National Assembly, reshuffled the cabinet, and removed those loyal to Turabi. The NIF split into two parties; the National Congress Party (NCP) maintained allegiance to Bashir and Turabi established the Popular National Congress (PNC).⁹¹

Domestic and foreign policy of the GoS (regardless of the government) throughout the independence of Sudan promoted the power of the regime and undermined those who did not share a common ideology. It was through the state and with religion as a tool that governments attempted to consolidate their power. Following independence, the southern population was immediately disadvantaged in its political representation within the government and lost the ability to negotiate or mount a challenge against laws that favored political prerogatives of the majority and disregarded minority rights of the South.⁹² Political, economic and military power remained centralized in the riverine region while other regions suffered from underdevelopment and underrepresentation.⁹³ The government initiated no development projects in the South and provided little support for equality between different peoples in the state. Those in power executed policy based on their own interests.

⁹¹ The paragraph contains information gathered from a variety of sources: International Crisis Group, *God, Oil and Country*, 33; Natsios, *Sudan, South Sudan and Darfur*, 40–89; Young, Iyob and Khadigala, *Sudan*, 182–183.

⁹² Lesch, *The Sudan: Contested National Identities*, 31–155.

⁹³ *Ibid.*, 39.

Who controlled the state and competition between political parties determined the extent of government policies that undermined minority protections and the relationship between the government (center) and the south (periphery). Elites enacted regulations for a single language (Arabic) and religion (Islam) within the state to gain power within the state and create a national identity that would support elite control of the country.⁹⁴ Unrest in the south increased as the political rights were curtailed.⁹⁵ Underrepresented in government and unwilling to accept government policies that disregarded southern aspirations for equal treatment and protections, civil war erupted between the government and southern rebel groups in 1955 and continued until 1971.⁹⁶

The first civil war continued until Numeiri negotiated a self-governing status for the South with the Addis Ababa Accord that gave the South limited authority over education, police, cultural development, an independent budget, and guaranteed equal opportunity.⁹⁷ Numeiri reneged on the Addis Ababa Accord and implemented *Sharia* through the September laws following a decade of failed economic programs and his perception that Sudan had become a backward state.⁹⁸

The second civil war began in 1983 after Numeiri abrogated the Addis Ababa Accord, ended Southern autonomy, and implemented the September Laws. Numeiri's removal, establishment of the Transitional Military Council (TMC) and election of Sadiq al-Mahdi (Umma Party) brought potential peace to the civil war with the Koka Dam Declaration, but objections from competing political parties (NIF and Democratic Unionist Party (DUP)) prevented a peace resolution.⁹⁹ In the late 1980s, political alliances shifted between the DUP, NIF, and Umma party in an effort to gain control of the state.¹⁰⁰ The DUP attempted reconciliation with the SPLM/A through the Sudanese

⁹⁴ Lesch, 35-40; Madut-Arop, 21.

⁹⁵ Lesch, *The Sudan: Contested National Identities*, 40.

⁹⁶ *Ibid.*, 36.

⁹⁷ Lesch, *The Sudan: Contested National Identities*, 46.

⁹⁸ Warburg, *Islam, Sectarianism*, 185, 188; Lesch, *The Sudan: Contested National Identities*, 45-54.

⁹⁹ Wondu and Lesch, *Battle for Peace*, 9. The Koka Dam Declaration called for a secular constitution and "creation of a New Sudan free from racism, tribalism and sectarianism; a system that would eliminate the causes of discrimination and regional economic disparity."

¹⁰⁰ Iyob and Khadigala, *Sudan*, 81.

Peace Initiative in 1988, and Mahdi drafted legislation to suspend Islamic laws but failed to persuade parliament to adopt legislation that would end to Islamic foundation of the constitution. The NIF staunchly disapproved of the change from *Sharia* within the country.¹⁰¹

Turabi, Bashir, and the NIF overthrew the Mahdi regime in June 1989 concerned that the government would negotiate peace with the SPLM/A. The RCC suspended the constitution and dissolved political institutions and Bashir replaced the leadership in government, military, business and civil service positions with pro-NIF personnel.¹⁰² From the shadows, Turabi militarized the state and implemented the Islamic Civilization Project, a program to force Arabization and Islamization throughout Sudan.¹⁰³

The NIF was ruthless in its attempt to spread Islam but its intentions varied little from previous regimes. Abbud, Numeiri, and Mahdi each encountered the question of religion and the state and used religion as a means for the state to control the population. It also provided a means for the government to consolidate power. It further allowed the central government to marginalize the periphery and look at the South as subordinate and in need of ideological reform. These policies drove the South to war in 1983.

John Garang established the SPLM/A in 1983 to fight against the GoS and for a “ ‘New Sudan’ of social, economic, and political equality.” The relationship of between the GoS and SPLM/A waxed and waned based on the battlefield positions their forces. When the SPLM/A military prowess threatened elite power in Khartoum the government demonstrated greater willingness to acquiesce to political demands. When the opposite occurred the GoS pursued its radical political programs more intensely.

SPLM/A and GoS military strength varied throughout the conflict. The SPLM/A achieved military victories, captured provincial capitals and disrupted government supply lines throughout the late 1980s but then suffered losses throughout the early 1990s. The SPLM/A did not again present a military challenge to the GoS until the mid-1990s and

¹⁰¹ Lesch, *The Sudan: Contested National Identities*, 84.

¹⁰² International Crisis Group, *God, Oil and Country*, 34; Young, *The Fate of Sudan*, 33; Natsios, *Sudan, South Sudan and Darfur*, 87.

¹⁰³ Collins, “A History of Modern Sudan,” 105–123.

remained a formidable military challenger to the GoS until the end of IGAD negotiations. Conversely, the GoS became militarily dominant following the 1989 coup and remained so until the middle of the 1990s. SPLM/A and GoS military forces came to a point of power parity in the late 1990s with neither party commanding dominance on the battlefield. Throughout the conflict both sides sought to improve their capabilities and overcome defeats through alliances with external and internal actors. The nature of the military relationship between the SPLM/A and GoS continually affected whether the parties saw mediation as a viable alternative to violence.¹⁰⁴

The continued conflict brought international attention and multiple attempts to settle the dispute peacefully. Nigerian President Ibrahim Babangida attempted mediation between the GoS and SPLM/A in the Abuja Peace Conferences from 1992–1993. From 1994–2001, IGAD conducted the first round of peace talks between the GoS and SPLM/A. IGAD peace talks broke down in October 1994 and did not resume until July 1997, and then continued intermittently through 2005.

The history of the civil wars and the mediation efforts between the SPLM/A and GoS will be further discussed in the chapters that follow. The history leading up to the Abuja and IGAD mediation efforts shows continual government instability that was based on internal challenges of gaining control of the state and political parties' desire to implement programs that would increase their power. Inequality between the North and the South was continued through domestic policies of successive governments. Regardless of regime type or government personnel, the policy of Khartoum was always to promote an Arab-Muslim national identity, while minimizing resource distribution outside the center-northern core. War resulted from the marginalization and inequality between those in the center-north who ruled the country and periphery regions.

B. NATURE OF THE PARTIES: A COMPARISON

The GoS and the SPLM/A were the two principal parties to the second Sudan civil war. As discussed in the literature review under nature of the party, party ideology,

¹⁰⁴ The information was gathered from a variety of sources: Iyob and Khadiagla, *Sudan*, 89; Lesch, *The Sudan: Contested National Identities*, 77, 90–93

leadership, organization, fractionalization, and power parity are characteristics that impact mediation outcomes. The nature of the parties throughout the 1990s and early 2000s impacted the mediation outcomes of the Abuja and IGAD mediation efforts. This section provides an overview of issues that affected the parties' readiness to negotiate and impacted whether the conflict was ripe for resolution.

The SPLM/A was the southern opposition group that fought against the GoS for southern equality. Since its establishment in 1983, the SPLM/A was beleaguered by internal dissention, authoritarian rule, unclear and contradictory political objectives, and accused of human rights abuses.¹⁰⁵ However, it also demonstrated durability on the battlefield and an unyielding attitude in its cause.

The NIF was a political organization founded by Turabi and came to power in 1989 through a coup d'état.¹⁰⁶ It was initially ideologically united on state-wide Islamization and Arabization as a means to maintain power, but its stature was undermined by elite power struggles and changing political and socio-economic conditions. The NIF (and later NCP) faced domestic and internal opposition that threatened its control of the government. It operated in an authoritarian manner and undermined any institutions that would reduce its power within Sudan.

1. Party Ideology

Ideology is a system of ideals or ideas, a vision maintained by an individual or a group.¹⁰⁷ Parties who are unwilling to compromise are those who are averse to modifying their ideology and this will negatively affect mediation outcomes. Furthermore, if there are competing visions within a party, it is difficult to reach a settlement because individuals or sub-groups may be fighting and negotiating for different objectives.

The SPLM/A was a guerrilla army that faced internal divisions throughout the 1990s. Peter Adwok Nyaba wrote that "The SPLM/A ... is an amalgam of political and

¹⁰⁵ International Crisis Group, *God, Oil and Country*, 45.

¹⁰⁶ Natsios, *Sudan, South Sudan and Darfur*, xv.

¹⁰⁷ Dictionary.com, s.v. "ideology," accessed on 21 August 2013, <http://dictionary.reference.com/browse/ideology?s=t>.

ideological trends united by a common objective of national liberation. ... It was the apparent disregard, slighting and marginalization of other political opinions that precipitated the contradictions resulting in armed confrontation within.”¹⁰⁸ The SPLM/A sought national liberation but what that meant varied. Waithaka Waihenya observed that Garang viewed the conflict not solely in terms of southern autonomy, but as “a bigger question of self-determination, the need to transform the whole Sudan into a multi-racial, multi-religion and multi-ethnic democratic state.”¹⁰⁹ Garang promoted a message of a united multi-ethnic, secular state, absent of the “center verses the periphery” social, economic, and political imbalance in Sudan.¹¹⁰ Collins identified a deep divide between unity and separation within the SPLM/A that surfaced soon after its founding.¹¹¹ In fact, Oran R. Young noted that “when some later found out that under Garang the SPLM/A was actually committed to unity and socialism, they defected.... Support for a united Sudan never had much resonance among politically engaged southerners.”¹¹² Not all SPLM/A members supported the administration and operations of the leadership. “The SPLM/A policies and practices ran counter to the expectation of many who joined it,” according to Nyaba.¹¹³ Power struggles within the SPLM/A affected the strength of the guerrilla army and undermined its ability to fight the GoS.

The NIF became the ruling party of Sudan following a coup d’etat engineered by Turabi and executed by Omar Bashir on 30 June 1989.¹¹⁴ Once in power the NIF government “destroyed or bent political institutions to thief needs, including in the areas of education civil society, the military and police.”¹¹⁵ Arabization and Islamization programs sought to create an Islamist state that would be a beacon of the Muslim

¹⁰⁸ Peter Adwok Nyaba, *The Politics of Liberation in South Sudan: An Insider’s View* (Kampala: Fountain Publishers, 2000), 170.

¹⁰⁹ Waithaka Waihenya, *The Mediator. Gen. Lazaro Sumbeiywo and the Southern Sudan Peace Process*. (Nairobi, Kenya: East African Educational Publishers), 2007, 76

¹¹⁰ Natsios, *Sudan, South Sudan and Darfur*, 68.

¹¹¹ Collins, *A History of Modern Sudan*, 143.

¹¹² Young, *The Fate of Sudan*, 48, 50.

¹¹³ Nyaba, *The Politics of Liberation*, 1.

¹¹⁴ Collins, *A History of Modern Sudan*, 185.

¹¹⁵ International Crisis Group, *God, Oil and Country*, 34.

community.¹¹⁶ An Islamic state was a continuous goal of the NIF but “government policies were mainly engineered to weaken political opponents and enhance the NIF’s economic and political power base.”¹¹⁷ The NIF used “Islam as a mobilizing force ... as a tool of opportunity, a protective shield” but “the government is driven more by a desire to hold on to office than any ideological agenda.”¹¹⁸ Young noted that “where the NCP differed from other ruling parties was in its refusal to recognize other interests and perspectives, [and] the extent to which it was prepared to use violence to realize its objectives.”¹¹⁹ A shared vision within the NIF (and later NCP) government sought exclusionary power and complete control of the state.

2. Leadership and Organization

NIF and SPLM/A leadership were obstacles to successful mediation outcomes during the Abuja and first IGAD mediation efforts. The ideology that Turabi and Garang presented to their respective groups undermined their ability to maintain power and ultimately reduced the capability of mediators to bridge the gaps between the parties. The elites in both organizations attempted to maintain power through ruthless methods. Mediation outcomes could not change until the elites changed their tactics or were removed from positions of power.

Garang was ruthless in his control of the SPLM/A. In 1984, he killed the *Anya Nya II* leader Gai Tui and assumed command of all SPLM/A forces.¹²⁰ Within the ranks of the SPLM/A he was a feared leader who “was reputed to command obedience.”¹²¹

¹¹⁶ Ibid., 33.

¹¹⁷ Khalid Ali El-Amin, “The Economics and Politics of Poverty Reduction in Sudan 1990–2000,” Institute of Development Studies and Research, University of Khartoum, unpublished manuscript quoted in Young, *The Fate of Sudan*, 33, 35.

¹¹⁸ International Crisis Group, *God, Oil and Country*, 34–35.

¹¹⁹ Young, *The Fate of Sudan*, 44. Following Bashir’s removal of Turabi the NIF changed its name to the National Congress Party (NCP) after Turabi founded the Popular National Congress (PNC) Party.

¹²⁰ Ibid., 48. *Anya Nya II* joined SPLM/A shortly after Garang founded SPLM/A. *Anya Nya II* was a re-creation of the guerilla army that fought during first civil war. Its objective was always an independent Southern Sudan.

¹²¹ Hilde F. Johnson, *Waging Peace in Sudan: The Inside Story of the Negotiations That Ended Africa’s Longest Civil War*. (Portland, OR: Sussex Academic Press, 2011), 11.

Nyaba commented that “it would have been foolhardy to come to the open against the SPLM/A leadership ... it was extremely dangerous and many lost their lives on flimsy charges of being against the leadership of Dr. John Garang.”¹²² On the other hand, Garang was a military professional who could inspire his forces.¹²³ Collins noted that “Garang’s leadership had been dictatorial, but his leadership had achieved a cohesion and coordination that had produced a succession of military victories.”¹²⁴ Garang’s methods were questioned but he guided the SPLM/A through military defeats and uncertain times.

The SPLM/A claimed to be fighting for the rights of southern Sudanese but as an organization did little in social or economic development in the areas it liberated.¹²⁵ Collins noted:

The SPLM/A was basically a peasant army with little political consciousness. It was divorced from the concerns of ordinary southerners, concentrating solely on military force to achieve success without any popular participation... Not surprisingly, the movement created a military elite of senior officers who abused their authority for the sake of self-promotion ... they were devoid of any sense of accountability, responsibility or criticism of leadership.¹²⁶

Hilde F. Johnson reported that throughout the 1990s the SPLM/A “was riddled with factionalism and infighting ... the disastrous result was now a North-South War around which orbited various warlords, whose gravitational pull ebbed and flowed in relation to such variables as material, foreign support, access to relief supplies and shady deals between” the GoS and SPLM/A.¹²⁷ The SPLM/A was shaken a number of times but never broke. Its ability sustain itself was equaled by the self-preservation of the NIF. The focus of the SPLM/A elites was the military campaign. Satisfying the desires of the elites, and not the people would influence mediation outcomes.

¹²² Nyaba, *The Politics of Liberation*, 69.

¹²³ Waihenya, *The Mediator*, 76.

¹²⁴ Collins, *A History of Modern Sudan*, 204.

¹²⁵ *Ibid.*, 203.

¹²⁶ *Ibid.*

¹²⁷ Johnson, *Waging Peace in Sudan*, 6.

Turabi built the NIF and his power through the loyalty of those who shared his beliefs of ideological purity.¹²⁸ He recruited members throughout the government, business community and military. Taha and Bashir were two of those recruits. Once in power Turabi maintained control of the NIF, leading from the shadows while Bashir served as President.¹²⁹ Collins described Turabi as “the theological architect, patron, and *shaykh* of the Islamist revolution” and stated that Bashir was a “devoted follower.”¹³⁰ Andrew S. Natsios wrote that Bashir was “a general first, last, and always but developed the skills needed to traverse the factional infighting, Byzantine intrigue, and bureaucratic intricacies of Khartoum politics.”¹³¹ Taha was “reflective in nature,” according to Johnson. He was an intellectual who “saw issues from different angles, discerning what was possible and what was not; he was a pragmatist.”¹³² Unlike Turabi, Taha maintained a vision of Islamic Sudan but he could find space to compromise.¹³³ Turabi was never able to dissect reality from ideology; “his mission was to define the ideology and objectives that would inspire others ... but contradictions and ambiguities of his thought and speech obscured the path to the utopian world of peace.”¹³⁴ The Turabi and Bashir relationship ruptured due to equal desires for power. Bashir could amend his perspective, Turabi, was unable to do so.

When the NIF split, Taha joined Bashir in the NCP, but the relationship between Bashir and Taha was not without a power struggle. Johnson commented on the significance of the dynamic: “Control of the Army and strong relations with the intelligence services have been critical for Bashir’s ability to remain in power.”¹³⁵

¹²⁸ Natsios, *Sudan, South Sudan and Darfur*, 86.

¹²⁹ *Ibid.*, 89.

¹³⁰ Collins, *A History of Modern Sudan*, 187; Natsios, *Sudan, South Sudan and Darfur*, 81.

¹³¹ Natsios, *Sudan, South Sudan and Darfur*, 81.

¹³² Johnson, *Waging Peace*, 15.

¹³³ *Ibid.*

¹³⁴ Collins, *A History of Modern Sudan*, 229.

¹³⁵ International Crisis Group, *God, Oil and Country*, 17.

Conversely, Taha was a leader within the Muslim community, politically well connected, and in 2002, was “widely believed in the international community at the time to be the real power holder in the region.”¹³⁶ Taha, while not a religious zealot like Turabi, had strong ties to his Islamic faith and was politically shrewd; Bashir’s power was in the military establishment. The power dynamics between Bashir and Taha mirrored that of Bashir and Turabi. The difference was that Taha was practical in his outlook of Islam in Sudan and had not spoiled his international image as Turabi had.¹³⁷ The change in elite visions created circumstances that opened the door for options other than violence to maintain NCP control of the state.

The SPLM/A and NIF elites were used similar methods to maintain power. Each was uncompromising, dedicated to a singular political philosophy, and dictatorial in preserving power. The irony of the SPLM/A and NIF programs was that each sought to bring together incongruent groups (Khartoum vis-à-vis the South, the SPLM/A vis-à-vis rebel groups within Sudan) but their programs were so extreme that rebellion was created instead of conciliation.

3. Power Parity

The power parity between the SPLM/A and GoS continually influenced the Abuja and IGAD mediation outcomes. Though this will be evaluated further in the following chapters, the mediation outcomes and willingness of the SPLM/A and GoS to compromise were influenced by conduct on the battlefield. The GoS was ardent in its positions when it was politically isolated from internal discord, militarily successful on the battlefield and maintained a dominant position over the SPLM/A. When the GoS faced military losses and the NIF political stature threatened, it compromised on agreements. The SPLM/A remained stalwart in its positions when it was close to military defeat and when it perceived itself to be politically and militarily able to defeat the GoS. It was not until the SPLM/A perceived that the GoS would once again militarily gain the

¹³⁶ Young, “Sudan IGAD Peace Process,” 19.

