

Markets or Oligopolies of Violence? The Case of Sudan

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ABSTRACT. Sudan's postcolonial history has been riddled with destabilizing violence. Different intellectual metaphors have been used to help analyze the conundrum. Two of the emerging metaphors have their roots in economics, namely the discourses on "markets of violence" and "oligopolies of violence." Is contemporary Sudan either a market of violence or an oligopoly of violence? I argue in this paper that the "markets" and "oligopolies" of violence debate are both analytically useful and could be harmonized to help elucidate the issue of political violence in postcolonial Sudan. The empirical features of the two paradigms are not mutually exclusive, albeit the metaphor of oligopolies of violence seems to represent a qualitative improvement on the markets of violence framework with regard to understanding Sudanese political history. More significantly, the paper argues that the empirical foundation for embedded political violence in postcolonial Sudan could be found in the construction and nature of the colonial state and, to a lesser extent, precolonial formations. The paper explores and analyzes the historiography and nexus of social forces at play in precolonial, colonial, and postcolonial Sudan, as well as the roles of various political actors in the markets/oligopolies of violence.

KEYWORDS. Markets of violence, oligopolies of violence, Westphalian state, conflicts in Sudan, civil war in Darfur, Southern Sudan.

CONCEPTUAL BACKGROUND

The markets of violence discourse is a brutal analysis of politics using a quasi-economistic model that conceives the political arena as an economic market where violence is the dominant way to secure market opportunities and benefits by various (local) actors. Actors on the political chessboard are all risk-taking rational (economic) entrepreneurs who want to maximize gains on minimal politico-military investments. Violence entrepreneurs have little or no restrictions on

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the methods they apply in pursuit of their interests. According to Georg Elwert,¹ one of the chief proponents of the theory, most contemporary markets of violence are in the global south, in societies, regions, and political communities characterized by criminal anarchy, warlordism, porosity of national borders, and a culture of impunity in which a self-perpetuating, deformed economic system (usually marked by reliance on a single natural resource) emerges and links nonviolent commodity markets with the violent acquisition of goods. Markets of violence in contemporary history are generally associated with high incidence of state failure and/or weak institutional statehood, conspicuously expressed in decline or decay in governance and a breakdown in the social contract between the citizen and the state.²

Typically, markets of violence are linked to fractured and fragile states with a medley of territorial spaces not subject to a unified central command that enjoys a monopoly over the legitimate use of coercive force. Violence and insecurity associated with the operation of rival armed groups (militias, rebels and security forces of the beleaguered state) are therefore rife, embedded, and menacing.³

Scholars like Andreas Mehler⁴ invoke a mainstream economic theory to reconceptualize the phenomenon as “oligopolies of violence,” defined as security markets (states) in which security is a precious commodity demanded by various stakeholders but underproduced by the different contending providers (consequential political actors). Conceptually, both monopolies and oligopolies are imperfect markets—in the case of the former there is one provider of a product or service while in the latter there are only a few providers.⁵ In a security market, a functional monopoly and use of instruments of violence is more suitable for public order and social cohesion. Oligopolies of violence have most of the characteristics of markets of violence already identified, albeit the demand and supply of security is the decisive feature of political transactions in oligopolies of violence.

TYPOLGY

Mehler identifies two analytically useful types of oligopolies of violence (albeit not mutually exclusive), namely “territorial oligopoly” and “functional oligopoly.” In a territorial oligopoly, competing violence actors often control or claim to control disparate zones within a state in which, depending on the local balance of terror, a dominant faction can exert a fragile monopoly of violence, not withstanding a lack of recognition under international law. This phenomenon precipitates variegated empirical statehood. A territorial oligopoly is similar to what Nicholas Rose⁶ describes as volatile and unruly “governable spaces” in which there is a number of territorial “micro-sovereignties” controlled by different armed groups. In a functional oligopoly, on the other hand, different violence actors may provide security for different kind of threats, such as vigilante services providing protection for local markets and trading routes, some local militias manning humanitarian relief corridors, some ethnic armies

protecting members of their group against perceived adversarial forces, and so forth. Power distribution and security governance spaces are often characterized by marked disproportionality in oligopolies of violence. More often than not, both territorial and functional oligopolies of violence can and do have a dominant security leader (too often a weak or weakened state) who controls a greater part of the “security market,” while the margins may fluctuatingly fall into the hands of competing violence entrepreneurs.⁷