¹³⁷ Collins, *A History of Modern Sudan*, 218–20, 228. Turabi’s support of the Osama Bin Laden, “Carlos the Jackal,” Iraq during the Gulf War and involvement in the Mubarak assassination attempt brought international criticism on the GoS and discredited Turabi’s image.

upper hand that it was more serious in using mediation as a means to end the violent conflict. Asymmetry between the SPLM/A and GoS mirrored the willingness of the parties to negotiate.

This chapter presents the party ideology, leadership, and organization of the NIF and SPLM/A. It further looks at the power symmetry between the GoS and SPLM/A. Each party held different visions for the future of Sudan and the manner in which they operated and maintained power was similar. Internal dissension within the SPLM/A and the NIF destabilized both parties. The nature of the parties throughout the period affected mediation ripeness and ultimately the mediation outcomes of Abuja and IGAD peace initiatives. Mediation ripeness is a critical factor to mediation outcomes. The nature of the parties is a significant variable in determining if the conflict is ripe for resolution. This thesis argues that the nature of the parties was the significant factor in determining mediation success or failure in Abuja and IGAD Sudan civil war mediations.

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III. ABUJA PEACE CONFERENCES

The SPLM/A and GoS participated in the Abuja peace talks in Abuja, Nigeria. The first Abuja talks occurred from 26 May to 4 June 1992 and the second from 26 April to 18 May 1993. Nigerian President and Organization of African Unity (OAU) Chairman Ibrahim Babangida was the mediation chair. The Abuja peace initiative failed to achieve an agreement and end violent conflict between the SPLM/A and the GoS, although the talks were successful in bringing issues of the dispute to the forefront. When the parties departed Abuja, there was no longer a question about what the belligerents wanted.¹³⁸ The mediators facilitated the identification of issues but were unable to influence the parties to amend their positions.

This chapter looks at the mediation session between the SPLM/A and GoS during the Abuja peace talks. Throughout the negotiations the SPLM/A was on the brink of military defeat and the GoS was unbending in its stance on a united Sudan and an Islamic and Arab national identity. Khartoum was at a high point in its military campaign after recently seizing SPLM/A-Torit's headquarters (with SPLM/A-Nasir's assistance) and GoS military power advantages created an arrogant attitude on the part of its mediation delegation.¹³⁹ The SPLM/A negotiated from a destitute position unwilling to compromise its desire for governance in the South that was free from *Sharia* or overt federal government intrusion. The Abuja conferences occurred at the wrong time when neither party perceived mediation as a better option than violence. The lack of an MHS or MEO between the parties is largely explanatory for the failed mediation between the SPLM/A and GoS.

¹³⁸ Steven Wundu and Ann Lesch. *Battle for Peace in Sudan: An Analysis of the Abuja Conferences 1992–1993* (Lanham, MD: University Press of America, 2000): 144-47. This section relies heavily on this source written by two people who were heavily involved in the mediation processes. Steven Wundu served as an observer and note taker during the Abuja conferences and Lesch has written extensively on the history and conflicts in Sudan.

¹³⁹ Lesch, *The Sudan: Contested National Identities*, 172.

A. OVERVIEW

President Bashir initiated peace talks by contacting Babangida. SPLM/A-Torit, SPLM/A-Nasir and the GoS attended the Abuja I Conference in Abuja. Colonel Muhammad al-Amin Khalifa headed the GoS delegation, Commander William Nyuon Bany represented the SPLM/A-Torit, and Dr. Lam Akol spoke for SPLM/A-Nasir. SPLM/A-Torit and SPLM/A-Nasir delegation teams merged on the sixth day of the conference, Bany headed the delegation, and Akol served as deputy. Dr. Tunji Olagunju, Nigerian Minister of Internal Affairs, was the chair of the mediation team.¹⁴⁰

The primary issues debated were religion and the state, national identity, the right of self-determination and arrangements for an interim period.¹⁴¹ The GoS focused on maintaining a unified state based on Arab and Islamic identity and refused to entertain the idea of self-determination or changes to the constitution that would make Sudan a secular state.¹⁴² The GoS delegation spoke of the historical significance of Islam in Sudan and blamed economic and social inequalities and conflict between the North and South on British colonialism. GoS representatives highlighted the importance of the Arabic language and Islam as unifying forces in Sudan. The GoS presented both Islam and Arabic as indigenous elements of Sudanese culture and maintained that Sudan's origins were tied to these. It recognized the diversity of the country and presented an assimilationist vision of language and cultural integration, but provided no specifics on how it would improve the political, economic, or cultural marginalization of the South.¹⁴³ It was committed to majority rule with exceptions for minorities, but under *Sharia* law.¹⁴⁴

Both SPLM/A factions saw the New Sudan as a “secular, democratic, multi-racial, multi-lingual, and multi-religious” country and rejected Islamic and Arabic

¹⁴⁰ Wondu and Lesch, *Battle for Peace*, 27.

¹⁴¹ *Ibid.*, ix.

¹⁴² *Ibid.*, 29–32

¹⁴³ *Ibid.*, 33.

¹⁴⁴ Lesch, *The Sudan: Contested National Identities*, 173.

primacy.¹⁴⁵ The SPLM/A delegates viewed the use of Arabic as a means to subjugate the South and a continued method to eliminate African customs and identities.¹⁴⁶ SPLM/A-Nasir regarded these differences in national identity as central to the conflict, which a unified state could not overcome.¹⁴⁷ SPLM/A-Torit, however, considered the possibility of a unified identity in the New Sudan.¹⁴⁸ Countering the GoS's assertions that Sudan had historical roots in Islam and the Arab world, Akol stated, "south Sudan looks for its history within its own territory ... to its African neighbors for identity. North Sudan looks instead to the Arab world."¹⁴⁹ SPLM/A-Torit called for a secular constitution with specific provisions that "prohibited the recognition of *any* religion as a state religion."¹⁵⁰

Without a constitutional change, the GoS would undoubtedly continue its program of Arabization and Islamization and Southern Sudan would retain an inferior status.¹⁵¹ The SPLM/A factions were split on the issue of self-determination. SPLM/A-Torit postulated unity based on changes in the political, social, economic, and religious environment where all people had an equal status. If the GoS could not guarantee this status, then the South had the right to determine its own future (self-determine). SPLM/A-Nasir considered South Sudan "a separate political environment and argued that it should not be compelled to remain within the Sudan."¹⁵² During Abuja I, the SPLM/A factions did not have similar views. This is important as it was recognized by the GoS that not all parties were on-board with the SPLM/A-Torit and could be exploited.

The SPLM/A discussed a cease-fire and international monitoring, but the GoS rejected both ideas believing that it would undermine Sudan's sovereignty. The SPLM/A

¹⁴⁵ Nhial Denga, Nigerian Minutes, *Abuja Peace Conference*, 1992,1:40 quoted in Wondu and Lesch, *Battle for Peace*, 33.

¹⁴⁶ Wondu and Lesch, *Battle for Peace*, 34.

¹⁴⁷ *Ibid.*, 35.

¹⁴⁸ *Ibid.*, 33.

¹⁴⁹ Lam Akol, Nigerian Minutes, *Abuja Peace Conference*, 1992, 1:48 quoted in Wondu and Lesch, *Battle for Peace*, 35.

¹⁵⁰ Wondu and Lesch, *Battle for Peace* 43.

¹⁵¹ *Ibid.*, 44.

¹⁵² *Ibid.*, 84.

rebuffed the GoS stance maintaining that the GoS's unwillingness to negotiate a cease-fire or international monitoring proved that "the government was not negotiating seriously and that the armed forces were determined to defeat the SPLM/A on the battlefield."¹⁵³

The mediators proposed a plan for a federal system of government to distribute power among the central, state, and local government. The provisions, based on the Nigerian system, outlined specifics for elections, provided authority for states to enact their own laws, expanded the number of states, and delineated a secular constitution. The GoS agreed in principle to the proposal but called for the central government to be the only law making authority and the continued use of *Sharia* as the legal basis for the constitution. The SPLM/A countered by suggesting a confederated option, which would give the states greater powers, and rejected a provision that would create multiple states within the South, endorsing a two state arrangement of North and South.¹⁵⁴ The GoS and SPLM/A did not agree on identifying an interim period for a cease fire, creating political institutions, or beginning economic development with a referendum to follow, which would allow the Southern "African" population to decide on the political character of their region (one state or multiple states). The GoS believed the "interim period would merge into the permanent arrangement, without the need for a referendum ... when the former war zones were integrated into the current Islamic federal system;" the SPLM/A wanted a quick interim period believing, "a longer period might enable the central government to tamper with the political system."¹⁵⁵

On the final night of the conference, the GoS contacted the Nigerian chair and demanded that the mediators delete any mention of religion from the final communiqué. The mediators attempted to resolve this dispute with the GoS delegation but GoS representatives refused to meet with the mediators. Olagunju issued and then retracted a threat to the GoS to end the mediation. In the end, the final communiqué did not mention

¹⁵³ Ibid., 78.

¹⁵⁴ Ibid., 70.

¹⁵⁵ Ibid., 69, 71.

religion, self-determination, or referendum. The communiqué made general reference to issues discussed but did not specify the positions taken by either side. The communiqué called for the delegations to contact their party principals to clarify positions before negotiations resuming negotiations.¹⁵⁶

Thus, the first conference ended with polarized positions. In lieu of structural changes within the government, such as a secular constitution that guaranteed social, political, religious, and economic equality, the SPLM/A wanted the right of self-determination.¹⁵⁷ The GoS wished to maintain state unity under an Islamic and Arabic construct with a strong central government and worked to remove any mention of religion or referendum from the final communiqué; the GoS did not want to give the appearance that the GoS delegate would discuss either a secular state or separation of the South.¹⁵⁸ Abuja I ended with each side holding firm to their original positions, and as Steven Wondu and Ann Lesch concluded, “the debates proved that the two sides diverged fundamentally on national identity and on the crucial issue of religion and the state. Those issues could not be papered over by vague formulae.”¹⁵⁹ The final communiqué, they reported, ignored the key issues of incongruity and, “saved face for President Babangida and the mediating team” who had been unable to resolve party differences.¹⁶⁰

The Abuja II conference occurred a year later from 26 April to 18 May 1993. The GoS and SPLM/A-Torit participated. The acrimonious relationship between the SPLM/A factions had intensified since the first conference, and SPLM/A-Torit and GoS agreed to mediate without the inclusion of the other SPLM/A or rebel factions.¹⁶¹ The GoS remained militarily dominant, tactically improving its gains throughout the South. The United States, EU and other international organizations condemned the human rights

¹⁵⁶ Ibid, 71.

¹⁵⁷ Lesch, *The Sudan: Contested National Identities*, 173.

¹⁵⁸ Wondu and Lesch, *Battle for Peace*, 50–51.

¹⁵⁹ Ibid., 83.

¹⁶⁰ Ibid., 65.

¹⁶¹ Ibid., 92. SPLM/A-Torit was also called SPLM/A-Mainstream.

atrocities occurring within Sudan and international actors pushed the Khartoum government to return to Nigeria to preempt further external intervention.¹⁶²

The delegates on both sides of the negotiation table differed from the previous year's talks. The minister of federal government affairs, Dr. Ali al-Hag Muhammad, headed the GoS delegation; Commander Salva Kiir Mayardit and "highly experienced members, some of who had held high position in the Sudan Government's public service or in academies" represented the SPLM/A¹⁶³ Unlike the previous Abuja talks, the GoS delegation consisted of low-level representatives from the GoS; a high-level delegation did not arrive until the fifth day of negotiations.¹⁶⁴

The issues between the two sides remained unchanged from the first Abuja conference. The Nigerian mediators proposed "middle of the road" solutions to bridge the issue gap between the belligerents. These included *Sharia* application of "personal laws for marriage, cohabitation, divorce, etc. ... and similar provisions that affect family stability, but that all citizens would have the right to select whichever they prefer for personal problems."¹⁶⁵ Mediators proposed to remove religious references from the constitution and to have a "partial and gradual secularization of the legal system."¹⁶⁶ Neither side, however, entertained the mediators' ideas. When the GoS's high-level delegates arrived, they were more forceful in their positions and dismissed the SPLM/A's concerns over religion; the GoS delegates criticized the Nigerian mediators for making proposals that would undermine GoS sovereignty.¹⁶⁷

¹⁶² Lesch, *The Sudan: Contested National Identities*, 174.

¹⁶³ Madut-Arop, *Sudan's Painful Road to Peace*, 370.

¹⁶⁴ Wondu and Lesch, *Battle for Peace*, 93. Wondu and Lesch noted that the SPLM/A considered the mediation effort as important while the GoS was less enthusiastic, seeking instead to conduct bilateral talks with the SPLM/A to reach a peace deal like they had with Machar in the Frankfurt Declaration.

¹⁶⁵ Wondu and Lesch, *Battle for Peace*, 113–114.

¹⁶⁶ *Ibid.*, 114.

¹⁶⁷ *Ibid.*

The mediators appealed passionately to the parties to rise to the challenge and give Sudan a new lease on life ... the chair urged the delegates to be less ideological and more pragmatic. The parties should have the courage and sincerity to make meaningful compromises.¹⁶⁸

Though the mediators were more active, they did little to reconcile the polarized positions of the GoS and SPLM/A.¹⁶⁹ The mediators called off the mediation effort “after three weeks of heated debates, mediation, recommendations, proposals and counter proposals when it became apparent they [GoS and SPLM/A] had reached a deadlock.”¹⁷⁰ The final communiqué described the differences between the two sides and attributed the failure of the Abuja II peace talks to the mediators.¹⁷¹

B. ABUJA I & II ANALYSIS

The outcome of the Abuja II talks was not surprising to the parties, mediators, or observers. From the beginning to the end, context factors of the conflict and mediation environment negatively influenced mediation outcomes and primarily determined the mediation’s failure. Neither party was ready or saw mediation as an opportunity to reach their objectives. Therein the nature of the parties significantly contributed to the failure while the mediators and mediation strategy had little impact. There was neither an MHS nor an MEO to coerce or convince parties to negotiate peace.

1. Nature of the Parties

The GoS had a clear negotiating advantage in 1992 and 1993. The GOS was on the verge of military victory and viewed the SPLM/A as the defeated aggressors; the GoS viewed mediation as fruitless.¹⁷² The Khartoum regime was internally cohesive. Turabi, Bashir, and the NIF all sought the Arabization and Islamization of the country. GoS military offensives from 1991–1993, with the assistance of SPLM/A-Nasir, nearly

¹⁶⁸ Ibid., 113.

¹⁶⁹ Ibid.

¹⁷⁰ Madut-Arop, *Sudan’s Painful Road to Peace*, 371.

¹⁷¹ Ibid., 372.

¹⁷² Lesch, *The Sudan: Contested National Identities*, 172.

demolished the SPLM/A-Torit. During the Abuja conferences, the Khartoum regime saw no reason to concede to the SPLM/A demands. Mansour Khalid noted that “the government clearly did not go to Abuja with any intention to negotiate *bona fide* peace settlement.”¹⁷³

Throughout the Abuja conferences, the SPLM/A was at its weakest point since the start of the second civil war. SPLM/A was a broken political and military entity. SPLM/A senior leadership (Garang, versus Machar, Kong, and Akol) did not agree on either the goals for the conflict or how they should organize and lead the SPLM/A.¹⁷⁴ This resulted in the split of the SPLM/A, alliances with the GoS, and internecine fighting between SPLM/A-Torit and SPLM/A-Nasir. The loss of Ethiopian political and military support, significant military setbacks, and internal discord put the SPLM/A in a weak position to negotiate its demands. The schism within the SPLM/A prompted the GoS to demand separate SPLM/A delegations so “that he [Bashir] could play the two groups against each other.”¹⁷⁵

The parties to the Abuja mediations had completely different positions. The GoS was ideologically unified in its objectives and the GoS sought a single Sudan and *Sharia* law. The SPLM/A was divergent on its goals; one faction wanted outright separation, the other a unified state with preconditions of a secular state. Ideological differences and contests over power weakened the SPLM/A from within.

Power parity between disputants favors positive mediation outcomes. Power inequality and asymmetry between belligerents increases the likelihood of mediation failure. Internal cohesion, consolidated positions, and a single representative are more likely to bring successful mediation outcomes. The vast disparity in military and political strength, SPLM/A core leadership fissures, variance in Garang and Machar’s aims, and the GoS’s unbreakable attitude of supremacy critically impacted the failed Abuja

¹⁷³ Khalid, *War and Peace in Sudan*, 367.

¹⁷⁴ Collins, *A History of Modern Sudan*,” 204.

¹⁷⁵ SUNA and BBC, 24 October 1991; Omdurman radio, 27 October 1991 (FBIS-NES-91-212, 1 November 1991) as quoted in Lesch, 172; *Al Hayat*, 3 December 1991 (FBIS-NES-91-237, 10 December 1991) as quoted in Lesch, 172; Mansour Khalid, *Call for Democracy in Sudan: John Garang* (London: Kegan Paul International, 1992), 287, as quoted in Lesch, 172.

mediations. Where the GoS was strong, the SPLM/A was weak. The conditions between the SPLM/A and GoS significantly influenced their perceptions of mediation and affected mediation outcomes.¹⁷⁶

2. Abuja Mediators

Through leverage, legitimacy, and impartiality, mediators have had the power to influence mediation outcomes. The Nigerian mediators, however, lacked leverage and the disputants questioned their neutrality during the talks. During the Abuja conference, the Nigerian mediators had an immediate disadvantage because they lacked the power to influence the parties and demonstrated varied preferentialism. The nature of the mediator had little influence on mediation outcomes.

The Nigerian mediation team based their legitimacy on Babangida's position as president of Nigeria and chair of the OAU. Olagunju, the mediation team chair, stated that "Nigeria had the practical credentials for showing [the] Sudanese the way out of their crisis."¹⁷⁷ Bashir viewed the Nigerians as an "African solution" and wanted to "pre-empt intrusive external actors."¹⁷⁸ Furthermore, "NIF authorities had a belief that Nigeria might not agree to preside over a conference it believed could lead to a break-up of an OAU member state" and Babangida, as chairman of the OAU, "might not countenance the rebels' call for self-determination."¹⁷⁹ The GoS viewed the mediators as legitimate because they believed that the mediation team would protect their interests. The SPLM/A and Garang recognized the legitimacy of the mediators primarily because it was their only option given the deterioration in the military situation. Collins noted that "weakened by disaffection and desertions, Garang had little choice but to negotiate."¹⁸⁰ Though the actors had their own reasons, each actor recognized the legitimacy of the mediator.

¹⁷⁶ Greig and Diehl, *International Mediation*, 132; Fisher, "Methods of Third-party Intervention," 19; Kleiboer, "Understanding Success," 386.

¹⁷⁷ Olagunju 4:30–31 quoted in Wondu and Lesch, *Battle for Peace*, 30.

¹⁷⁸ Iyob and Khadiagala, *Sudan*, 94

¹⁷⁹ Madut-Arop, *Sudan's Painful Road to Peace*, 360.

¹⁸⁰ Robert O. Collins, "Africans, Arabs, and Islamist: From Conference Tables to the Battlefields in the Sudan," *African Studies Review* 42, no 2 (September 1999): 113–114 quoted in Iyob and Khadiagala, *Sudan*, 94.

This episode demonstrates how mediators who have prestige may still be limited in their influence of mediation outcomes. Legitimacy and leverage are enabling characteristics that assist mediators. Essentially, the mediator must be the right person, with the right tools at the right time to affect outcomes. However, even if the mediator is the right person with the right tools, the timing of his or her intervention may be wrong, and regardless of his or her abilities or the tools available, he or she is unable to influence mediation conditions and outcomes. The Nigerian mediators were perceived as legitimate by both sides, and had the skills to conduct mediation, but the parties were not ready to negotiate and compromise at that time. Therefore, the mediators were not able to bridge the differences and create meaningful outcomes.

Even though they had legitimacy, the mediators lacked leverage throughout the Abuja process. The mediators were unable to make offers, guarantees, or threats against the parties to garner concessions or to continue discussions when the mediation broke down. Mediators either altered or changed communiqués, which clearly showed their weakness; they based the changes on parties' inability to "agree on the language or content."¹⁸¹ Both sides refused mediators' efforts to persuade or continue discussions; the mediation team was therefore unable to bring the parties together. The mediation team was weak; it was pushed around by the parties. As Lesch and Wondu noted, the mediators' pleas, lobbying, appeals, and warnings, had no leverage to persuade parties to settle.¹⁸² Arop Madut-Arop also described the situation in bleak terms: "Whatever efforts the mediators exerted to salvage the talks or try to broker a cease-fire and disengagement of the warring factions ... the Sudan delegation would not back down."¹⁸³

Likewise, the SPLM/A did not acquiesce to mediator lobbying. The mediation teams lacked the power to compel the parties to change their positions. The mediators were hindered from the start by belligerents who were basically unwilling to negotiate. Even if the mediators had more leverage, it is unlikely the belligerents would have been influenced by mediator threats or promises.

¹⁸¹ Wondu and Lesch, *Battle for Peace*, 47– 48, 113, 120 & 147.

¹⁸² *Ibid.*, 61.

¹⁸³ Madut-Arop, *Sudan's Painful Road to Peace*, 364.

The literature review discussed different opinions regarding mediation bias and its effect on mediation outcomes. While mediation bias may have existed, if disputants had the perception that mediators dealt evenhandedly with both parties, then the likelihood of a settlement increased; for this reason, bias must not be so obvious that it precludes an agreement.¹⁸⁴ Bias or the perception of bias alone does not bridge the gap between belligerents with opposing views but can facilitate the mediator as he works impartially for the benefit of both sides. Perceived (or actual) bias is another characteristic enables mediator interaction with and between disputants. Neutrality does not guarantee successful outcomes, but the perception that the mediator is evenhanded in his or her approach increases the legitimacy of the mediator and therefore could make what the mediator does or says more influential. Furthermore, a mediator may be entirely neutral but unable to affect outcomes because the parties are not ready for mediation or the mediator's strategy is prohibitive to mediation success.

Abuja mediators showed their biases to the GoS and SPLM/A, and were transparent in their support for one side over the other with respect to certain issues, which resulted in both sides' perception of bias.¹⁸⁵ This also undermined their ability to create progress in the mediation effort. Wondu and Lesch maintained that "Nigeria was a mediator on the question of the relationship between religion and the state and it did betray its preference for secularism in public law [as desired by the SPLM/A]. On the subject of territorial unity ... Nigeria played judge and ruled in favor of the Sudan government."¹⁸⁶ Whether or not it was intentional, the mediators directed the majority of their bias against the SPLM/A. In an invitation, Babangida said to Garang, "what is uppermost in my mind is to give Southern Sudan an opportunity for an honorable settlement of the crisis. This will not be possible if you are defeated on the battlefield."¹⁸⁷

¹⁸⁴ Zartman and Touval, "International Mediation," 443.

¹⁸⁵ Wondu and Lesch, *Battle for Peace*, 175.

¹⁸⁶ *Ibid.*

¹⁸⁷ Letter from Babangida to Garang or April 6, 1992 inviting the SPLM/A to Abuja I quoted in Wondu and Lesch, *Battle for Peace*, 146.

The Nigerian mediators established their opinions before the conference convened and favored the GoS. President Babangida wanted to mediate peace but he did not want to break up the country during the peace process.¹⁸⁸

The SPLM/A was able to observe this prejudice through the conferences. Wondu and Lesch state that the “mediators clearly and unequivocally supported territorial unity,” which was a stance that the GoS favored. The GoS demanded that the mediators refrain from the discussing self-determination and confederalism, communiqués; this slighted the SPLM/A’s efforts to bring the option of a separate Southern Sudanese state to the forefront.¹⁸⁹ In addition, Wondu and Lesch noted that, “the SPLM/A delegates were critical of the Nigerian president for his biased interference with the negotiations.”¹⁹⁰ While the disputants’ perceived bias was not solely responsible for the mediation outcome, it served as another context condition, which resulted in mediation failure between the GoS and SPLM/A.

3. Mediation Strategy

The Nigerian mediators had a limited strategy that they could employ. Their lack of concrete leverage meant that they could not employ a manipulative approach. The mediators used both facilitative and formulative strategies throughout the Abuja conferences. In a facilitative role, the mediators provided a neutral location for the peace talks and allowed the SPLM/A and GoS to present their positions through discussions and debate. Wondu and Lesch noted that the talks “provided a unique platform to expose the causes of the conflict and solutions that the Sudanese thought were possible ... to appreciate and appraise each other’s views, feelings, perceptions and aspirations.”¹⁹¹ Madut-Arop wrote that the “Nigerian-sponsored peace talks was the first time ... that both

¹⁸⁸ Madut-Arop, *Sudan’s Painful Road to Peace*, 360.

¹⁸⁹ Wondu and Lesch, *Battle for Peace*, 76, 81, 116..

¹⁹⁰ *Ibid.*, 60.

¹⁹¹ *Ibid.*, 147.

sides have come out explicitly with what each of the parties considered the best way out of war” and Khalid noted that, “the Abjua process put the question of national identity in the center of the debate.”¹⁹²

The mediators also took a formulative approach demonstrated by their presentations and proposals on the distribution of power, wealth sharing, religion, and the state. The polarized position of the parties stymied these efforts because neither side was willing to incorporate new positions. The mediator strategy had little bearing on the Abuja mediation outcomes.

4. Ripeness

Mediation ripeness occurs when belligerents perceive nonviolent conflict settlement methods more beneficial than a continuation of violence. This perception is based on the threat that violence will hurt instead of help the belligerents’ cause (MHS) or that mediation offers better opportunities to achieve goals (MEO). Belligerents perceive the time is right to forgo violence and seek peace through alternative methods. Mediators can cultivate ripeness by providing incentives (positive or negative) that influence a MHS or MEO. Conflict ripeness for mediation depended on the fusion of parties’ readiness for mediation (whether it be a MHS or MEO); the presence, readiness, and resources of a capable mediator, and a strategy that would support party interests and bring them together.

In the Abuja I and II peace talks, neither MEO nor MHS was evident for either party. The contributing factors that brought parties to negotiation and engendered successful mediation were missing at the Abuja conferences. The GoS was strategically and tactically dominant militarily; the SPLM/A suffered the greatest amount of pain in the history of the conflict. The GoS had no reason to enter into mediation except to entertain the international community’s desires to participate. The SPLM/A had little option but to join during its military malaise and hope that something positive would come from the mediations. The mediators lacked resources to influence the parties, which

¹⁹² Madut-Arop, *Sudan’s Painful Road to Peace*, 371, Khalid, *War and Peace in Sudan*, 364.

resulted in a circumscribed strategy to gain concessions. Ripeness was not present because neither party viewed mediation as the best option to reach their objectives. The mediators did not have the ability to influence the SPLM/A or the GoS because it had no positive or negative, tangible or intangible means to adjust the opinions of the parties. However, based on the nature of the belligerents, it is unlikely that the mediators would have been able to change GoS or SPLM/A positions for an agreement.

C. CONCLUSION

The conference was successful in illuminating the issues important to each side.¹⁹³ The fundamental differences, however, were a wedge that the Abuja conferences could not dislodge. At the end of the talks, each side knew the positions of their enemy, but contrary to the mediators' aspirations fighting increased following the end of the second conference. Lesch wrote that "the negotiations illustrated the pitfalls of negotiating in a polarized political context, in which talks heightened mistrust rather than bridge differences."¹⁹⁴ The lack of ripeness for mediation played a significant role in the Abuja peace conferences' outcomes and was the determining factor of mediation failure. This lack of ripeness was based primarily on the nature of the parties. Mediator attributes and strategy also contributed to failed outcome but those factors were overshadowed by the intractable relationship between the parties at the time.

The belligerents during the Abuja mediation process were not ready for mediation. Within the GoS, Turabi and Bashir guided the party toward a strict goal of Arabization and Islamization. The NIF maintained socio-political, military, and cultural control over influential sectors of the country. The coup d'état that brought Bashir (and Turabi) to power came with a string of military victories, which galvanized the NIF's mission to spread Islam throughout the state and, by extension, obligated continued conflict against the SPLM/A who sought to undermine their existence by creating a separate state. The GoS held a decided advantage at the mediation and neither the SPLM/A or the mediators could do little to appease their demands. The mediation was

¹⁹³ Wondu and Lesch, *Battle for Peace*, 147–149.

¹⁹⁴ Lesch, *The Sudan: Contested National Identities*, 179.

simply a means to an end for Bashir, Turabi, and the NIF. The outcome was a failure, because there was little chance that the GoS was going to rescind its demands and adhere to the desires of either the mediators or the SPLM/A. There was no incentive for the GoS to negotiate.

The SPLM/A also maintained a hardline position, fearful that relenting to any demands on substantive issues (self-determination, religion, state, and federalism) would result in their continued marginalization. Though the SPLM/A negotiated from a fragile position they refused to betray their ideological principles for a New Sudan. The SPLM/A was willing to fight to the death if they could not achieve change through mediation. The SPLM/A had to be unfaltering and uncompromising on its views if it was to achieve equality within the Sudan or existence as a separate state.

The nature of the mediator had a minimal effect on the Abuja conference outcomes. One could argue that had the mediator been more powerful, the Nigerians could have coerced or cajoled more agreements from the parties. This is unlikely as neither party was compelled to alter their positions. The parties' aversion to negotiate could not be overcome by the legitimacy or leverage of the mediators. The deficiency of financial, political, or military resources to influence the mediation outcomes certainly curtailed mediator strategy but was not the reason for the Abuja failures.

A mediator can have varying influence on each party and as noted earlier, is a conditional input to the contextual circumstances. If he or she arrives with the right tools but does so at the wrong time, he or she is likely to be ineffectual. Mediator guarantees for protections might have worked with the SPLM/A because it was in dire military and political straits, but changing the GoS's outlook would have been impossible, given its belief that its military triumphs would soon remove any SPLM/A threat and that its sound political standing could not be usurped. This analysis held for any carrots or sticks that mediators offered to the parties.

While the mediation effort was unsuccessful in reducing violence and ending the conflict, it did enable the parties to identify their differences. The facilitative strategy was effective in that it resulted in an understanding of the belligerents' viewpoints and

objectives. This would prove helpful in later rounds of mediation, but further separated the belligerents during the Abuja conferences.

Yet, in terms of ending violence the formulative approach did little to bring the parties to a compromise. As was noted, the SPLM/A and GoS rejected different mediator solutions. While the mediators attempted to mold their strategies to the temperament of the parties they were limited in how they could operate because they did not have the leverage to use a more forceful strategy. It is unlikely that if the mediators attempted forceful coercion or offered guarantees to the belligerents that the parties would have changed their positions. The relationship between the parties was not conducive for mediation and timing of the mediation inopportune. Because the conflict was not ripe for mediation, the nature of the mediator and the strategy employed was negligible in affecting the Abuja mediation outcomes.

The mediation outcomes of the Abuja conference were primarily as result of bad timing. The conditions of an MEO or MHS that result in successful mediation were not present to produce a peace settlement. At the time of the Abuja conferences, no mediator or mediation strategy would have changed the outcomes. The cavity between the demands of the SPLM/A and GoS was too expansive and neither party viewed mediation as a viable option. The parties were simply not prepared to negotiate for peace. Mediation outcomes of Abuja were the result of an unripe period created by the uneven and highly volatile relationship between the parties. Mediation outcomes were further, but less affected by the mediators attributes and the strategy employed. A more appropriate time for third-party intervention would have to arrive before mediation outcomes would change.

IV. INTERGOVERNMENTAL AUTHORITY FOR DEVELOPMENT PEACE INITIATIVE 1994–2001

The IGAD I peace talks were complicated with a number of the same issues that had also vexed the Abuja peace process. The GoS remained vigilant in its desire for a Sudanese state with *Sharia* and a Muslim-Arab national identity; the SPLM/A remained stalwart in the option to self-determine the political future of the southern region. This period of mediation effort witnessed a brief moment of ripeness when the GoS agreed to the Declaration of Principles (DoP) during the latter stages of IGAD I but the majority of the time, neither party perceived either a MEO, MHS or were ready use mediation in place of violence to reach their aims. At the start of IGAD there remained a power imbalance between the SPLM/A and GoS. However, during the latter part of the IGAD I mediation process there was a change in the internal dynamics of both parties and a shift in the power dynamics between the belligerents. Like the Abuja process, IGAD mediators used primarily facilitative and formulative strategies, and their success was limited, partially due to their own weakness. While the IGAD mediators continued to lack leverage and the legitimacy of the mediators waffled, the perception of bias turned in favor of the SPLM/A. The overall outcome of the IGAD I mediation process was a failure but a significant document was signed by both parties in toward the end of the decade that would had an impact on future mediation between the SPLM/A and GoS. On the whole, the conflict parameters remained constant from the Abuja peace initiative and the conflict remained unripe for resolution. Therefore, just as in Abuja, the outcomes of the IGAD I peace process were again attributable to the lack of ripeness, party intransigence, a not sufficiently capable and biased mediator and limited mediation strategy.

IGAD I peace initiatives took place over a six-year period in two phases. The first phase occurred from January-September 1994; the second phase happened from July 1997 to June 2001. Kenyan President Daniel Arap Moi chaired the IGAD Standing Committee; Meles Zenawi (Ethiopia), Isaias Afewerki (Eritrea), and Yoweri Museveni

(Uganda) were the other members.¹⁹⁵ A ministerial committee representing the four states conducted the mediation in Nairobi, Kenya, and Kenyan foreign minister, Kalonzo Musyoka, served as the chairman.¹⁹⁶ Throughout the period, the political and military conditions that favored the SPLM/A or GoS vacillated between the parties. A military resurgence, external support, and alliances with other rebel groups, gave the SPLM/A equal footing in the negotiations during the later 1990s. While rifts within the NIF and battlefield losses weakened the GoS, the peace deals it made with disaffected SPLM/A factions bolstered the GoS position.¹⁹⁷ The mediators remained relatively ineffectual; the disputants' perception that the mediators were biased limited the mediators' leverage and rendered them incapable of ending the violent conflict between the SPLM/A and the GoS.

A. OVERVIEW

The IGAD standing committee initiated consultations with the GoS, SPLM/A-Mainstream, and SPLM/A-United in January 1994. The first phase of talks occurred in March 1994 and continued in May, July, and September of the same year.¹⁹⁸ During consultations, Garang spoke for SPLM/A-Mainstream and Machar represented SPLM-United. The SPLM/A factions agreed on three issues for negotiation: self-determination through referendum to be conducted in Southern Sudan, interim arrangements for the transitional period, and a cease-fire to allow humanitarian relief efforts.¹⁹⁹ While the GoS agreed to negotiate, they were hesitant to discuss a ceasefire or self-determination as separate items on the agenda.²⁰⁰

¹⁹⁵ Khalid, *War and Peace in Sudan*, 369.

¹⁹⁶ Iyob and Khadiagala, *Sudan*, 104.

¹⁹⁷ See Appendix II for peace deals between the GoS and rebel groups.

¹⁹⁸ Iyob and Khadiagala, *Sudan*, 104–106.

¹⁹⁹ *Ibid.*, 104–105; SPLM/A-Nasir was the rebel group that was formed by Riek Machar, Gordon Kong, and Lam Akol after their defection from SPLA/M-Mainstream in 1991. SPLM/A-Nasir changed its name to SPLM/A-United in 1993. SPLM/A-Torit became SPLM/A-Mainstream. Wondu and Lesch, *Battle for Peace*, 153.

²⁰⁰ Iyob and Khadiagala, *Sudan*, 105.

At the first round of talks in March 1994, Richard Mulla represented the SPLM/A-Nasir and Salva Kiir Mayardrit led the SPLM/A-Mainstream delegation.²⁰¹ The mediators proposed a “compromise agenda to negotiate cease-fire, then agree on the constitutional principles that would guide the resolution of civil war, and finally make the necessary political and security arrangements for the interim period.”²⁰² Dr. Ali al Hajj Mohamed, GoS delegation lead, rejected the agenda and threatened to walk out if the mediators mentioned self-determination.²⁰³ Though Machar and Garang agreed on self-determination during the January 1994 consultations, SPLM/A-United re-positioned itself with the GoS when the mediators addressed the issue during the March 1994 talks.²⁰⁴ The parties failed to reach an agreement on substantive issues that would invite peace, but both sides agreed to allow international observers and to open air and land routes to facilitate humanitarian efforts.²⁰⁵ Once again, the SPLM/A did not have consolidated positions.

The second meeting under IGAD mediation occurred in May 1994. Mediation team chair, Kalanzo Musyoka, began the meeting with a plea to both sides to take the effort seriously and show sensitivity toward each other.²⁰⁶ The meeting lacked any substantial discussion of the issues and each side presented the same position that they had voiced during the March meeting.²⁰⁷ In response, the mediation team changed tactics, moving from a facilitative to a formulative strategy. To attempt to move the parties into a concrete negotiation phase, the IGAD mediation team unexpectedly presented the parties with a concrete set of proposals, contained in the DoP.²⁰⁸ The DoP stipulated the right of the South to self-determine, but placed emphasis on the unity of the

²⁰¹ Wondu and Lesch, *Battle for Peace*, 153.

²⁰² Iyob and Khadiagala, *Sudan*, 105.

²⁰³ Madut-Arop, *Sudan's Painful Road to Peace*, 376.

²⁰⁴ Iyob and Khadiagala, 105.

²⁰⁵ Steven Wondu, “IGADD: No Quick Fix For Sudan,” *New Sudan Magazine* (1995): 11-114 as quoted in Lesch, 181.

²⁰⁶ Madut-Arop, *Sudan's Painful Road to Peace*, 376

²⁰⁷ Iyob and Khadiagala, *Sudan*, 105.

²⁰⁸ Madut-Arop, *Sudan's Painful Road to Peace*, 378; Khalid, *War and Peace in Sudan*, 370.

state. It called for “priority to be given to unity on the basis of agreement on a secular, pluralist democratic polity that would undertake to respect human rights and to decentralize administration.”²⁰⁹ The DoP addressed the SPLM/A’s desires and they “fully endorsed the document as a basis for the future negotiations with the Khartoum Regime.” The GoS, however, was adamant in its rejection, and instead argued that they had no option but to pursue military victory.²¹⁰ The second conference ended without an agreement on substantive issues and showed the divergent views between the DoP and the mediators; the GoS “was ‘enraged’ and accused the mediators of bias.”²¹¹ Because it still viewed military force as a viable option, rather than continuing to negotiate, the government resumed its military operations. In contrast, SPLM/A officials found the DoP “even-handed” and a “pleasant surprise.”²¹² The SPLM/A continued to negotiate from a weaker position and the DoP outlined their objectives in the civil war. The perception was not the same on the GoS side.