It is apparent that Mehler’s typology presupposes that the role of the non-state security provider/actors in oligopolies of violence (mostly civil society and grassroots community-based armed groups) is invariably positive and functional, but this is not supported by empirical evidence. A plethora of well-researched studies exists on the extreme perversion and dysfunctionality of nonstate security actors—the so-called security service operators and providers from below—such as ethnic militias, open market vigilantes, and security contract groups in various countries.⁸ These civil militia groups, especially those that purport to functionally substitute for the incapacity and failure of the state to provide security for certain constituents of the polity (e.g., community-based market traders and essential service providers in a crime infested environment, vulnerable ethnic populations, etc.), have been associated with some of the most horrendous acts of brutality, victimization, persecution, and violation of basic human rights, including the right to life in countries like Nigeria, the Democratic Republic of Congo, Cote d’Ivoire, Zimbabwe, Sudan, and Somalia. Hence, it will suffice to add a third category to Mehler’s typology of oligopolies of violence, namely dysfunctional oligopolies.

Dysfunctional oligopolies are markedly ambivalent entities. They comprise a dominant market leader (the macrostate) and a number of violence agencies (usually nonstate actors) that in spite of rendering some useful security services and having a large support base and some seemingly legitimate objectives to justify their existence and operations are also responsible for systematic acts of impunity, disorder, and violation of human/group rights. Dysfunctional oligopolies of violence subsume some of the features of territorial and functional oligopolies of violence. It is a ubiquitous phenomenon among fragile states.

ANTECEDENTS: THE WESTPHALIAN STATE AND FRAGILE STATES

Fragile states are prone to oligopolies of violence. A large number of fragile or weak states are characterized by fragmentation in the unlawful use of armed violence to threaten the security of others, including the security of the state, its agencies, and organized economic markets. Too often the state is itself an illegitimate and rogue arm bearer in a fragile state, violating and abusing the rights of sections of the population with impunity. Resource predation theorists, like Collier and Hoeffler,⁹ have argued that the development of markets or oligopolies of violence is fundamentally underscored by economic agendas

and motives (greed), a tendency which, according to the exponents, tends to supersede legitimate grievances. Others, like Michael Ross,¹⁰ adopt a more cautious approach to the greed versus grievance discourse, by emphasizing the strong allure of the so-called conflict goods (valuable minerals like diamond, coltan, crude oil, etc.) to all parties and the perceived practical opportunity that insurgency provides for looting and obstructing the coveted resources. Monopoly of violence, often seen by some scholars as the direct opposition or most functional alternative to markets/oligopolies of violence, is mostly a feature of strong, developed, and, to a large extent, democratic states.

Historical antecedents to contemporary markets/oligopolies of violence in the global south could be found in Europe in the run up to the Westphalian Treaty of 1648. In the absence of modern sovereign states with distinctive territories and a governments that had a monopoly of the power to extract resources (e.g., tax raising) and legitimate use of coercion (instruments of violence), Europe of the pre-Westphalian order was a quintessential market of violence between rival principalities, monarchies, merchants, feudal lords, empires, and ecclesiastical authorities. The various actors, about five hundred independent political units in the 1500s, were all motivated and driven by the desire for hegemony, supremacy, and interest maximization.¹¹ Fragmentation bred extreme violence and anarchy. It was this neo-Hobbessian climate of unbridled war that the Westphalian framework sought to end. In fact, the seemingly peculiar experience of war making that characterized late feudal and early modern Europe has persuaded Western historians like Charles Tilly¹² to argue that war making is an essential strategy of state formation because it helps the ruling elites to rally the subjects to a supposedly noble nationalist cause, extract resources for the cause, and institute a centralized bureaucracy for the crucial business of the state. Many critics have argued that the relationship between war making, state formation, and nation building in Europe is not necessarily the experience of the rest of the world, especially in Africa where various European powers hurriedly imposed modern state structures on amorphous feudal and semifeudal entities by colonial diktat.