The third round of IGAD talks in July 1994 brought about similar arguments and debates from each side. President Moi asked for a cease-fire and requested that both parties submit responses to the DoP.²¹³ The GoS was staunchly against wording in the DoP that would allow a Southern referendum for self-determination under conditions of continued inequality and marginalization. Chief delegate al Khalifa voiced his discontentment when he warned that “if you (IGAD) want to separate the South from the

²⁰⁹ Abdelwahab El-Affendi, “The Impasse in the IGAD Peace Process for Sudan: The Limits of Regional Peacemaking?” *African Affairs* 100 (2001): 585; The DoP stipulated, “The right of self-determination of the people of South Sudan to determine their future status through referendum must be affirmed . . . Maintaining the unity of Sudan must be given a priority by all the parties provided that the following principles are established in the political, legal, economic and social framework of the country: Sudan is a multi-racial, multi-ethnic, multi-religious and multi-cultural society. Full recognition and accommodation of these diversities must be affirmed . . . Extensive rights of self-determination on the basis of federation, autonomy . . . to the various peoples of Sudan must be affirmed. A secular and democratic state must be established in Sudan. *Horn of Africa Bulletin* Sep–Oct 1994:27 quoted in Adar, 43.

²¹⁰ Madut-Arop, *Sudan’s Painful Road to Peace*, 378.

²¹¹ Steven Wondu, 25 & 28–31; SDG, #49 (June 1994) as quoted in Wondu and Lesch, *Battle for Peace*, 155.

²¹² *Ibid.*

²¹³ Wondu and Lesch, *Battle for Peace*, 154.

North, it will be done through the barrel of the gun.”²¹⁴ The government evoked Sudan’s sovereignty and stated that the issues of “religion and state and self-determination and secession of the south were outside the IGAD’s scope.”²¹⁵ The government did make concessions with respect to the DoP’s wording, which allowed the South to determine their future through referendum but members of the government delegation who agreed to the changes were chastised when they returned to Khartoum.²¹⁶ To the GoS self-determination and secularism were non-negotiable.²¹⁷ The parties agreed to a cease-fire although Garang feared that the government would continue its attacks without international monitors present.²¹⁸ The fundamental issues between the GoS and SPLM/A remained contested. The importance of the internal cohesion and nature of the parties is demonstrated here as a critical factor of mediation outcomes. When delegates of the GoS undermined the stance of the regime, they were punished for making concessions. The party needed to remain whole in its approach and not give in to any demands of the SPLM/A. The GoS perceived no benefit from mediation and was not ready to negotiate a peace settlement.

Though the third mediation round did not completely end violence with a peace agreement, the pact that was signed demonstrated that the two sides could agree on minor points. Peace remained a long way off but a step was taken in the right direction. The Abuja mediations had helped the parties to identify their core issues and to communicate those to the opposite side, while the IGAD mediators fostered agreement on limited compromises in non-central issue areas. This was a partial success, as it began to change the relationship dynamic between the parties. It did not end or even contain violence, however, so does not qualify as a “success” in the sense utilized in this thesis.

²¹⁴ Madut-Arop, *Sudan’s Painful Road to Peace*, 379.

²¹⁵ Ibid; Wondu and Lesch, 156.

²¹⁶ Madut-Arop, *Sudan’s Painful Road to Peace*, 380. Ali al-Hag Muhammad and Muhammad al-Amin Khalifa were “rebuked and removed from the list of future delegates.”

²¹⁷ El-Affendi, “The Impasse in the IGAD Peace Process for Sudan,” 586.

²¹⁸ He agreed after meeting with U.S. Ambassador Melissa Wells as quoted in Lesch, 183. This is important to note as guarantees for Garang were not provided by the mediators but by external interests who were not directly tied to the mediators.

In the final IGAD conference in September 1994, Khartoum appeared even more belligerent than in previous sessions. Bashir sent Ghazi Salah al-Din Atabani and Nafie Ali Nafie, both hardline Islamists, as part of a completely white Arab government delegation.²¹⁹ Commenting on war with the South, Salah Atabani remarked, “the problem in the Southern Sudan was bred and nurtured by the British Colonialist ... my government’s duty is to Islamise [sic] the whole of Africa since that task had been interrupted by the European Colonialism.”²²⁰ These comments flabbergasted conference attendees and effectively ended the fourth session before it ever began.²²¹ Atabani stressed that a “cease-fire would be addressed once unity was ensured by force.”²²² The government sought to refocus its position and undermine the concessions made by its delegation in the previous round. This last session during September 1994 demonstrated the GoS absolute unwillingness to compromise. The time was not ripe to mediate with the SPLM/A and GoS.

The delegation’s firm stance was based on top Sudanese government officials’ beliefs. Bashir and Turabi both met individually with President Moi before the conference and expressed their desires that the GOS would not waver on its demand for an Islamic law in Sudan.²²³ Bashir diplomatically supported the DoP document but considered the deadlock on key issues a non-starter for the fourth conference.²²⁴ Musyoka ended the talks before the SPLM/A made opening remarks. President Moi recognized the lack of progress and called a meeting to brief IGAD heads of state on the stalled peace talks in attempt to persuade Khartoum to accept the DoP, but ultimately the talk did not move forward.²²⁵ The first IGAD peace initiative ended in Nairobi after the September 1994 talks. The SPLM/A and IGAD waited three years until the GoS returned

²¹⁹ Madut-Arop, *Sudan’s Painful Road to Peace*, 380; Wondu and Lesch, *Battle for Peace*, 156.

²²⁰ Madut-Arop, *Sudan’s Painful Road to Peace*, 380.

²²¹ Ibid.

²²² Ibid., 381.

²²³ Madut-Arop, *Sudan’s Painful Road to Peace*, 380; Lesch, *The Sudan: Contested National Identities*, 184.

²²⁴ Madut-Arop, *Sudan’s Painful Road to Peace*, 382

²²⁵ Wondu and Lesch, *Battle for Peace*, 163.

to the negotiating table.²²⁶ The mutually hurting stalemate (MHS) and mutually enticing opportunity (MEO) depend on a mutual perception by the parties that victory is unachievable or an opportunity exists through mediation that is unavailable with continued violence. During the 1994 IGAD talks, neither of these conditions was perceived by the GoS. While the SPLM/A viewed mediation as a possible option, that opinion was not shared by its enemies.

IGAD talks resumed in Nairobi in July 1997. Both international and domestic factors brought the GoS back to Nairobi. Although the GoS made many attempts during the break to locate a different mediator, including South Africa, Malaysia, the World Council of Churches, they failed to find a willing referee to take the IGAD's place.²²⁷ Sudan's neighbors cancelled diplomatic ties "citing Khartoum's destabilizing policies" within the region.²²⁸ Eritrea and Uganda did so in December 1994 and April 1995, respectively. Ethiopian relations "deteriorated following allegations of Khartoum's complicity in the Hosni Mubarak assassination attempt."²²⁹ Following the 1994 mediation failure, the tide began to further shift against the Sudanese government as it was increasingly looked down upon in the international community as international actors recognized the plight of the SPLM/A. External pressures (discussed later) pushed the GoS to return to the negotiating table if only for a brief period. The military power balance had shifted in the SPLM/A's favor (due in large part to international assistance) and the failure of GoS to at least appear to support a peace initiative could bring further international action against the country, therein threatening the power of the regime.

During the three-year break, the political, military, and asymmetric power balance between the GoS and SPLM/A shifted significantly to favor the SPLM/A. The Chukudum Accord between the Umma and SPLM/A recognized the right of the South to separate and determine by "free choice," not force, the status (independent or unified) of

²²⁶ Ibid., 162.

²²⁷ Khalid, *War and Peace in Sudan*, 372–373.

²²⁸ Iyob and Khadiagala, *Sudan*, 107.

²²⁹ Wondu and Lesch, *Battle for Peace*, 164; Iyob and Khaliagala, *Sudan*, 107.

the South.²³⁰ The Asmara Declaration between the National Democratic Alliance (NDA) and SPLM/A created a political and militarily capable challenger to the NIF and further established the right of the South to hold a referendum on secession.²³¹ With the NDA alliance, “the status of politicians inside the Sudan was increasingly at risk” by heightening political, social, and military pressure on the Khartoum regime.²³² The strengthened military position of the SPLM/A in the fall of 1995 and spring of 1997 resulted in military campaigns that recaptured strategic villages and defeated government forces throughout the southern region.²³³ The power shift between the SPLM/A and GoS briefly changed conflict dynamics between the belligerents, and in combination with external factors, pushed the parties back to mediation.

The GoS returned to Nairobi for several reasons: UN pressure after alleged Sudanese government involvement in the assassination attempt of Egyptian President Mubarak (1995), harboring of international terrorists, and continued human rights abuses subjected the regime to international action against it, and earned it the moniker of being a “rogue regime.” Similarly, United States’ non-lethal military support through the frontline strategy increased SPLM/A military victories and capabilities and depleted GoS forces. Furthermore, increased IPF involvement meant that the international community was more serious about finding a peaceful solution to the second Sudan civil war.²³⁴ The IPF took greater interest in the mediation process beginning in 1994 but did not provide funding or support until 1997.²³⁵ Wondu and Lesch noted that “Khartoum feared that international actors had “presaged direct international action ... the government needed to appear to be making progress in search for peace.”²³⁶ There remained a perception that the military situation was still the optimal solution, but the GoS recognized it could no

²³⁰ Wondu and Lesch, *Battle for Peace*, 160.

²³¹ Ibid., 161. Lesch, *The Sudan: Contested National Identities*, 148-149. Lesch notes that the NDA was a conglomeration of political parties, civil society groups, and rebel forces in the north the formed following the Bashir coup d'état.

²³² Ibid., 162.

²³³ Ibid., 164.

²³⁴ Iyob and Khaliagala, *Sudan*, 109.

²³⁵ Wondu and Lesch, *Battle for Peace*, 167; Iyob and Khadiagala, *Sudan*, 113.

²³⁶ Wondu and Lesch, *Battle for Peace*, 166.

longer ignore the building international attention. The government needed to do something to relieve the pressure it faced internally and externally. While it bided its time to attempt to regain the military upper hand, it agreed to engage in additional rounds of mediation with the SPLM/A.

During the July 1997 talks, the GoS accepted and signed the DoP. The GoP agreed to the DoP as a framework to end the civil war but maintained the right to reject individual principles.²³⁷ The GoS accepted the right of self-determination through referendum but continued to hold a hard line on *Sharia* and a federal government throughout the interim period.²³⁸ Khalid noted that 1997 saw divisions within the NIF regime, “while the cabinet supported the peace initiative because of the reversals on the battlefield after a string of victories by the SPLM/A, the zealots ... wanted nothing but war.”²³⁹ Though only a brief window in the IGAD peace process, the GoS’s signature of the DoP was a significant step toward establishing a baseline of issues and objectives for future negotiations between the SPLM/A and GoS.²⁴⁰ A ripe moment had finally arrived as a result of both internal and external pressures. The mediators were able to persuade the GoS to agree to a significant framework that would be the basis of future negotiations between the belligerents. However, context of the relationship between the parties would change within a few months and the hardline position of the NIF and GoS returned ending this period of ripeness before more concrete changes could be made.

Mediators held another session in October 1997 and sought to move forward in light of the GoS’s concession, attempting to force negotiations on the details. The mediators made little additional progress toward curtailing the conflict, however.²⁴¹ While the GoS had made concessions, each party left the talks bitter. The GoS accused the SPLM/A of “separatist extremism” and the other parties accused the GoS of “intransigence, hegemonic designs, and trying to end armed resistance by a promise of

²³⁷ Collins, *A History of Modern Sudan*, 260.

²³⁸ Wondu and Lesch, *Battle for Peace*, 167.

²³⁹ Khalid, *War and Peace in Sudan*, 371.

²⁴⁰ Iyob and Khadiagala, *Sudan*, 104.

²⁴¹ *Ibid.*, 109.

self-determination that Khartoum had no intention of honoring.”²⁴² Following the conference, Garang stated that “[w]e intended not to reach an agreement with the [Sudanese government]. This is what we did and we succeeded in it because we did not reach an agreement.”²⁴³

The ripe moment was lost and mediator efforts to forward progress halted by SPLM/A and GoS unwillingness to make further concessions. With military victories, the SPLM/A had been the more obstinate belligerent party, but once the GoS once again gained the upper hand, it withdrew its support for the mediation effort. The GoS had satisfied the international community by agreeing to the DoP, which bought it time to return to the military option to defeat the SPLM/A. The mediators were successful in bringing a compromise between the parties when both parties were ready to do so., but only so long as they remained in this stalemate.²⁴⁴ The international pressure was enough to push the GoS to the negotiating table and initiate concessions during a period of regime uncertainty but was not enough to force a peace settlement. Further international and domestic pressures and changes in the party dynamics of the SPLM/A and GoS were needed produce a moment ripe for mediation and alter mediation outcomes.

In January 1998, the GoS successfully conducted military attacks against the SPLM/A. The next IGAD meetings occurred in May and August 1998, but again the parties made little progress. Throughout these meetings discussions became deadlocked by each side restating their positions and making accusations that the other party was attempting to undermine the peace process.²⁴⁵ Abdelwahab El-Affendi stated that the “positions of the parties continued to diverge on several major points: areas where the referendum should take place, the interim period, interim arrangements, and on religion and the state.”²⁴⁶ This did not change over the next three years. The later years of the

²⁴² Wondu and Lesch, *Battle for Peace*, 168.

²⁴³ Summary of World Broadcasts, BBC, 15 December 1997 as quoted in David Hoile, *The Search for Peace in the Sudan: A Chronology of Sudanese Peace Processes 1989–2001*. (London: European Sudanese Public Affairs Council, 2002): 4.

²⁴⁴ The SPLM/A signed the DoP in 1994.

²⁴⁵ Iyob and Khadiagala, *Sudan*, 184.

²⁴⁶ El-Affendi, “The Impasse in the IGAD Peace Process for Sudan,” 588.

IGAD I peace talks would remain unripe for mediation. The mediation outcomes would not change considerably until both parties perceived that third-party intervention offered the best solution to the civil war.

IGAD mediation talks occurred a number of times between July 1999 and September 2000. Throughout this period, neither party changed its stance on the major issues. Another meeting in January 2000 failed and resulted in a similar stalemate between the two sides; a meeting in May 2000 “failed to materialize as the SPLM/A refused to attend in protest at government bombing of civilian targets.”²⁴⁷

The government boycotted the next meeting at the end of the summer claiming that the SPLM/A violated the cease-fire agreement of Bahr al-Ghazal. Talks resumed in September 2000. The mediators proposed a new secular framework to allow individual states to implement individual religious legislation; the government demanded the mention of *Sharia* if it agreed, but the mediators made no changes to the proposal. The mediators introduced wealth sharing to the meeting, but the principal parties engaged in little dialogue on the issue. Another meeting was proposed for October 2000 but never materialized. The SPLM/A launched a major offensive the day before IGAD talks in June 2001 and declared to the conference that “the SPLM/A has the power to meet force with force.”²⁴⁸ The GoS called for a cease-fire but the SPLM/A ignored the call to end violence and the talks ended after one day. The SPLM/A was reluctant to give up its military advantage because that gave the GoS unfettered access to oil wealth; the GoS wanted a cease-fire to ensure the same. The SPLM/A was concerned with the export oil that enabled the GoS to purchase weapons material in order to increase their war effort. The fighting in the South moved toward the oil rich regions where the SPLM/A attacked infrastructure to decrease the GoS’s new revenue stream.²⁴⁹ Collins pointed out that

²⁴⁷ *Ibid.*, 590.

²⁴⁸ “Sudan’s Government Calls on International Community to Push for Cease-Fire,” *Associated Press*, 5 June 2001 as quoted in Hoile, *The Search for Peace in the Sudan*,” 245.

²⁴⁹ Natsios, *Sudan, South Sudan and Darfur*, 109–110.

“despite their ethnic and internecine struggles, the southerners were adamantly opposed to the exploitation of southern oil by foreigners for the benefit of northern Sudanese Arabs.”²⁵⁰

B. IGAD I ANALYSIS

Similar to the Abuja conferences, the outcome of the first IGAD peace initiative was not unsurprising. Except for a brief window when the GoS adopted the DoP the context conditions crippled IGAD mediation efforts. The intransigence of both parties, weakness and bias of the mediator, and a lack of ripeness explained the failed outcomes of the IGAD peace initiative during the 1990s.

1. Nature of the Parties

The first IGAD peace initiative came a year following the demise of the Abuja talks. The parties exhibited little change in terms of their nature following the end of Abuja to the IGAD. In 1994, the GoS had a clear military and political advantage. Khartoum maintained a viewpoint that the SPLM/A was on its way to defeat and negotiations would be fruitless especially since the government was going to win militarily and subdue the SPLM/A. Madut-Arop wrote, “Confident that the rebellion would soon be over, President Bashir did not have any reason to worry any longer about war and peace issues but only to attend to his government’s vital policies at home and abroad.”²⁵¹ The NIF remained internally united in its approach toward mediation. Peter A. Nyaba wrote that the IGAD Peace Initiative came about when the “National Islamic Front government, assured of militarily defeating the SPLM/A, wanted now to isolate it diplomatically.”²⁵² Bashir’s pronouncements demonstrated complete confidence in the GoS military capability to ruin the SPLM/A, and therefore undermine any diplomatic attempt to secure peace.

²⁵⁰ Collins, *A History of Modern Sudan*, 233.

²⁵¹ Madut-Arop, *Sudan’s Painful Road to Peace*, 382.

²⁵² Nyaba, *The Politics of Liberation*, 162.

The SPLM/A remained politically and militarily weakened during the first phase of IGAD negotiations in 1994. The failure of the SPLM/A leadership to agree to the future status of the Sudan bolstered the GoS position on the battlefield and in mediation. Within its ranks, the SPLM/A was unable to maintain solidarity, and during mediation, unable to present a united front. The Nuba Mountains Agreement between the SPLM/A-United and GoS in April 1994 put Garang and the SPLM/A-Mainstream in an awkward position; Garang's former allies brokered peace and he was alone in facing the GoS.

Power disparity remained between the SPLM/A and GoS. During the 1994 mediation, the GoS had little reason to change its position during mediation. The GoS was still politically cohesive and militarily successful. It promoted Islamization and Arabization throughout the country and disregarded the desires of the IGAD mediators and the SPLM/A. Militarily bent to the breaking point and politically disjointed, the SPLM/A remained on the other end of the spectrum. The SPLM/A had ambiguous political desires, which made it incapable of negotiating with strength.²⁵³

Leading up to 1997, the domestic and international dynamics against the GoS increased pressure to reengage mediation. Bashir and the NIF felt challenged by from the SPLM/A-NDA alliance.²⁵⁴ As noted earlier, the SPLM/A-NDA alliance presented a political and military threat NIF power and state control. The threat of rebel groups was no longer distinct between the North and South but formed a consolidated position against the government that not only physically increased the challenge against the NIF regime, but established a social, political, and psychological opponent capable of undermining NIF rule. Where the SPLM/A slowly began to come together, the GoS increasingly faced disarray. Turabi's misdeals in foreign policy and his disappointment in the domestic campaign soured relations with Bashir.²⁵⁵ Bashir took the brunt of the international community's outrage over Turabi's associations with Osama bin-Laden and GoS's involvement in the Mubarak assassination attempt. Foreign intervention, would

²⁵³ *The Search for Peace in the Sudan: A Chronology of Sudanese Peace Processes 1989–2001* (London: European Sudanese Public Affairs Council, 2002), 4.