The Treaty of Westphalia ultimately heralded the formal emergence of the modern state marked *inter alia* by a legitimate monopoly of the instruments of violence within the recognized territorial borders by the state or government. A major assumption of the Westphalia state is that having the monopoly over the instruments of violence in the public space restricted to the state and its officials is invariably in the public interest because the state by its nature pursues legitimate goals believed to be *a fortiori* in the public interest.¹³ This assumption, which is founded on the social contract philosophy that the *summum bonum* for the existence of the state is to ensure the protection, security, and well-being of its citizens has not always been supported by historical evidence, especially in many parts of sub-Saharan Africa where the Westphalian state still largely remains an ideal-type construct.

PRECOLONIAL AND COLONIAL SUDAN AS FOUNDATION FOR OLIGOPOLIES OF VIOLENCE

To understand how modern Sudan emerged as oligopolies of violence, one needs to go back to colonial politics and, to a lesser extent, precolonial history, when the foundation was preponderantly laid. The geodemographic and socio-cultural background of Sudan is rather complex. In terms of land mass, Sudan is the largest country in Africa. With a land area of over 2.5 million square kilometers, Sudan is about ten times the size of its former colonial power, the United Kingdom. Its forty-two million population is largely divided along lines of religion (70 percent Muslims, 25 percent animists, 5 percent Christians), ethnicity (52 percent black Africans, 39 percent Arabs, and others 9 percent), and economic activity at grassroots level (nomadic and sedentary).¹⁴ The majority of people often classified as animists in Sudan are mostly syncretic in that they simultaneously adhere to one of the two major religions, Islam or Christianity. Significantly, there is a major ethnoregional divide between the dominant Arab north and the minority Christian-Animist¹⁵ black African south, a divide that has historically been a conflict fault line. Another ethnoregional conflict fault line exists between the largely black African Muslim dominated northwestern region of Darfur and the hegemonic Arab Muslim populations of north-central Sudan.

For a greater part of postmedieval and precolonial history, Sudan was under the occupation of different Egyptian dynasties whose intervention into the affairs of their southern neighbors go further back to many centuries BC. The Turkish–Egyptian occupation of 1821 to 1885, which precipitated a popular nationalist revolt led by the self-appointed Islamic Mahdi Mohammed Ahmed was the climax of Egypt’s domination of Sudan. The Mahdist rule (1885–1898), which was an attempt to build an assertive state based on Islamic principles, was toppled in 1898 by an extraordinary colonial conquest—an alliance between the British and Egyptians (Sudan imperial northern neighbors). The Anglo–Egyptian condominium that effectively colonized Sudan during the era of European colonialism lasted from 1898 to 1956, when Sudan was granted independence after a protracted decolonization struggle. The British decisively dominated the condominium.

In both precolonial and colonial history, there was a political construction of Sudan’s non-Arab territories, especially the southern region as territories for violent exploitation of resources for the benefit of the imperial occupiers (Turco–Egyptians and the British) and for the economy of Sudan’s Arab north. In both dispensations, Turco–Egyptians, Europeans, and northern Sudanese Arabs were involved in moving south from the administrative capital of Khartoum in the north in search of the riches of the southern Sudan. At first ivory and livestock were the main targets, but by the 1850s it was slaves for export to Egypt and Arabia and for domestic slavery in northern Sudan.¹⁶

Slavery in the south, argues Francis Deng,¹⁷ was partly borne out of the deep-seated prejudice the Arabs had for the Negro whom they perceived as an inferior race. The British ended the Arab-led trans-Saharan slave trade in the later nineteenth century, but this did not diminish the violence that characterized the predation and subjugation of non-Arab territories.

A number of colonial policies and practices contributed to the construction of Sudan's non-Arab territories as outposts for imperial conquest and violent extraction of resources. The first was the isolationist southern policy, a classical divide and rule policy introduced by the British after 1930. This colonial policy was to govern the north and south separately to avoid the political radicalization of the comparatively backward south from the effects of growing nationalist sentiments and revolts in both Egypt and the Arab-dominated northern Sudan. Following the isolationist policy that deepened the gulf between Sudan's north and south, some nationalist politicians and colonial historians felt that the British would either groom southern Sudan for separate statehood or perhaps affiliate the region to the colony of British East Africa, with whom the south of Sudan seemed to have more sociocultural affinity than Sudan's Arab north. Against the protest and fear of domination and marginalization by southerners, the British succumbed to the intense pressure from both Egypt and the northern Arabs to ultimately unify Sudan.¹⁸ The isolationist policy ended in 1946, with the unification of Sudan's north and south. The unification followed the Sudan Administrative Conference convened and attended by predominantly northern nationalist elites as part of the effort to strategize for decolonization and self-rule.