²⁵⁴ Lesch, *The Sudan: Contested National Identities*, 209.

²⁵⁵ Young, *The Fate of Sudan*, 39.

usurp Bashir who was officially in charge of the state, not Turabi who worked in the shadows. Throughout the late 1990s, Bashir needed to attend to both international and domestic pressures that threatened his power. The domestic threats came from inside the party (Turabi) and outside the party (SPLM/A). Before Bashir could address the threat from the SPLM/A he had to ensure his house was in order and threats to his power were eliminated. As noted earlier in the comparison of the parties, the influence of Islam as a guiding ideology for the NIF changed to a more secular focus. Bashir made a strategic decision to remove Turabi and consolidate his NCP with a less ideological focused effort.

Natsios wrote, “by the end of the 1990s, Turabi’s vision for an Islamist revolution had failed. His Islamist cadres had been absorbed into the power structure of a Bashir government that was more intent on survival ... Bashir’s breach with Turabi had also eroded the government’s already weak base of popular support.”²⁵⁶ Madut-Arop stated that, “Instead of working together for consolidating power in order to resist all the forces both national and international that were working to put it [NIF] out of existence, NIF leadership split into two hostile camps each threatening to do away with each other.”²⁵⁷ It was “Turabi, who insisted that the defeat of the SPLM/A was essential for the spread and consolidation of Islam in Sudan.”²⁵⁸ President Meles Zenawi argued that, “ideologically and politically, the form of fundamentalism that was ascendant from 1989 to 1996 in Khartoum is defeated. However, Islamic values are still there, and will be a political factor for a long time. But the virulent, messianic, export-oriented Islamism has dwindled in significance and has become inward looking.”²⁵⁹ The once strong NIF was riddled with internal dissention that threatened the power of elites.

The conglomeration of political parties, both secular and religious, and increased coordination among rebel groups from the North and South, threatened to undo NIF’s political control and dominance that the party maintained within the country. SPLM/A military victories over the previous three years reduced the tactical strength of the GoS,

²⁵⁶ Natsios, *Sudan, South Sudan and Darfur*, 105–107.

²⁵⁷ Madut-Arop, , *Sudan’s Painful Road to Peace*, 398

²⁵⁸ Natsios, *Sudan, South Sudan and Darfur*, 112.

²⁵⁹ International Crisis Group, *God, Oil and Country*, 23.

while internal disarray and external influences from neighbors and international organization required that the Khartoum regime acquiesce on some of the terms (self-determination), if only to temporarily appease mediators and onlookers.

In 1997, SPLM/A defeated GoS forces in a number of battles throughout the South.²⁶⁰ While it had lost training sites and political support from Ethiopia in 1991, the assistance of Eritrea, Uganda, Kenya and the United States (through the Frontline Strategy) provided the SPLM/A with tactical and strategic advantages.²⁶¹ The SPLM/A improved its political position and negotiating strength through alliances with the Umma party and NDA with the Asmara and Chukudum Agreements. Internally, the rebel alliance was now more cohesive; Northern political parties and rebel groups joined with the SPLM/A of the South.²⁶² The rebels agreed that the South should have the right to secede through referendum. Though this was not ideal for John Garang, he agreed to the idea, tacitly, if only to bring greater support to the Southern cause.

From 1994–1997 the dynamic between the SPLM/A and GoS changed. In 1994, the relationship between the SPLM/A and the GoS was asymmetric; the GoS maintained a political, economic, tactical, and strategic advantage over the SPLM/A. With agreements among rebel forces, external assistance, and military victories the balance of power between the parties changed to favor the SPLM/A. In the latter phases of the first IGAD peace initiative, power parity shifted to favor the SPLM/A rather than the GoS, but by the end of IGAD I, there was a symmetric balance between the two belligerents. When the SPLM/A was at its strongest point, the GoS capitulated and agreed to the DoP, but the subsequent restoration of power equilibrium between the two actors saw deadlock return to the mediation table.

IGAD I mediation outcomes came to a recognizable conclusion because both parties did not perceive mediation to be beneficial to their cause (neither readiness, MHS, MEO, nor optimism was present with both parties). In the earlier sessions of 1994, the

²⁶⁰ Madut-Arop, *Sudan's Painful Road to Peace*, 315–323.

²⁶¹ In October 1998 Madeline Albright met with NDA and SPLM/A leadership and made it clear that the U.S. favored regime change.

²⁶² Wondu and Lesch, *Battle for Peace*, 161–162.

lack of mediation ripeness was considerably influenced by the nature of the parties. The continued internal cohesiveness of the NIF and asymmetry on the battlefield allowed them to be staunch in their objections to SPLM/A demands and mediator proposals. SPLM/A's internal disorganization and its failures on the battlefield undercut their strength, which forced GoS concessions. The imbalance between the GoS and SPLM/A did not favor successful mediation outcomes in 1994.

The mediation outcomes from 1997-2001 changed little but a period of NIF weakness resulted in signature of the DoP. External and internal political pressures and military losses caused the GoS to bend in its position temporarily, but when parity between the military forces resumed, the GoS returned to a uncompromising negotiating position. On the other hand, SPLMA/A military victories and political agreements and perceived international support for its cause from the mid- to late 1990s emboldened the SPLM/A in its belief that it could win militarily against the GoS. In the later years of IGAD I mediation, the relationship between the parties resulted in more forceful positions or abandonment of the peace talks. The nature of the parties caused a lack of mediation ripeness and was a critical factor in determining mediation outcomes of the first IGAD round of Sudan civil war peace talks.

2. IGAD Mediators

As was the case with the Nigerian mediators, the lack of resources hindered IGAD mediators in 1994 and 1997–2000. The IGAD mediators began with legitimacy but this changed during the sessions with a perceived bias toward the GoS. IGAD looked like a good mechanism to mediate, but their clear impartiality and inability to sway the SPLM/A and GoS proved instrumental in the failed mediation outcomes.

The IGAD mediators had the trust of the SPLM/A and the GoS when the peace process began in 1994. The trust was whittled away by mediator actions during the IGAD talks.²⁶³ Bashir requested IGAD mediation and the IGAD had obliged. The SPLM/A “eventually accepted to participate in deference to the African heads of State

²⁶³ Khalid, *War and Peace in Sudan*, 369.

involved.”²⁶⁴ Khalid noted that the IGAD showed promise because “it brought together a high-powered team of mediators, heads of state three whom had experience in armed struggle and revolutionary politics ... and they [Eritrea, Ethiopia and Uganda] were genuinely committed to finding a lasting solution to the long-drawn conflict.”²⁶⁵ Young identified that from GoS’s point of view, IGAD was the “only group that could convince the SPLM/A to accept peace” and that the “GoS could not say no to an African initiative.”²⁶⁶ Bashir spoke highly about IGAD in public, but the NIF had other designs for the peace conferences; for example, “NIF strategists had believed that the IGAD countries, because of their internal political difficulties, could not take a firm stand on peace talks. For the NIF regime, the purpose of these talks was to isolate the SPLM/A diplomatically while preparing the ground to destroy it militarily.”²⁶⁷

The GoS wrongly assumed that the IGAD countries would not be able to take a firm stance. IGAD did take a firm stance, but it was against the GoS, which was the result of the relationship between Sudan and other IGAD states. Young observed that a “weakness of the IGAD peace process was attributable to tensions between the countries of the region.”²⁶⁸ Mediator countries’ military action against the GoS undermined the neutral position of the mediators. The leaders of Ethiopia, Uganda, and Eritrea used armed force against rebels in their countries (and against GoS forces) but told Sudan that it should broker peace with its rebels.²⁶⁹ Khartoum’s expected that the IGAD mediation would help them, but conditions within the region between the mediators and the GoS resulted in a bias against the GoS.

Mediators engaged in mediation activities often with their own objectives.²⁷⁰ IGAD’s objective was to “integrate and contain Khartoum in the interests of regional

²⁶⁴ Ibid.

²⁶⁵ Ibid., 370

²⁶⁶ Young, “Sudan IGAD Peace Process,” 9.

²⁶⁷ Nyaba, *The Politics of Liberation*, 163.

²⁶⁸ Young, *The Fate of Sudan*, 89.

²⁶⁹ El-Affendi, “The Impasse in the IGAD Peace Process for Sudan,” 588.

²⁷⁰ Bercovitch and Jackson, *Conflict Resolution in the Twenty-first Century*, 41–42.

stability.”²⁷¹ Regional partners feared that the civil war would push over the borders.²⁷² The GoS and outsiders recognized this partiality when a U.S. Institute for Peace report noted that, “three of IGAD’s member states have pushed for the ouster of the NIF government in Khartoum and expected the government to fall soon. They emphasized putting military pressure on Khartoum.”²⁷³ The mediators’ introduction of the DoP demonstrated favoritism for the SPLM/A and a temporary “redressing the balance in favor of the rebels.”²⁷⁴ While the SPLM/A was pleased with IGAD, the GoS considered the prejudice a threat to their cause, which led them to search for a different mediator.

IGAD mediator influence was reduced by a lack of leverage, legitimacy, and neutrality which further influenced of the mediation outcomes. El-Affendi argued that “with IGAD’s severely limited capacity and the self-imposed rigidities it labored under, any progress would have been nothing short of a miracle ... the regional set-up, which lacked the capacity to promote peace, proved also too fragile to pursue forceful intervention.”²⁷⁵ Among the stumbling blocks Adar identified were a “lack of resources, capacity to implement programs, transparency and co-ordination ... and instability within the region.”²⁷⁶ Lesch described a situation where mediators never gained credibility: “IGAD mediators’ views were distinctly more favorable to the SPLM/A than to Khartoum. Moreover, they lacked the mechanism for carrying out their proposed solutions.”²⁷⁷

Questionable legitimacy, demonstrating a clear bias, and undermining in lieu of leverage, IGAD mediators operated in a confused environment, with unclear objectives or purpose. El-Affendi wrote that the mediators did little to prepare for the new round of

²⁷¹ El-Affendi, “The Impasse in the IGAD Peace Process for Sudan,” 587.

²⁷² Ibid., 588.

²⁷³ David Smock, *A New Approach to Peace in Sudan* (United States Institute for Peace. Washington, DC: 25 February 1999), 4.

²⁷⁴ El-Affendi, “The Impasse in the IGAD Peace Process for Sudan,” 589.

²⁷⁵ Ibid., 598.

²⁷⁶ Adar, 43.

²⁷⁷ Lesch, *The Sudan: Contested National Identities*, 186.

talks [in 1997] and “relied mainly on improvisation, and were singularly unable to structure the talks to avoid sliding into the usual deadlock; it was not at all clear why the talks had been called.”²⁷⁸

The lack of progress up to 1999 resulted in IGAD Partners’ Forum (IPF) financial assistance to fund a permanent Secretariat, Daniel Mboya, and technical committees to address specific agenda items between the high-level talks; the mediation, however, required more than just additional participants to debate the issues.²⁷⁹ The appointment of Mboya, however, did little to affect the outcome of the first IGAD talks. The move was too little too late for the first phase of IGAD mediation. IGAD’s inability to influence the parties was recognized throughout the international community by 1999. Mboya’s assignment demonstrated that the IGAD was suffering from a lack of confidence and it would therefore require additional support.

Mediator deficiencies added to the failure of outcomes during IGAD I but were not the primary reason for the failed peace process. As Lederach noted, ripeness can be cultivated during the mediation process. A mediator with power and prestige is more likely to be able to influence the parties through the use of positive and negative incentives. Mediator bias can also influence ripeness and mediation outcomes if belligerent perceptions of the bias appear to favor the positions of the parties. While the time may not be initially ripe for mediation, it can sometimes be ripened by the capabilities and performance of the mediator. The limited leverage and legitimacy of the IGAD mediators did little to bridge the divide between the SPLM/A and the GoS. Herein, while the IGAD mediators were not primarily responsible for the failed mediation outcomes, their limited influence did not cultivate the ripeness (MEO) so that belligerents would choose resolution over violent conflict.

²⁷⁸ El-Affendi, “The Impasse in the IGAD Peace Process for Sudan,” 588.

²⁷⁹ Wondu and Lesch, *Battle for Peace*, 170.

International involvement did not always improve mediators' legitimacy. Bilateral attempts by the United States, Britain, South Africa, and Norway undermined the IGAD's strength to act as the regional player in charge and responsible for mediation between the SPLM/A and GoS.²⁸⁰ El-Affendi wrote that

international involvement has, from the beginning, had paradoxical dimensions: purporting to support IGAD but implying a lack of confidence in the regional body. The IPF's increasingly intrusive role made the relationship adversarial at times ... regional leaders were unable to demonstrate capacity to do without outside help by producing results, while the external powers kept looking over IGAD's shoulder and pushing for a more direct role, but without being able to achieve much.²⁸¹

Throughout the first phase of IGAD mediation, a lack of legitimacy and leverage plagued mediators. In an effort to secure their own security, the mediators established a bias that pushed the GoS away from the mediation. International actors served to both undermine and prop-up the mediators; the lack of continuity, however, weakened IGAD's ability to act in the best interests of both parties. The partiality, lack of leverage, and legitimacy contributed to the failed outcomes of the first IGAD peace initiative. The conflict was not ripe for mediation from the start of the IGAD peace initiative and mediator intervention did little to cultivate the relationship between the parties or end the second Sudanese civil war.

3. IGAD Strategy

IGAD mediators employed facilitative and formulative strategies during IGAD I. The mediators were restricted to these strategies because they had no leverage to influence the SPLM/A or GoS. Scholars recognize the need for mediators to shift strategies as events dictate, offering options and incentives to parties that require encouragement during the mediation process. An inability to do so restricted the IGAD

²⁸⁰ El-Affendi, "The Impasse in the IGAD Peace Process for Sudan," 592.

²⁸¹ *Ibid.*, 592–593.

mediator options. A mediator with power has more options to sway conflict belligerents. The IGAD mediators were not entirely ineffective but had difficulty maintaining the direction of the mediation process.

The IGAD primarily used a facilitative approach throughout the first phase of IGAD meetings. Kenya provided “good offices” where the GoS and SPLM/A could address each other and present their points of view. Those issues had not changed since the Abuja conferences. The discussions did little more than present the already entrenched attitudes and positions of each side.

A formulative approach led to the mediator’s introduction of the DoP. The results of this strategy shift had implications on the future of all mediation efforts between the GoS and SPLM/A. IGAD mediators recognized that they needed a framework and original solutions to make progress. The DoP was a new way that the SPLM/A and the GoS attacked the gap between their positions.²⁸² Khalid argued that had the IGAD mediators not proposed the DoP, the “talks would have fizzled out like all other previous mediations.”²⁸³ El-Affendi maintained that IGAD had no control over the talks. He commented that “discussions would turn into shouting matches and the less than cordial atmosphere would turn into hostile encounters.”²⁸⁴ While the mediators proposed a genuine solution to the belligerents, they could not force the parties to agree. The lack of leverage hamper the mediators ability to coerce the parties when a solution was available that addressed the issues of both parties.

Mediator strategy, until the end of the first IGAD, switched between facilitative and formulative. Throughout the sessions, the debates between self-determination, cease-fire, religion, and the state were prominent; IGAD was unable to pressure either party to bridge differences. Mediators attempted to continue discussions between the groups and sometimes sought to force changes in documents’ wording, but mediators could do little to pull or push the GoS or SPLM/A toward an agreement. IGAD was only able to present

²⁸² Ibid.

²⁸³ Khalid, *War and Peace in Sudan*, 374.

²⁸⁴ Ibid.

proposals and solutions and try to nudge parties toward compromise. A lack of resources constrained IGAD in influencing either the GoS or SPLM/A. Ruth Iyob and Gilbert M. Khadiagala state that President Moi “injected new life into the IGAD initiative [in 1997], nudging Bashir to finally accept the DoP;” this would be short-lived, however, as the parties returned to their trenches argued previous positions.²⁸⁵ IGAD remained limited in its strength and, as Wondu and Lesch wrote, “when IGAD resumed its efforts in 1997, it relied on mediation, without undertaking the sustained efforts needed to achieve a resolution.”²⁸⁶ The IGAD mediators appeared inattentive and unresponsive in their strategy. They appeared to have little energy to engage the parties and sort out the continuous strife between the SPLM/A and GoS.

The IPF responded to the IGAD mediation’s continuous failures by pressing Mboya and IGAD mediators for an agreement. Mboya implemented a new framework to specifically address and have the parties respond to the most contentious issues—secularism and self-determination—and commit in writing their disagreements before moving to other items on the agenda. The sequencing approach failed like all earlier mediator attempts to bridge the gap. In October 2000, an IPF appraisal revealed a lack of confidence in the IGAD peace process. The report stated that,

The secretariat often works in a cumbersome, time-consuming manner; the decision-making is time consuming, difficult, and inflexible; the secretariat’s efficiency is adversely affected by its reliance on consensus decisions of the envoys of the four mediator countries; the IGAD mediator countries have different relationships with the two Sudanese parties to the conflict; the mediators all have a vested but different interest in the Sudanese conflict and each wants a different result from the peace process; the Special Envoy seems to lack the necessary authority to effectively pursue his mandate. Important initiatives from the Special Envoy are over-ruled; during negotiations, the secretariat acts as a cautious or passive observer rather than as active mediators; and not challenging the positions of the parties.²⁸⁷

²⁸⁵ Iyob and Khadiagala, *Sudan*, 109.

²⁸⁶ Wondu and Lesch, *Battle for Peace*, 176.

²⁸⁷ *Sudan Democratic Gazette*, December 2000, p.12 quoted in Iyob and Khadiagala, *Sudan*, 118.

Merriam-Webster defined strategy as “a careful plan or method for achieving a particular goal usually over a long period of time; the skill of making or carrying out plans to achieve a goal.”²⁸⁸ The IGAD mediators were crippled in their strategy by internal and external constraints, and they required resources that they did not have. Strategy is employed by mediators to develop a mediation environment that is more conducive for each party to make concessions and discard previously held positions. Mediator strategy (regardless of the approach taken) is adjusted to specific situations. As noted in the literature review, no strategy has proven to be more effective in all conditions of mediation. Strategies had more likely outcomes under certain parameters of disputant relations or mediator status but the use of one approach does not guarantee specific mediation outcomes. Though mediation strategy was not the sole reason for the failure of the IGAD I peace initiative, it contributed to failed mediation outcomes. Mediator impotency and disorganization did not improve mediation ripeness and contributed to continued violence between the SPLM/A and GoS. While the IGAD I mediation rounds were overshadowed by the continued intransigence of the parties, mediator strategy was, writ large, ineffectual in cultivating a change in the belligerents positions or ending the violent conflict.

4. Ripeness

As with the Abuja mediation efforts, the IGAD mediation process began at an inopportune time. Conditions between the SPLM/A and GoS had changed little from the end of the Abuja process to the end of IGAD talks in 1994, and both parties were still committed to pursuing military victory. The SPLM/A remained internally fractured and the GoS was cohesive. An asymmetric power balance persisted between the belligerents. It was not until the GoS experienced military defeat, changing its perception about the utility of mediation that it agreed to the DoP. However, shortly thereafter, it returned to its position of superciliousness. As discussed earlier, Bashir was pressured by both internal and external pressures and military defeats to do something to appease the

²⁸⁸ Merriam-Webster Online, s.v. “strategy,” accessed 15 August 2013, <http://www.merriam-webster.com/dictionary/strategy>.

domestic and international audience. Agreement to the DoP relieved those pressures enabled him to focus on regaining the military initiative against the SPLM/A.