Second, the British colonial authority primarily promoted economic and social development in the Arab north region at the expense of the non-Arab peripheries. In particular, colonial cash crop production (notably cotton) and educational institutions were mostly concentrated in the Arab north-central regions. Subsequently, most of the educated elites that led the nationalist struggle for independence were of the northern Arab extraction. Also, most of the Sudanese recruited into the colonial service (teaching and civil service) and security forces were northern Arabs. The Arab elites that led the independence struggle based their nationalism on the instrumental convergence of Arab and Islamic identities—a mobilization and solidarity strategy that completely alienated and threatened the non-Arab, non-Islamic south.

Third, in the decade before independence, the interim transitional government dominated by the Arab Sudanese (albeit under the superintending watch of the British colonial authorities) embarked on a personnel indigenization policy popularly known as Sudanization, which was essentially aimed at replacing Western colonial officials with educated locals. This policy was to the practical advantage of the Arab north, which accounted for a large proportion of

the educated manpower. The implementation of the Sudanization policy by the British led to educated northerners acquiring administrative positions throughout the non-Arab territories of the south and Darfur region. The domination of the peripheries by the Arab northerners under the personnel indigenization policy was greatly facilitated by the arbitrary imposition of the Arabic language (hitherto restricted to the north) on the south as a complementary official language to be used alongside the English language.¹⁹ From the standpoint of the southern Sudanese, the effect of the language policy in entrenching exclusion and exacerbating the structures of violence was cataclysmic. For instance, by 1954 (two years before independence), some eight hundred administrative posts had been “Sudanized” nationwide; only six junior level positions were filled by southerners.²⁰ Many in the south therefore interpreted Sudanization as a euphemism and camouflage for Arabization. In many ways, colonial policies and politics heightened the tension between the Arab north and non-Arab populations, especially the fear in southern Sudan of a northern Muslim domination. As such, the countdown to political independence, especially the last year of colonial rule, witnessed mounting political instability in southern Sudan, including popular riots and a mutiny by a detachment of southern army officers who formed the Anyanya guerilla movement. The national elections of 1954 won by the pro-Egyptian faction of the northern elites, the National Unionist Party (NUP) of Ismail al-Azhari did not allay the fears of the minority south. Instead, the NUP government essentially continued with the lopsided colonial policies that alienated and threatened the south.

The political tension created or fueled by the colonial state greatly undermined its capacity to maintain relative autonomy as a neutral umpire in domestic conflict mediation. Consequently, as a quasi-Westphalian state it had difficulty in asserting a monopoly of violence.²¹ This incapacity was significantly compounded by the limited European personnel of the colonial establishment imbedded in the British system of “indirect rule”—governing through delegated authority to local chiefs, Islamic clerics, and the traditional institutions. In the case of Sudan, indirect rule and delegated authority also involved heavy reliance on the imperial structures of the defunct Turco–Egyptian Empire and the condominium for resource extraction (taxes) and maintenance of law and order. Indirect administrators in Sudan and most of British sub-Saharan Africa were responsible for widespread acts of impunity, including arbitrary imposition of levies and taxes; land grabs; unlawful arrest, detention, and torture of innocent persons; operation of secret prisons; repression and persecution of subjects using their private (native) police; and gunrunning and neopatrimonial corruption.²² There was sporadic resistance against indirect administration, especially in southern Sudan because of the despotic nature of the regimes and their penchant for Arabization.

OLIGOPOLIES OF VIOLENCE IN THE POSTCOLONIAL STATE

The colonial state in Sudan scarcely had a monopoly over the legitimate use of violence. It was far from a Westphalian state. With endemic structures of resentment and protest in the largely disadvantaged non-Arab territories, armed nationalist resistance and decolonization struggles in the Arab territories, and a relatively unaccountable system of native administration that was ridden with impunity, the colonial state was at best a dysfunctional oligopoly of violence headed by a dominant market leader. The colonial state, which was the dominant market leader, faced persistent and daunting challenges in establishing control over the non-Arab peripheries. It was this dysfunctional state infrastructure that the Arab-nationalist elite inherited at independence in 1956. Little wonder then that the inherited conflict structures and fault lines were further aggravated and repeatedly stretched to breaking points in the aftermath of national independence. Significantly, the volatile non-Arab peripheries have repeatedly slipped out of the reach and governability of the postcolonial state. Consequently, new interests and stakeholders, as well as the vicissitudes of the international environment, have meant that new frontiers of conflicts have emerged and spread. The succeeding sections of this paper identifies and analyzes some of the most consequential conflict ramifications and the dynamics.