Throughout the latter periods of the IGAD I mediations, changes in GoS internal dynamics changed the perception of the costs of negotiation and in turn resulted in position shifts and swings regarding the willingness to compromise. When the GoS was internally cohesive, it redoubled its efforts at the mediation table to push its priorities of *Sharia* and a unified state. The SPLM/A remained continually stalwart in its position and became more obstinate when it achieved military parity and cooperation with other rebel groups. The relationship between the GoS and international actors drove the Khartoum regime to mediate, but there was not enough pressure from the mediators or the international actors to force concessions. A ripe moment existed to sign the DoP but did not last long enough to end hostilities.

The GoS saw an opportunity to gain favor with the international community when it agreed to the DoP, but it did not view the mediation process as relief from stalemate, future military defeat, or an opportunity to gain an advantage in achieving its end state of an Islamic state. There had been a rupture between the party leadership but there were also a number of agreements with rebel groups that favored the negotiating position of the GoS. Increased efforts by the international community first threatened the Khartoum regime but improved relations with Sudan's neighbors later removed the threat. A moment of ripeness passed quickly following SPLM/A and GoS signature of the DoP. The mediators attempted to capitalize on the progress but with their legitimacy in question and ability to coerce the parties limited, they were unable to pressure further deals between the SPLM/A and GoS. A ripe moment would not be cultivated until the mediators were more powerful and the parties were ready to sincerely use the mediation process to come to a compromise.

C. CONCLUSION

Timing can be a critical component to mediation. A capable mediator can also be beneficial for bringing about agreements between two warring parties. Mediation professionals and academics also view party cohesion and symmetry between parties as

influential to mediation outcomes. The IGAD I peace talks lacked the necessary conditions for a favorable mediation outcome. Concluding that a ripe moment was lost because the mediators were not powerful enough to cultivate an attitude shift has merit but it is unlikely that the SPLM/A would have surrendered its military dominance when it believed it was close to defeating the GoS. Additionally, increased mediator power was unlikely to circumscribe the vision of the GoS because to do so would have been an admission it had lost control of the state and a blow to the power of the Khartoum regime.

While the IGAD heads of state appeared to be a good option for mediation, regional complexities between the GoS, SPLM/A, and IGAD mediators undermined neutrality. Although mediators may have had a bias, actors must perceive that the prejudice of the mediators will not affect the mediation process. The IGAD mediators' actions within and outside of the mediation environment destabilized the impartial position of the mediators.

The timing of the mediation effort was unfavorable. Necessary characteristics for a successful mediation between two warring parties were not in existence. The conditions on the battlefield did not present a MHS and neither party witnessed a MEO. The mediation process was a failure because violence was not abated. The GoS and SPLM/A continued entertain violence as the primary option to reach their goals. The mediation outcome of the IGAD I mediation was influenced by both context and process. During the mediation, context remained the primary determinant of mediation outcomes. Process played role in presenting a solution to previously intractable positions, but the strategy employed by the mediators was incapable of overcoming contextual factors. Mediation outcomes are the result of context and process factors that have varying weight in influencing mediation outcomes. The nature of the parties plays a significant role and with an absence of readiness by either party to negotiate, IGAD I resulted in failure. During IGAD I, process and context factors needed for successful mediation were not present.

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V. INTERGOVERNMENTAL AUTHORITY FOR DEVELOPMENT PEACE INITIATIVE 2002–2005

The IGAD II mediations occurred at a time when the second Sudan civil war was ripe for mediation. During this round of talks, there were a number of context and process factors that contributed to ripeness and successful mediation outcomes. There were perceptual shifts within each party and a change in battlefield dynamics that resulted in a MHS between the SPLM/A and GoS. The stature and power of the mediator was bolstered with participation and support from the international community that allowed the mediator to overcome earlier mediation strategy restrictions, cultivate belligerent relations, and create favorable circumstances for mediation outcomes. Both parties overcame internal fractionalization and had consolidated issue positions. A new breath of life was given to IGAD with the assignment of a new chief mediator and support from the international community. Financial and technical assistance enabled mediator use of all mediator strategies. International and domestic pressures forced the SPLM/A and the GoS to take the IGAD II mediation process more seriously. Many of the factors that were absent in the previous mediation efforts were now present and affected the mediation outcomes of SPLM/A and GoS negotiations. A ripe moment was achieved primarily by a change in the belligerents' perceptions, perceptual shifts that were caused by changes in external conditions. The arrival of a true mutually hurting stalemate helped make IGAD II a fully ripe environment for mediation. Mediator attributes and strategy remained relatively unchanged. The success of IGAD II resulted from a culmination of variables that presented an opportunity for both sides to achieve their objectives through peaceful settlement of the 20 year conflict.

IGAD II occurred from May 2002 to January 2005. President Moi assigned General Lazaro Sumbeiywo as chief mediator and called for the consolidation of Sudan peace efforts.²⁸⁹ Dr. Ghazi Salahuddin Atabani and Salva Kiir Mayardit represented the

²⁸⁹ “A joint communiqué signed by the Heads of States of Djibouti, Eritrea, Kenya, Uganda, Ethiopia and the Republic of Somalia called upon the Chairman of the IGAD Committee on Sudan to rejuvenate the IGAD Peace Process and invite other initiatives (Joint Egyptian-Libyan Initiative) to coordinate the efforts. Waihenya, *The Mediator*, 79.

GoS and the SPLM/A, respectively.²⁹⁰ Phase one of the IGAD II peace initiatives took place in Karen and Machakos, Kenya, from May 2002 to 20 July 2002.²⁹¹ The IPF, and the “Troika” of Norway, Britain, and the United States supported the IGAD mediation team.²⁹²

The IGAD II talks began contentiously, but the parties reached a framework agreement following a shift in the agenda. The GoS agreed with the framework after moving unity to the top of the agenda and assigning self-determination a lower in priority; the SPLM/A approved the removal of the cease-fire.²⁹³ Progress halted there; the GoS was unwilling to agree to an interim period or a negotiated arrangement and the delegation walked out of the conference after a few disparaging comments for Sumbeiywo.²⁹⁴

At the next round of talks in June at Machakos, Chief Mediator Sumbeiywo proposed a “one country, two systems model” that both sides rejected.²⁹⁵ The parties returned to voicing their unremitting positions. The GoS wanted “state and religion within a federal system and [the SPLM/A] focused on the exercise of self-determination through referendum.”²⁹⁶ The mediators first allowed the parties to voice their positions and engaged them throughout the mediation effort to find a solution that would work for both. Nicholas “Fink” Henson conducted workshops and informal meetings with both sides to identify “red line” issues, negotiation sequencing, and areas of compromise that a piecemeal approval process could address.²⁹⁷ The SPLM/A felt slighted and became increasingly impatient that the mediators supported the GoS position of a federal state

²⁹⁰ Johnson, *Waging Peace*, 44.

²⁹¹ Ibid.

²⁹² Waihenya, *The Mediator*, 80. Waihenya noted that at the start of IGAD II the IGAD Partners’ Forum consisted of 17 states. Observers were also present from the African Union, European Union, and United Nations.

²⁹³ Johnson, *Waging Peace*, 44.

²⁹⁴ Waihenya, *The Mediator*, 82. Waihenya noted that a member of the government delegation stated, “You do not respect us” and “You will not get any respect from us.”

²⁹⁵ Johnson, *Waging Peace in Sudan*, 45

²⁹⁶ Ibid., 49.

²⁹⁷ Ibid., 45–47.

with *Sharia*, but ignored their demands for a self-determination option.²⁹⁸ Sumbeiywo recognized that issues of the state, religion and self-determination were at an impasse and therefore the mediators could not decide linearly, so he employed a more comprehensive approach.²⁹⁹

Sumbeiywo and Haysom crafted a compromise that addressed the main issues of both sides. The text stipulated a federal system of government with *Sharia* applicable only in the North and an option of self-determination through referendum following a six-year interim period.³⁰⁰ Sumbeiywo sequestered the delegation representatives in a conference room and informed them they could not leave until they agreed to the text. The representatives emerged with a consensus after four hours of analysis, mandate review, phone calls to their superiors, and minor modifications to the document. The GoS was satisfied with language that outlined a federal system of government and *Sharia* for the North and the SPLM/A was guaranteed “creation of a Southern region strong enough to help guarantee an opt-out through a referendum.”³⁰¹ SPLM/A and GoS signed the Machakos Protocol on 20 July 2002. With “creative ambiguity,” the mediators presented a solution that “was designed to both ease the concerns of President Bashir and mesh with Garang’s vision of New Sudan.”³⁰²

Garang and Bashir met for the first time following signature of the Machakos Protocol and both committed to continuing the peace process. The second phase of IGAD II talks transpired from August 2002 to January 2005. The two sides returned to address power and wealth sharing, constitutional issues, and the Three Areas (Abyei, Nuba Mountains and Southern Blue Nile), but a 1 September SPLM/A attack on Torit disrupted the mediation.³⁰³ Both sides sustained heavy losses attempting to gain the military

²⁹⁸ Ibid., 48.

²⁹⁹ Young, “Sudan IGAD Peace Process,” 37; Johnson, *Waging Peace*, 49.

³⁰⁰ Sumbeiywo made the decision that the interim period would be six years by splitting the difference between the SPLM/A desire (2 years) and the GoS request (10 years). Johnson, *Waging Peace*, 48.

³⁰¹ Ibid., 53.

³⁰² Young, “Sudan IGAD Peace Process,” 15.

³⁰³ Johnson, *Waging Peace*, 58.

advantage. Johnson noted that the SPLM/A “was sending a message that they had the power to back their demands.”³⁰⁴ Garang remained suspicious of Khartoum’s intentions and believed that he needed to show SPLM/A’s military strength.³⁰⁵ Bashir refused to continue mediation until both parties agreed to a cease-fire and maintained that the mediators’ consideration of the Three Areas “[was] giving into the demands of the SPLM/A too easily ... a clear departure from the agenda agreed”; he also “accused the IGAD secretariat of accepting SPLM/A’s demand with a view to pleasing them at the expense of the rules.”³⁰⁶ The fighting ended in mid-October with the Memorandum of Understanding for the Cessation of Hostilities. The IGAD mediations renewed the agreement until the parties signed the Comprehensive Peace Agreement. Talks occurred again in November 2002, but mediators achieved little.

Throughout the spring of 2003 a number of meetings occurred. Violence in the Western Upper Nile between government-sponsored forces and minor SPLM/A factions almost derailed the first meeting in January 2003.³⁰⁷ Forced to deal with the violence, mediators were unable to keep the parties focused on the previously agreed upon agenda. While the mediation resulted in an expanded role of Verification and Monitoring Teams (VMT), mediators made no other progress.³⁰⁸

On 2 April 2003 Garang and Bashir had a positive meeting in which they agreed to a timetable for negotiations. This was followed by another round of talks between the delegations from 6-16 April. Johnson noted that, “considerable progress was made on wealth sharing ... with assistance from the IMF, World Bank, the Troika and others; a technical, factual and educational approach really helped narrow the gap between the parties ... but key issues still remained on the table, unresolved.”³⁰⁹ Following the

³⁰⁴ Interview with Pagan Amum, 12–13 June 2010; group interviews; members of the SPLM/A delegation to the CPA negotiations, 16 April 2010 as quoted in Johnson, *Waging Peace*, 59.

³⁰⁵ Waihenya, *The Mediator*, 95.

³⁰⁶ *Ibid.*

³⁰⁷ Johnson, *Waging Peace*, 66.

³⁰⁸ *Ibid.*

³⁰⁹ *Ibid.*, 70.

meetings Garang and Taha expressed different concerns about the mediation process. While Taha confirmed that the government was serious, he did not want “arrangements of the interim period” to “prejudge the outcome of the referendum”, and Garang “expressed dissatisfaction with the IGAD team’s management of these particular negotiations” and warned against the inclusion of other militias in the talks.³¹⁰ The delegations continued to negotiate with Taha and Garang monitor their parties’ actions.

Another round of talks resumed in May 2003, during which the mediators attempted a comprehensive approach. Instead of the previous piecemeal strategy, mediators probed parties for their positions on the issues in order to analyze similarities and suggest trade-offs.³¹¹ The SPLM/A maintained that they were not able to deviate from the mandate or accept trade-offs. The GoS delegation accused the SPLM/A of purposely avoiding decisions that would move the talks forward. These sessions ended 21 May with no decision on “security, the Three Areas, the presidency, political representation, or the status of the capital.”³¹²

The sixth round of talks began on 6 July in Nakuru, Kenya. The mediators presented a draft document, which established a program to discuss previously unresolved and contentious issues. The mediators saw the document as part of a “make-or-break” strategy to “regain the momentum of the first Machakos round.”³¹³ The GoS rejected the Nakuru Framework. They resented the framework’s support of southern autonomy and failure to adhere within the bounds of the Machakos Protocol.³¹⁴ They further objected to advisors’ heavy handed involvement and proposed in an AU that South Africa should take over mediation the following July. The SPLM/A endorsed the framework but maintained reservations on security arrangements and oil revenue sharing.³¹⁵ Discontented with the draft proposal and the mediator’s attempt to address all

³¹⁰ Ibid., 70, 72.

³¹¹ Ibid., 74.

³¹² Ibid., 75.

³¹³ Ibid., 83.

³¹⁴ Young, “Sudan IGAD Peace Process,” 18. Johnson, *Waging Peace*, 83–85.

³¹⁵ Johnson, *Waging Peace*, 84.

issues at once instead of using an incremental approach to issue resolution resulted in GoS departure from the mediations.³¹⁶ Instead negotiating a complete document that addressed national identity, power sharing, wealth sharing, etc, the government desired a single issue approach. The GoS demonstrated their dissatisfaction with the “totality approach” and rejected the aggressive moves of the mediators by walking away from the table.³¹⁷

The next summit took place September 2003 in Naivasha, Kenya. This was the beginning of bilateral talks between Garang and Taha and excluded the majority of observers, advisors, and press from previous sessions. During Garang-Taha negotiation Sumbeiywo managed external involvement and ensured the talks remained low profile. Only IGAD personnel were present with the media, observers and the Troika excluded from discussions.³¹⁸ Garang, Taha, and their respective delegations discussed and debated at length the issue of security and power sharing. Proposals outlined the size, integration, and deployment of SAF and SPLM/A forces during the interim period. Garang was concerned that disbanding too many SPLM/A forces would give the government a tactical advantage if war returned; Taha was adamant that SAF remain north of the 13th parallel and wanted an extended redeployment period.³¹⁹ Taha and Garang signed the Protocol on Security Arrangements on 25 September 2003. Garang made concessions on the size of the SPLM/A forces and Taha adjusted the SAF’s deployment areas. Although Taha and Garang forged the agreement the mediators’ pressure and assistance played a part in continuing talks when each side was uncompromising and prepared to give up.³²⁰

Garang and Taha took full ownership of the mediation process with the successful negotiation of security arrangements. Over the next year and a half, negotiations between

³¹⁶ Young, “Sudan IGAD Peace Process,” 18.

³¹⁷ Ibid. Young notes that, “In the view of the GoS negotiating team the Nakuru Framework was an unwelcome level of engagement by the advisors, and their quick and emphatic rejection of it was meant to send the powerful message that they, and not the mediators, were in control of the process.

³¹⁸ Johnson, *Waging Peace*, 93.

³¹⁹ Ibid., 100–101.

³²⁰ Ibid., 94–102.

Garang and Taha resulted in compromises from each side on wealth sharing, the Three areas, political participation, location of the capital, power sharing, and a permanent cease-fire arrangement.³²¹ Mediators facilitated the Garang and Taha talks from September 2003 to the signing of the Comprehensive Peace Agreement on 9 January 2005. When Garang and Taha needed cajoling or coercing to end deadlock, mediators extended their technical expertise or injected themselves into the process, but their participation was limited.³²² Taha and Garang effectively brokered an agreement between themselves. While Taha contacted Bashir to get the president's approval on accords between the parties, Garang negotiated without having extensive discussions with other leaders in the SPLM/A.³²³ The CPA brought the second civil war to an end and the IGAD peace initiative successfully ended a conflict that had raged for more than 20 years.

A. IGAD II ANALYSIS

Changes in the political, military, socio-economic, and diplomatic environment affected the mediation outcomes of IGAD II. The conditions for mediation between the GoS and SPLM/A were ripe for resolution and resulted in successful mediation outcomes. Circumstance within and between the parties convinced Garang and Bashir to take the peace process more seriously. The SPLM/A had an equal but tenuous military position on the battlefield. Islamization purist ideals no longer drove the NCP, which faced internal strife due to deteriorating economic conditions. Greater international community support empowered the mediators. Mediation is not a single process but a combination of complex activities that may be present from within or without. When the parties were prepared to negotiate the mediation process resulted in successful mediation outcomes. There was greater mediator legitimacy and outright bias against the GoS from the mediators but these characteristics did not have an overwhelming influence on the parties. Leverage that affected the mediation came from outside the mediation forum.

³²¹ Ibid., 104–170.

³²² Ibid.

³²³ Young, "Sudan IGAD Peace Process," 20.

1. Nature of the Parties

Those who controlled the government dominated the resources. Every regime throughout Sudanese history sought to benefit from its power position that allowed control of state resources. Bashir and the NCP aimed to remain in control. Loss of resources undermined their control of the state. The NCP relinquished stringent Islamization in favor of maintaining power and access to wealth.

Turabi's presence in the NIF had hampered earlier peace prospects. Turabi's removal gave Bashir room to maneuver and lessened the importance of the ideological focus within this round of peace talks. Johnson noted that, "with Turabi cut loose and with a more coherent NCP, it was possible [for the GoS] to take a united position on negotiations ... those negotiations would moreover allow the NCP to secure the system, ensure stability and remain in power, an important motivation for the talks."³²⁴ Bashir was in a position to control Sudan and was less concerned about domestic enemies. His power was not absolute, but he had removed a key rival. To shore up his loyal constituency, Bashir further built a client base that supported him. Sudan had always been a patrimonial state and access to resources enabled elites to build patronage networks. Bashir expanded his client base and consolidated economic and political control of the state with oil wealth."³²⁵ Increased foreign investment and a rise in the middle class that would reap benefits from peace further pressured the NCP to negotiate peace.

Young found that, "President Bashir was clear that the government 'was compelled to fight but did not want to fight'" and that "a "strategic decision" had been made to embrace peace."³²⁶ GoS weapons purchases put them in a better military position; they controlled the oil fields and the Islamic strategy was no longer a priority effort to maintain power.³²⁷ As noted earlier, the government maintained the central

³²⁴ Johnson, *Waging Peace*, 21.

³²⁵ Natsios, *Sudan, South Sudan and Darfur*, 110.

³²⁶ Bashir as quoted in Young, *The Fate of Sudan*, 89.

³²⁷ Natsios, *Sudan, South Sudan and Darfur*, 112.

theme of Islam, but it would sidestep Islam for a more practical approach to preserving power. Collins wrote that, “ideologically, Bashir and the military had been less committed to the Islamist ideal.”³²⁸ He further noted that, “pragmatic businessmen kept their distance from the Islamist movement, which some members regarded as a theologically inspired charade and which some members of the NCP believed no longer possessed sufficient momentum to achieve its goals.”³²⁹ Collins noted the following:

The 9/11 hijackings may have transformed US foreign policy, but they also had a major impact on Khartoum... . Sudan hoped to normalize relations with the United States by offering cooperation against international terrorism and peace in the South. Despite the doubling of the military budget for military weaponry, the SPAF and PDF had yet to claim a significant military victory over the SPLM/A. Diversion of oil revenues into military expenditure ... food prices were high and discontentment was running deep ... unemployment among university graduates that had completed military service was nearly 70 percent, small business firms were unable to secure loans ... many members of the NCP now began to accept peace as the best possible solution to resolve or at least ameliorate Sudan’s socio-economic problems.³³⁰

Sudanese society was war-weary and the Khartoum regime saw the unrest from decades of war. The Darfur conflict added a new front of fighting for an already beleaguered military. One might suggest that NCP had to settle one of the conflicts to maintain legitimacy and remove the threat of rebellion.