THE DOMINANT SECURITY MARKET LEADER AND STATE POLITICS

From the perspective of oligopolies of violence, the postcolonial Sudanese state has remained a dominant security market leader. In relation to other security market players whose actions are largely confined to the peripheries, the Khartoum-based unitary state stands out as *primus inter pares*, having advantages of control of a greater part of the central government resources including public service institutions; the state security forces; the power to extract, allocate, and use resources on behalf of the state; and, above all, the privilege of recognition under international law with all the appertaining perquisites of international relations (economic, sociocultural, and diplomatic). Being a dominant security market leader does not make the Sudanese state a homogenous entity. Factional political struggle and instability is a major feature of state politics in postcolonial Sudan. Since independence, Sudan has been ruled by a montage of unstable Arab-dominated civilian regimes and military cabals. Political instability—manifested in military coups and counter coup d'états, popular uprisings, and insurgency wars—has been a dominant feature of political life. Political instability in Sudan can be explained by two somewhat related factors.

The first factor is the long-standing struggle between Islamic fundamentalists and moderate secularists in the core north over the nature of state

organization. This struggle transverses civilian and military political elites. Religious fundamentalists whose intention is to create a theocratic polity based on fundamental Islamic principles throughout Sudan draw their ideological persuasion from the strong Mahdist tradition that has persisted in the country since the late nineteenth century. The twin policies of Islamization and subtle Arabization have at various times been pursued in tandem as state policies under the regimes of General Ibrahim Abboud (1958–1961), General Jaafar Nimeiri (1969–1985), Ahmad al-Mirghani (1986–1989), and Omar al-Bashir (1989–present). On different occasions, major political parties in the country have been led by direct descendants of the Mahdi. The moderates, on the other hand, favor a secular state, but during the Cold War period there were prevarications and disagreements among moderates on the ideological predilection of the state, on whether it should be Marxist-Leninism or mixed economy capitalism.

The second factor that accounts for instability and the reproduction of oligopolies of violence in Sudan is the state's violent response to insurgencies in the non-Arab peripheries, insurgencies that are for the most part precipitated by the state's use of violence to extract resources and enforce compliance to policies considered anathema by non-Arab subjects, especially the Christian-Animist south. In this respect, Woodward²³ has observed that successive northern governments since independence have increasingly tried not only to defeat southern insurgents militarily but also to restrict the activities of Christian missions and promote Arabization and Islamization throughout Sudan. The Sudanese government's war efforts in the south and in the Darfur region were given a significant boost by the oil revenues of the 1980s. The state is most inclined to provide security to the strategic oil sector (largely in the volatile south). The international oil industry in turn not only backstops the state's capacity to supply security but also makes the greatest demand for high profile protection. Consequently, top functionaries of the central government and major public infrastructures in the more volatile Sudanese peripheries are also prioritized for state protection. Given the overstretch and capacity deficits of the war-wearied state security institutions, the oil industry occasionally relies on local militia groups for protection services.

Oil revenue aided the purchase of military weapons/equipments and a number of foreign countries exploiting Sudanese oil like China have been linked with "oil for arms" deals with the central government of President Omar Bashir.²⁴ A great deal of the military hardware used by the Sudanese government for prosecuting the civil wars in the country has been supplied by China in return for the oil in central and southern Sudan. Furthermore, oil revenue has fueled and sustained a large rentier-state type patronage system²⁵ in the Arab north under the supervision of President Bashir and his Revolutionary Command Council for National Salvation (RCCNS) replaced in 1998 by the National Congress Party (NCP). Since the 1990s, Sudan has been

consistently ranked as one of Africa's most corrupt countries under the Corruption Perception Index (CPI) of Transparency International, only surpassed in level of corruption by the failed state of Somalia during the preceding three years of 2007–2009.²⁶ Corruption related to siphoning away of huge oil receipts has also been widely reported among regional government officials in southern Sudan since the signing of the Comprehensive Peace Agreement in 2005.