While Islam served as a guiding influence and may have dissipated among moderate NCP members, Taha maintained a strong vision for an Islamic Sudan.³³¹ Though solid in his beliefs, he was also a pragmatist and “could read the political and external landscape well, and he knew what was at stake.”³³² Young noted that “Taha had reservations about the peace process and because of his seniority in the government many people many people involved in the negotiations concluded that he must be brought on

³²⁸ Collins, *A History of Modern Sudan*, 227.

³²⁹ *Ibid.*, 237.

³³⁰ *Ibid.*, 262.

³³¹ Johnson, *Waging Peace*, 15.

³³² *Ibid.*

board to win support.”³³³ While Taha could make decisions on the government’s behalf, he still had to get the Bashir’s approval. Taha’s power within the NCP and Muslim community gave him influence with Bashir.

The change in the nature of the NCP affected the IGAD II’s mediation outcomes. A rigid ideology and leader no longer pushed the process. Mediators were aware that internal pressure might destroy the NCP if it failed satisfy a peace deal on at least one front. But the NCP also recognized pressures from outside its borders. Young noted that, “should the [peace] process break down completely, the US could again become a major threat to the survival of the [NCP] government.” The GoS, however, also believed that, “[the United States] was the only country that could bring the needed pressure to bear on Garang to sign an agreement.”³³⁴ The SPLM/A viewed United States involvement as a necessary influence on the GoS and to provide guarantees for mediation settlements and financial assistance to the Southern region.³³⁵ A ripened condition was created within the NCP with supporting perceptions, one negative, and one positive, of United States connection to the IGAD II peace initiative. The impact of the United States on the mediation effort and the positive or negative benefits of satisfying the desires of the United States helped to rearrange party perceptions that favored a peaceful solution. One must accept the IPF’s role and their influence on mediation process to understand IGAD II. The involvement of the United States changed the dynamic of the mediation process by influencing the parties. While not directly connected to the GoS and SPLM/A talks, its constant presence was a motivating factor for each party and facilitated the perception of a MEO. IGAD II offered an opportunity that was not available earlier.

By the beginning of the 2002 IGAD peace talks, the SPLM/A’s mediation had position improved. The SPLM/A recovered from internal splits that broke the movement in 1991. The Dinka and Nuer internecine fighting decreased when Garang and Machar signed The Nairobi Declaration on Unity. This agreement was critical to furnishing the

³³³ Young, “Sudan IGAD Peace Process,” 19.

³³⁴ *Ibid.*, 32.

³³⁵ *Ibid.*

SPLM/A with access to oil producing areas and Garang saw it as “a strengthening call for Southern self-determination.”³³⁶ Collins noted the following:

By 2002 the SPLM/A had evolved into an effective fighting force that consistently inflicted severe defeats on the SPAF and PDF. [Garang] also understood that oil revenues would not immediately turn the tide of war in favor of the North, but in the long run they would make the SPLM/A vulnerable and revive the discarded notion that a military solution could be achieved. Finally, he was acutely aware that his people were weary of war; the southern Sudanese longed for peace. If he could deliver an acceptable solution it would guarantee his authority in the South.³³⁷

Garang recognized that temporary military success could turn against the SPLM/A as it had in the early 1990s, and therefore made a strategic calculation that the time was ripe to engage more genuinely in negotiations.³³⁸ Garang’s perception was that this was the right time to engage in negotiations: if the SPLM/A was on a more equal footing with the GoS in the mediation effort, it would then be able to obtain more concessions to its position from the process. Delaying genuine mediation risked losing this position of strength. Additionally while Garang remained the dominant personality within the SPLM/A, his position was not unchallenged. Others within the SPLM/A increasingly questioned Garang’s position, arguing he had “created artificial unity based on forced acceptance of his rule.”³³⁹ But in 2002 the SPLM/A elites were cohesive and society’s peaceful desires pressed those in power to end the conflict, making this a ripe moment for negotiation. The IGAD II mediation outcome reflected both the Southern Sudanese compulsion to bring about peace and Garang’s knowledge that power parity would not remain and his position as leader of the SPLM/A was increasingly being questioned.

The nature of the parties had therefore changed in ways that made the situation much riper for resolution than in previous eras. The NCP no longer focused on an

³³⁶ Collins, *A History of Modern Sudan*, 262.

³³⁷ *Ibid.*, 263.

³³⁸ Young, “*Sudan IGAD Peace Process*,” 32.

³³⁹ John Young, “John Garang’s Legacy to the Peace Process, the SPLM/A Y the South,” *Review of African Political Economy* 32, no. 106 (December 2005): 545.

ideological program of Islamization and it weathered the GoS's leadership breakup. NCP moderate's fear that if the NCP continued to promote an unyielding message of *Sharia* throughout the country, then it would lose access to precious resources and wealth. The SPLM/A was now cohesive organization; throughout the years preceding IGAD II it made agreements to shore up international and political support and, in 2002, it was also militarily equal to the GoS on the battlefield. For the first time, the belligerents had power parity and the SPLM/A and GoS were also internally unified in their aspirations. Elites in both groups wanted to end the war, fearing that its continuance would cost them their positions. These changes would prove critical in altering mediation dynamics. One side was no longer dominant; war weariness pressured elites to make compromises and both sides recognized that if a negotiated settlement was not agreed upon then, the opportunity to do so would be lost. The leaders who could bring about peace took control of the process and found solutions where compromise was untenable before. Mediation ripeness was created by a change in the nature of the parties. This was a significant shift from previous mediation efforts and altered IGAD II mediation outcomes.

2. Nature of the Mediators

Legitimacy, leverage, and the perception of bias influence mediator capacity for impacting mediation outcomes. The literature, however, debates whether IGAD mediators had these characteristics. Parties' attitudes toward the mediators shifted throughout the IGAD II peace talks. A host of states and international organizations backed the IGAD II Chief Mediator, but he had questionable leverage throughout the process. The mediation team maintained a modicum level of bias and specifically addressed both sides' concerns during mediation; however, external pressures from the IPF sought an outcome in favor of the SPLM/A. As noted earlier the SPLM/A and GoS faced pressure to conclude a peace deal, but the mediators also felt pressure from observers to bring an end to the civil war.³⁴⁰

³⁴⁰ "Reflecting on the IGAD Peace Process: An Interview with Nichols (Fink) Haysom," in *Accord Sudan: Peace by Piece* 18 (2006), 30.

The international community came together to support the IGAD II peace talks and other initiatives had been pushed aside. Herein the IGAD forum was a legitimate entity to conduct mediations. The GoS found no other willing mediators so the only option it had was to return to the IGAD process. The SPLM/A recognized IGAD as the most practical forum to address their desires and believed the mediators were favorable to their cause.³⁴¹ The GoS held negative views of members of the mediation team, but as it had no other options, it was forced to deal with those individuals. Young mentioned that Susan Page and “Fink” Haysom “were resented by GoS negotiators” and Waihenya wrote that the GoS “did not trust General Sumbeiywo.”³⁴² Young concluded that

while the Special Envoy gained legitimacy among the parties because of his unstinting efforts to contain the observers and protect the negotiators from them, he and the parties operated in an international context over which they had little control and were constantly subject to the pressures that emanated outside the formal structure of the peace process.³⁴³

Because the IGAD II mediation team was accepted (even though disliked) it maintained legitimacy as a third party intermediary. Their leverage, however, was questionable. Young claimed that “although IGAD received the mandate for conducting the mediation, provided the mechanism for the mediation, gave it legitimacy, and received funding, it had the least influence” in comparison to observers, advisors, and the troika.³⁴⁴ Within the confines of the Machakos Protocol, Sumbieywo demanded a solution from the parties; what remains unknown, however, is whether his direction or simply the parties’ recognition that they needed to resolve their differences was the impetus for the Machakos Protocol. Johnson noted that “the new chief mediator was

³⁴¹ Young, “Sudan IGAD Peace Process,” 34. Young noted, “By rejecting the Arab League and Egypt it was argued the negotiating table that included envoys, the AU, the quartet [troika plus Italy] which were broadly supportive of the SPLM/A, and also a secretariat led by a Kenyan general, was heavily weighted against the GoS;” Madut-Arop, 395. Though Garang originally supported the JLEI, the SPLM/A rejected the proposal because it sought to incorporate the NDA into peace talks and discredited the SPLM/A’s desires for self-determination. “Egypt and Libya tabled their own peace agenda intended to undermine the efforts of the IGAD mediation team that the two countries accused was assisting the south to secede.”

³⁴² Young, “Sudan IGAD Peace Process,” 35.

³⁴³ *Ibid.*, 43.

³⁴⁴ *Ibid.*, 39.

supported by a better secretariat with more international and technical experts, funded by the Troika and other countries,” however, Sumbieywo’s application of any sticks or carrots to leverage the parties was absent.³⁴⁵

Throughout the SPLM/A and GoS mediations, the GoS perceived bias from the mediators and supporting countries. The GoS was put in a difficult position as Bashir noted with the “changing of the rules” and observer and advisor favoritism for the SPLM/A. Despite the perception of bias, however, the NCP felt that it had to negotiate or face US retribution. Thus, despite mediator bias, the GoS still engaged in the mediation effort as it sought to avoid greater sanctioning by the United States. The IPF and the mediators appeared to generally support the SPLM/A, but in previous bouts of mediation, particularly in the Abuja talks, the mediators had been thought to favor the GoS position.

Assessing the nature of the mediator in IGAD presents a number of difficulties. There was a clear perception of bias that traditionally tends to dissuade one party from participation, but the GoS recognized the bias as a condition that they had to deal with; they essentially had no other option. Furthermore, though the mediators were legitimate, the “leverage” of the IGAD mediators was not actually in their control. The power of the mediators was considerably less than that of observers who might have taken action against the GoS or SPLM/A if no forward progress was achieved. Finally, the lack of mediator participation in later stages discredits the influence of the mediators. Many of the agreements between Garang and Taha were made absent participation of IGAD mediators.

Overall it can be concluded that though the nature of the mediator minimally changed, those changes did not significantly affect mediation ripeness or mediation outcomes. The belligerents were less influenced by the legitimacy, leverage, and bias of the mediators than by other conditions surrounding the mediation environment. IGAD II ripeness was contingent on factors other than the nature of the mediator.

³⁴⁵ Johnson, *Waging Peace*, 42–43

3. Mediator Strategy

Mediator strategies during IGAD II mirrored the approaches used in the Abuja and IGAD I mediations, but in IGAD II, the character of the mediation was more organized. Throughout the peace process mediators had provided “good offices” where the parties negotiated, but aside from the introduction of the DoP, rarely adopted a directive or manipulative tactics. Unlike earlier IGAD peace talks, those who served under Sumbieywo were more organized. Johnson noted that, “Rather than sporadic negotiating sessions, convened for shorter periods of time, the IGAD secretariat now outlined a strict agenda for continuous talks and specific deadlines.”³⁴⁶ Initially a facilitative approach allowed the parties to voice their positions. With little forward movement, the mediators moved to a formulative strategy. Mediators used the Negotiating Framework Document as a comprehensive approach to reach a single settlement. Thereafter the parties rebuffed wide-ranging solutions that the mediators proposed. Young maintained that following parties’ rejection of the Nakuru Framework, “the mediators backed down and did not again to attempt to put before the parties a holistic approach to resolving the outstanding problems. Instead they shifted gears and followed a piecemeal approach.”³⁴⁷

During the Garang-Taha discussions, however, the mediators served as facilitators. Johnson claimed that, “the role of the Chief Mediator and IGAD secretariat had thus diminished ... arranging technical meetings and the briefings of international experts.”³⁴⁸ Young remarked that “the role of Special Envoy Sumbeiywo and the mediation team declined [during the Garang–Taha talks], indeed they largely lost control of the process and were reduced to a formal presence and repeatedly going to Garang and Taha for updates.”³⁴⁹ A number of advisors participated and persuaded Garang and Taha to accept trade-offs and concessions. Young noted that

³⁴⁶ Johnson, *Waging Peace*, 43.

³⁴⁷ Young, “Sudan IGAD Peace Process,” 19.

³⁴⁸ Johnson, *Waging Peace*, 103.

³⁴⁹ Young, “Sudan IGAD Peace Process,” 21.

The resilience of Sumbeiywo in the peace process does not lie in his vision because there is no indication that he had one. Rather it lies in the fact that he successfully adapted to the interests of the strong-willed negotiators of the SPLM/A and the GoS, who did not want vision, aggressive leadership, intellectual grandstanding, or the production of grandiose proposals. Instead they wanted—and got—a go-slow piecemeal unimaginative process and the environment to carry out their endeavors largely free from the overt pressures of outside interests.³⁵⁰

The mediators adopted their tactics to the needs of the belligerents. When the mediators attempted to intervene more forcefully they were rebuffed by the SPLM/A and the GoS. This shows that mediator strategy had little influence on the process (the practical removal of their participation further supports this point). The mediation forum provided an environment for the belligerents to discuss issues and come to concessions but mediator actions and strategy appear relatively inconsequential. If the can be credited with cultivating ripeness, it is because they enabled circumstances where Garang and Taha were free from external distractions and able to communicate face-to-face. If this is the case mediator strategy had little impact on the mediation outcomes.

4. Ripeness

During the IGAD II mediation effort, several factors shifted the perception of the SPLM/A and GoS, so that they finally believed that mediation was the best course of action. First, the parties were at a military stalemate. Victories and defeats had shifted between the SPLM/A and the GoS but neither group had achieved the overwhelming success necessary to shift the balance of power in its favor. Zartman noted that a leveling of power between disputants and perceptions of stalemate are likely to lead belligerents to view mediation as a preferred option. A leveling and negative perception of continued violence brought forward a MHS at the beginning of IGAD II.

Further ripening the prospects for settlement, both sides perceived an enticing opportunity (the mutually enticing opportunity, MEO that Zartman discussed). Ending conflict could potentially increase Bashir's power by giving him additional resources to increase his client base. Furthermore, the increasing violence in Darfur meant required

³⁵⁰ Young, "Sudan IGAD Peace Process," 37.

Bashir to capitulate on one front to make gains on the other. The SPLM/A presented a larger threat to Bashir's power so he was willing to make compromises with the SPLM/A and continue the conflict in Darfur. The opportunity for Bashir was the end to one conflict that threatened his control of the state. On the other side, Garang saw peace as the opportunity to solidify his position leader of the south by bringing peace to a region was involved in conflict for more than 20 years.

Ripeness was not cultivated by the mediators *per se*, but by external pressures on the SPLM/A and GoS to end the war. Positive and negative incentives pushed the GoS and SPLM/A to compromise. The SPLM/A was given guarantees for assistance; the GoS recognized continued bellicosity could result in international military action against the NCP regime. Ripeness, if it was influenced by the mediator strategy was limited in duration (Machakos Protocol negotiations) but was later based on the mediators adjusting their approach to what the SPLM/A and GoS wanted, not by forcing their own agenda. When a more forceful approach was needed, General Sumbeiywo pressed the parties to negotiate and agree to a document that was accepted by both delegations, but his force during this time is questionable. His ability to do so was backed by leverage provided by the IPF (specifically the United States). When the situation called for direct talks between Taha and Garang, Sumbeiywo withdrew and restrained international pressures that might disrupt the process. The mediators were important for the majority of IGAD II mediation as a buffer but not as actual participant between the belligerents. The third party, as a new influencing agent in the negotiations, was removed by the primary belligerents in the conflict.

Mediation was successful between the SPLM/A and GoS when the parties saw mediation as an opportunity they could both benefit from and violent between them reached a plateau—neither party was gaining or losing ground. Variables do not hold equal weight and during mediation periods, one factor may weigh more heavily on the influence of mediation outcomes than other factors. Overall, IGAD II produced successful mediation outcomes because the relationship between the parties had become ripe for mediation.

B. CONCLUSION

The IGAD II peace process between the SPLM/A and the GoS was successful in reaching agreements; a number of conditions outside the mediation environment and within the parties influenced the belligerents to seriously negotiate for peace. NCP solidarity preceded the IGAD II mediation rounds and reduced emphasis on an unbending ideological focus. The SPLM/A gained internal cohesiveness through mended relationships that had previously pitted one rebel group against the other. Power parity was reached between the parties and they perceived a MHS. External actors played a role in the mediations. While they did not directly impact the mediations, they affected what would transpire if mediation efforts had failed; thus, external actors' involvement appeared to motivate both parties to reach a settlement. The mediators contributed to the agreements first by detailing the issues and second by providing a solution that would facilitate dialogue between the SPLM/A and GoS in the early stages of IGAD II. When Taha and Garang took the lead, the mediators were relegated to a minor role. The strategy that the mediators' employed was a response to what the parties desired. In effect, belligerent desires restricted mediators' actions and mediators could do little outside the bounds that the parties identified. Mediation outcomes of IGAD were primarily the result of changes in the nature of the parties. Ripeness was achieved because the parties recognized that violence was no longer in their best interests.

VI. CONCLUSION

Mediation is a third-party attempt to end a dispute between rivals who have seemingly intractable differences. Mediation attempts to inject an external stimulus to change conflict structures and alter negotiation conditions in order to end violence. Mediation outcomes are contingent on conflict conditions, belligerents' nature, mediator attributes, mediation strategy, and ripe moments for intervention. A mixture of these factors affects the success or failure of mediation.

This thesis analyzed how and why context and process factors influenced mediation outcomes. Examining factors of context and process that mediation literature suggested was important to the success or failure of mediation, the thesis removed conflict issues as a specific mediation outcome variable, noting that, throughout the Abuja and IGAD mediations, parties' issues remained relatively fixed. This thesis sought to determine the weight of party and mediator nature, mediation strategy, and ripeness on mediation outcomes; it used a combination of process tracing and the contingency model of mediation to guide an analysis of how process and context factors affected mediation outcome.

The desire to understand and explain the mediation outcomes of three international efforts for mediating peace between the SPLM/A and the GoS prompted the thesis. Mediation literature provided a compilation of factors that have influenced mediation success or failure.

The Abuja peace process did not have the necessary conditions for successful mediation. The GoS held a politically and militarily dominant position and the NIF's consolidated positions meant that mediation had to produce an agreement equivalent to an outright GoS victory. Elites directed a zero-compromise stance and limited delegation concession making authority. The SPLM/A was unlikely to make concessions to GoS demands because it had a fragmented composition and deteriorated battlefield position. A military defeat would be tantamount to a settlement for the SPLM/A, which would have relegated them to a marginalized, subordinate position within the state. Mediators were powerless, and their strategy was ineffectual in producing a settlement between the

parties. They lacked the leverage and neutrality to affect the outcome. Abuja was a failure because it produced no significant settlements or agreements between the parties and did not end the violent conflict in Sudan. The mediation outcome of the Abuja peace initiatives resulted from context factors and process did not especially influence it; SPLM/A and GoS internal dynamics and the asymmetric relationship prohibited a peace settlement. The conflict was not ripe for mediation.

IGAD I mediations occurred during two periods of vastly different circumstances. The first period reflected Abuja mediation conditions. The nature of the parties, mediators, and strategy could not bridge the disparity between the GoS and SPLM/A. Party dynamics established conditions prime for failure. The mediators, though backed by a mandate and the prestige of multiple heads of state, were feeble in directing the mediation efforts. The mediators were formulative in presenting the DoP but lacked the leverage to coerce the GoS to accept the proposals. Mediator bias against the GoS further crippled mediator legitimacy.

The second phase of the IGAD I saw a dramatic shift in the party make-up, where the positions of the parties was reversed. The SPLM/A increased its military power relative to the GoS, developed alliances with other political parties, and adopted a political-military strategy against the GoS. Conversely the GoS began to fracture within and suffered extensive defeats on the battlefield. The GoS agreed to the DoP to satisfy external pressures against the Khartoum regime but its intention to maintain the integrity of the agreement faltered following an upswing of armed force triumphs against the SPLM/A. Furthermore, NIF leadership fissures resulted in a party split and uncertain political associations. The mediators remained ineffectual in driving the belligerents toward a compromise. The SPLM/A did not make concessions because their perception of increasing strength vis-à-vis the GoS pointed to military victory as a possible consequence. The one success during the first IGAD mediations resulted from conditions outside the talks, and therefore, was unattributable to the mediators. Mediators attempted a formulative strategy but the parties restricted them to a facilitative approach. Mediators during the 1997-2001 IGAD mediations remained powerless in altering conditions to affect mediation outcome. While the good offices and dialogue between the belligerents

provided a platform for parties to share their diametrical viewpoints on substantive issues, the belligerents proscribed a peace settlement. IGAD I was a failure because it was unsuccessful in ending violence between the SPLM/A and GoS.

During IGAD II, the GoS and SPLM/A held a power equilibrium and relatively symmetrical military strength. Garang recognized the potential for the SPLM/A to lose tactical strength and mediations presented the best opportunity to gain concessions from the GoS. Reconciliation of SPLM/A elites and consolidated objectives for Southern autonomy established a single negotiation stance. The NCP emerged as the principle political authority within the GoS; a united desire to maintain power bonded elites. Both the SPLM/A and GoS preserved internal cohesiveness. Mediator bias (specifically from the IPF) favored the goals of the SPLM/A and domestic conditions forced the GoS to capitulate to the SPLM/A's demands. The mediators participated in the initial stages, but lost significance when the principals directly engaged with each other. Initially, mediators took a facilitative approach and followed it with a formulative strategy. External elements that were not directly involved in the mediation created incentives for compromise. Manipulation did not occur within the mediation environment, but was a result of United States (and others) threats and guarantees to reach a peace deal. The IGAD II mediation outcome was based predominantly on party willingness to finally compromise and the key decision makers' participation. The mediators played a role in providing a forum for the leaders (and delegations) to hold discussions and conducted shuttle diplomacy; they engaged parties when negotiations faltered, but their impact, through direct involvement or proposal of solutions, on the mediation outcomes was negligible. IGAD II was a success because it resulted in the Machakos Protocol and Comprehensive Peace Agreement and ended the two-decade Sudanese civil war.

Belligerents have often entered into mediation as a final option in an attempt to resolve their differences. Mediators have striven to facilitate an end to violent conflict by serving as intermediary between disputants. Mediation has been successful, however, only when both parties are prepared to end the violent conflict. Unless the conditions are ripe for resolution, mediators will have minimal impact on ceasing hostilities. This thesis analyzed three factors affecting mediation outcome and demonstrated that factors internal

to the conflicting parties, particular their perception of ripeness, as one of the most determinant factors in explaining the shift from the failed Abuja and IGAD I mediation efforts to the successful IGAD II mediation initiative.

This thesis research began with the view that the literature often undervalues the impact of mediators. Regardless of the strategy employed, the role of the mediators was more significant because their participation changed the dynamic of the relationship between the parties. The conversations between the belligerents were no longer purely bilateral. The mediator became an active participant in influencing the mediation outcome. However, this thesis showed that mediators and mediator strategies are not determinant in explaining mediation outcomes. The nature of the mediator and mediation strategy during the second Sudanese civil war had little impact on mediation outcomes *per se* when the conditional circumstances were not ripe for mediation.

Mediation analysis of the second Sudanese civil war demonstrated that context was more important than process in determining mediation outcomes. The mediation environment was vaguely swayed by the mediator's nature or their strategy. Writ large, Abuja and IGAD I mediations were not initiated at ripe moments. The conflict became ripe for resolution when a number of different factors aligned to present an opportunity for the SPLM/A and NCP to benefit from peace talks. The change in the nature of the parties had the most significant effect. Power balance and change in the ideology of the NCP allowed Bashir to backtrack on previous demands that called for a single Islamic state with *Sharia*. The pressure of moderates within government and war weariness among the population permitted him to change GoS negotiation positions without a "loss of face." Garang recognized his position was in peril and that the power parity between the SPLM/A and GoS could shift against the SPLM/A. During IGAD mediations, the SPLM/A was more cohesive than it had been since the start of the civil war. The fear that the SPLM/A would fracture again and potential of future military defeat provided Garang with encouragement to negotiate an end to the conflict.

A. THEORETICAL CONCLUSIONS

Jeffrey Rubin noted that “for international mediation to be effective, three things are required: disputant motivation to settle or resolve the conflict in question, mediator opportunity to get involved, and mediator skill.”³⁵¹ In the Sudanese civil war mediation efforts, belligerents demonstrated little motivation to settle. Therefore, even with mediator opportunity and skill, the mediators had little influence on the outcome. This conclusion has confirmed the literature’s idea that the nature of the parties and ripe moments for mediation are perhaps the most important factors in determining mediation success or failure. Although mediation might be less expensive than war, it still requires significant investment from both parties and the mediator. Attempting mediation at the wrong time, when parties are unwilling and unenthusiastic toward mediation, would be a poor investment. However, the thesis also demonstrated that mediation efforts, and particularly third party actors, can help to shift the perception of the parties and thereby increase the ripeness for resolution. This is outside the realm of formal mediation, however. In conditions where the parties are clearly unable to compromise and perceive that they can win their positions on the battlefield, mediation outcomes will ultimately fail.

B. RECOMMENDATIONS FOR FUTURE RESEARCH

Future research could explore a number of areas to further understand which factors influence mediation outcomes. This thesis concluded that the nature of the parties and their readiness to negotiate mainly influenced mediation outcomes. A prospect for future research would be to further identify the political dynamics of warring parties as a measure to begin mediation. Power parity between parties has been a significant indicator for the potential mediation success, because it affects this willingness to negotiate. Practitioners could use in-depth analysis of party ideology, actor strength, power parity, and the internal cohesion of belligerents to determine whether mediation might be appropriate. The thesis further demonstrated the importance of elite and primary decision

³⁵¹ Jeffrey Z. Rubin, “International Mediation in Context,” in *Mediation in International Relations*, eds. Jacob Bercovitch and Jeffrey Z. Rubin (New York: St Martin’s Press, 1992): 251.

maker involvement in negotiations. Psychological profiling party elites could also provide mediators with information on belligerents' willingness to negotiate. Those who control the parties make decisions for the parties' future. Delegations have limited power to make decisions that significantly alter mediation outcome. The mandates of delegations allow them to compromise on certain issues and ignore others that might compromise the party's position. Future mediation in international conflicts could benefit from a more inclusive leadership role and understanding of leaders' prerogatives.

APPENDIX A. TIMELINE

| Date | Event |
|-----------|---|
| 1820 | Invasion of Sudan by forces of Muhammad Ali Pasha of Egypt. |
| 1820–1881 | Turco-Egyptian Rule, also known as Turkiyya. |
| 1841 | Opening up of the marshlands of the Sudd to large-scale incursions by merchants from the Nile Valley, Ottoman and Egyptian troops, and Europeans. |
| 1863–1867 | Opening of the Suez Canal. Establishment of Italian settlements on Eritrean coast. |
| 1873–1874 | Conquest of the sultanate of Darfur by the forces of Zubayr al-Rahma. |
| 1881 | Muhammad Ahmad announces that he is the “Mahadi” chosen to reform the land. |
| 1882–1898 | Defeat of the Turkiyya and the establishment of a theocratic Mahdist state. |
| 1897 | Italy retroceded Kassala to the Anglo-Egyptian government in December 1897 after its defeat at the hands of Menlik’s army in the Battle of Adowa in March 1896. |
| 1898–1916 | Restoration of the sultanate of Darfur by Ali Dinar. |
| 1899–1955 | Anglo-Egyptian Condominium and the reinstatement of the Second Turkiyya. |
| 1916 | Anglo-Egyptian annexation of the sultanate of Darfur. |
| 1929 | Anglo-Egyptian Agreement on the use of the Nile waters. |
| 1945 | Founding of the Arab League. |
| 1947 | Juba Independence Conference. |
| 1953 | Anglo-Egyptian Agreement providing for Sudanese self-government. |
| 1955 | Torit mutiny and the onset of the first civil war. |
| 1956 | Sudan’s accession to independence. |
| 1958 | Military takeover of elected government. |
| 1965 | Round table conference. |
| 1969 | Military coup d’état brings Jaafar Numeiri to power. A military-led coup led by Muannmar Qaddafi, disposes King Idris of Libya. |
| 1972 | Addis Ababa Agreement. Sudan Socialist Union established. |
| 1979 | Oil discovered in Upper Nile and southern Kordofan. |
| 1980 | Southern Regional Assembly dissolved. Southern boundaries redrawn to enable government to transfer oilfields to the north. |
| 1983 | Formation of the Southern Sudan People’s Liberation Movement/Army (SPLM/A). |
| 1985 | Jaafar Numeiri is deposed by military coup. |

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| 1986 | Sadiq al-Mahdi elected as prime minister. Official support given to tribal militias, the murahaleen, who led the government's campaigns against armed dissidents in the south, in Darfur, in the southern Blue Nile Hills, and in the Nuba mountains. |
| 1987 | State of emergency declared and the systematic attacks waged on Nuba mountains. Escalation of Zaghawa-Fur clashes in Darfur. |
| 1989 | Military coup d'état brings Omar al-Bashir and the National Islamic Front (NIF) to power. |
| 1990 | SPLM/A Agreement with the National Democratic Alliance (NDA). Chadian forces enter Darfur. |
| 1991 | First NDA summit in Addis Ababa after the fall of the Mengistu regime. SPLM/A forced to leave their camps in. Split occurs in the SPLM/A leading to the Nasir faction. SPLA-Torit forces led by Daoud Bolad launch attacks inside Darfur. |
| 1992 | Jihad declared against dissidents in Nuba Mountains and the south. Abuja negotiations by President of Nigeria between the SPLM/A and Government of Sudan (GoS). |
| 1993 | President Bashir requests Inter-Governmental Authority for Development (IGAD) serve as mediators to the North-South conflict. SPLA-United formed by Lam Akol and other opponents of John Garang, Government offensives around Heglig oilfield. |
| 1994–2000 | IGAD I mediation of North South conflict. |
| 1994 | IGAD Peace Initiative talks begin. First national convention held in Chukudum attended by multi-ethnic representatives. Attacks by Uganda's Lord's Resistance Army (LRA) on Sudanese refugees increase. Libya-Chad conflict ends. IGAD unveils the Declaration of Principles (DoP). SPLM/A signs the DoP as the basis for future peace talks with GoS. |
| 1995 | Sudan Alliance Forces (SAF) and Beja Congress admitted into the NDA at its Asmara meeting in 1995. Failed assassination attempt by Egyptian president Hosni Mubarak by agents supported by the GoS. |
| 1996 | President Bashir elected as president of Sudan. Osama bin Laden leaves Sudan. Southern factions sign agreement with GoS. Sadiq al-Mahdi escapes from Sudan to Eritrea. |
| 1997 | NDA captures Karora. SPLM/A forces in Nuba Mountains repulse government attacks.. GoS signs the DoP as basis for future talks. |
| 1998 | Ali Osman Taha becomes first vice-president. GoS offers to hold referendum on future of southern Sudan. Increased clashes between Rezeigat and Masalit tribes in Darfur. Southern Sudanese factionalism rife, leading to many betrayed agreements. |
| 1999 | President Bashir dismisses the National Assembly and southern state assemblies. National Congress (formerly NIF) emerges as the only legitimate political party. Fighting escalates in northern and |

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| | western Darfur. Wunlit peace agreement signed between the Dinka tribe of Bahr al-Ghazal and the Nuer of the western Upper Nile. NDA destroys oil pipelines. GoS begins to export oil. Hasan al-Turabi proposes constitutional amendments to curtail President Bashir's powers. Bashir strips Turabi of all his powers as Speaker of the House. |
| 2000 | President Bashir reelected as president. Sudanese-Eritrean diplomatic relations resume. Increased rebel attacks on oil installations and infrastructure. <i>The Black Book</i> published outlining the discrimination and marginalization of peripheral communities and citizens not belonging to the three dominant riverine tribes. Split in the NIF. IGAD I Peace Initiative ends. |
| 2001 | SPLM/A and PNC sign a memorandum of understanding that leads to Turabi arrest. Senator John Danforth appointed special envoy to Sudan. GoS begins cooperation with U.S. intelligence agencies. UN Security Council lifts diplomatic sanctions against Sudan. U.S. sanctions remain in place. IGAD II Peace Initiative begins. General assigned as |
| 2002 | Nairobi Declaration signed between the Garang's SPLM/A and Riek Machar's Sudan People's Defence Force (SPDF). Abyei Declaration signed between Messirya and Ngok Dinka. Combined SPLM/A and SPDF attacks on oil infrastructure lead to the suspension of oil-drilling operations. Sudanese National Alliance and Sudan Alliance Forces merge. SPLM/A-Umma Party talks begin. Signing of the Machakos Protocol (June), GoS-SPLM/A agreement for the cessation of hostilities (October), and MOU (November). Government paramilitary raid at Shoba in Northern Darfur. |
| 2003 | Darfur Liberation Front renamed to the Sudan Liberation Movement/Army (SLM/A). Justice and Equality Movement (JEM) created from splinter SPM/A members. SLM/A-JEM combined attacks against the GoS lead to GoS-armed and paid Janjaweed militia attacks against villages throughout Darfur. SLM/A demands inclusion in the ongoing GoS-SPLM/A peace process but are rejected. Atrocities throughout the region are reported to the international community. |
| 2004 | GoS launches systematic offensive in Darfur using Janjaweed and regular armed forces. SLM/A admitted into membership of the NDA leading GoS to suspend ties with NDA. Turabi arrested on charges of conspiring to launch coup. U.S. declares Darfur crisis to be genocide; UN Human Rights Commission rejects international criticism of GoS atrocities in Darfur. Discord and disunity between SLM/A and JEM; fighting breaks out between the two groups. |

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|------|---|
| 2005 | Signing of the Comprehensive Peace Agreement between the GoS and SPLM/A on 9 January. African Union (AU) observers arrive in Sudan. Formation of the Government of National Unity (GNU). John Garang dies in helicopter crash; Salva Kirr Mayardit replaces Garang. |
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Note: Timeline events and text are cited primarily from Ruth Iyob and Gilbert M. Khadiagala., *Sudan: The Elusive Quest for Peace*. Boulder, CO: Lynne Rienner, 2006, 181–185 with additional events added from IRIN, “In-depth: ‘Sudan: A future without War?’—IRIN In-Depth on the Prospects of Peace in Sudan,” <http://www.irinnews.org/indepthmain.aspx?InDepthId=22&ReportId=64280> and BBC News Africa, “Sudan Timeline,” <http://www.bbc.co.uk/news/world-africa-14095300>.

APPENDIX B. KEY TEXT AND AGREEMENTS

| Date | Text and Agreements | Signatories |
|----------------|--|---|
| February 1972 | Addis Ababa Agreement | GoS and SSLM/Anyanya |
| March 1986 | Koka Dam Declaration | SPLM/A and NANS |
| November 1988 | November Accords | SPLM/A and DUP |
| January 1992 | Frankfurt Declaration | SPLM/A-Nasir and GoS |
| April 1993 | The Nairobi Communiqué | National Democratic Alliance |
| October 1993 | The Washington Declaration | SPLM/A and SPLM/A-United |
| December 1994 | Chukudum Agreement | SPLM/A and Umma Party |
| April 1995 | Political Charter | GoS and SPLM/A-United |
| June 1995 | Asmara Declaration | NDA (DUP, Umma, SPLM/A, Trade Unions, Beja Congress, & Independents) |
| 1995–1996 | Operation Lifeline Sudan Agreement on Ground rules | SPLM/A and UNICEF (July 1995), SSIM/S and UNICEF (August 1995), SPLM/A-United and UNICEF (May 1996) |
| April 1996 | Political Charter | SPLM/A-Bahr el-Ghazal Group, SSIM/A and GoS |
| July 1997 | Declaration of Principles | SPLM/A and GoS |
| September 1997 | Khartoum Peace Agreement | GoS and SSDF, SPLM/A Bahr el-Ghazal, SSIG, EDF, USAP and Bor Group |
| September 1997 | Fashoda Peace Agreement | GoS and SPLM-United |
| March 1999 | Wunlit Dinak-Nuer Covenant | SPLM/A and SPLM/A-United |
| January 2002 | Nairobi Declaration on Unity | SPLM/A and SPDF |
| January 2002 | Nuba Mountains Ceasefire Agreement | GoS and SPLM/A Nuba |
| July 2002 | Machakos Protocol | GoS and SPLM/A |
| October 2002 | Memorandum of Understanding on the Cessation of Hostilities | GoS and SPLM/A |
| November 2002 | Agreement on the extension of the Memorandum of Understanding of Understanding on the Cessation of Hostilities | GoS and SPLM/A |
| November 2002 | Memorandum of Understanding of Structures of Government | GoS and SPLM/A |
| February 2003 | Memorandum of Understanding regarding Points of Agreement on Power Sharing and Wealth | GoS and SPLM/A |

| | | |
|----------------|--|----------------|
| | Sharing | |
| February 2003 | Addendum on the Memorandum of Understanding of Understanding on the Cessation of Hostilities | GoS and SPLM/A |
| May 2003 | Cairo Declaration | GoS and SPLM/A |
| September 2003 | Ceasefire Agreement | GoS and SPLM/A |
| | Framework Agreement on Security Arrangements during the Interim Period | GoS and SPLM/A |
| January 2004 | Agreement on wealth sharing during the pre-interim and interim period | GoS and SPLM/A |
| May 2004 | Protocol between the Government of Sudan and the SPLM/A on the Resolution of Conflict in Southern Kordofan/Nuba Mountains and Blue Nile States | GoS and SPLM/A |
| May 2004 | Protocol between the Government of Sudan and the SPLM/A on the Resolution of the Abyei Conflict | GoS and SPLM/A |
| May 2004 | Protocol on Power Sharing | GoS and SPLM/A |
| June 2004 | The Nairobi Declaration on the Final Phase of Peace in the Sudan | GoS and SPLM/A |
| November 2004 | Declaration on the Conclusion of IGAD Negotiations on Peace in the Sudan | GoS and SPLM/A |
| December 2004 | Agreement and implementation of the protocols and agreements | GoS and SPLM/A |
| December 2004 | Agreement on Permanent Ceasefire and Security Arrangements Implementation Modalities during the Pre-Interim and Interim Periods | GoS and SPLM/A |
| January 2005 | The Comprehensive Peace Agreement | GoS and SPLM/A |

Note: Key text and agreements cited from “Key Texts and Agreements” in *Accord Peace by Piece: Addressing Sudan’s Conflicts* 18, (2006): 78.

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