CIVIL WARS IN SOUTHERN SUDAN

From the perspective of oligopolies of violence, southern Sudan is one of the volatile margins of the Sudanese security market, and market margins are often open spaces contested by and fluctuatingly controlled by local violent entrepreneurs and the dominant market leader (in this case, the Sudanese state). Complex civil wars and internal communal violence have ravaged and devastated southern Sudan since the eve of Sudan's independence in 1956. Two installments of the civil war have been fought between the south and the Karthoum-based central government: the first between 1955 and 1972, and the second between 1983 and 2005. From the standpoint of the Arab-dominated central government, the prolonged war against the south is perceived as a necessary campaign against rebel resistance and organized subversion of Sudan's national sovereignty. But from the standpoint of the minority ethnic communities of southern Sudan, the repeated civil wars have been described as wars of national liberation, resistance against the infamous sharia law, struggle for collective self-determination, and wars against core Arab cabals with a seemingly mercenary orientation towards the non-Arab territories. From a more analytical point of view, different scholars have interpreted the war as part of Africa's "new wars,"²⁷ "complex political emergencies,"²⁸ "resource-driven predatory war,"²⁹ "war of legitimate grievance over Jihadist aggression,"³⁰ and "market-centered oligopolies of violence."³¹

The First Phase of War (1955–1972)

The first phase of the civil war started with the mutiny of southerners in the Southern Equatoria corp of the colonial army in August 1955, a few months ahead of national independence, when power was firmly in the hands of a conservative Arab north-dominated transitional government. The mutinees, among other things, protested Arab domination and the refusal of the central government to introduce a federal political structure favored by the British colonial authority as a more suitable arrangement for the relative autonomy of the non-Arab minorities. Spirited efforts by the unitary central government to crackdown on mutinees succeeded only in forcing a section of them into the bush as a guerrilla movement, later named the Anyanya. Many

southern students and youth joined the movement. To a large extent, the 1955 insurgency was precipitated by the dysfunctional colonial structures that exacerbated the political, economic, and development imbalances between Sudan's dominant north and the minority south.

While the Anyanya rebellion scarcely affected normal life in the north, save for the economic pressure felt by the channeling of dwindling central government revenues (mostly from the export of cotton) to the war project, the insurgency turned the entire southern region into disruptive war theater. The economic activities of the hard-pressed southern insurgents ranged from banditry for food to recruitment, training, and raiding of government police posts and logistical deployments in the south for arms acquisition and occasional ambushes to capture military materials and goods.³² The underground supply of military equipment for the insurgents was maintained through neighboring Uganda and Ethiopia. The successive governments of Sudan exploited the opportunities of the Cold War to at different times receive military aid and supplies from the Soviet Union and the United States.

Economic pressure due to the war effort and plummeted external revenue from cotton forced the military government of General Nimeiri to negotiate with the southern rebels, leading to the Addis Ababa peace treaty of 1972 that ended the first phase of civil war. The peace treaty, among other things, established regional autonomy for the south and integrated the Anyanya guerillas into the national army.³³

The Second Phase of War (1983–2005)

As is characteristic of oligopolies of violence, politics is substantially determined by self-serving pragmatic considerations that often comprise the rule of law and supposedly binding agreements. Security market gains, both tangible and intangible, are decisive in the political calculations of most dominant players. Under the Islamists-dominated military regime of General Gaafar Nimeiri, the second phase of civil war started in 1983 following the breakdown of the Addis Ababa peace agreement. A nexus of proximate factors precipitated the war. The first is associated with Chevron's discovery of commercial quantities of onshore oil in its Unity oilfields north of Bentiu in southern Sudan in 1980. To break the south's claim over the new oil discoveries in its region, President Nimeiri introduced a new federal structure that split the three administrative regions of the non-Arab ethnic minority south into a ten arbitrarily constituted States. In what seemed like a classic gerrymandering, Nimeiri's government absorbed the major oil town of Bentiu where Chevron had oil production fields, which was hitherto part of the Southern Upper Nile region, into the new Arab-dominated Unity State straddling the north and south. Consequently, a pipeline was to be constructed from southern oil field to Port Sudan in the north, a move interpreted by many southerners as

calculated to bolster the deteriorating northern-dominated national economy.³⁴ A decision was also made to move the site of a new oil refinery for domestic production from Bentiu (a disputed southern town) to Kosti, a northern town. Nimeiri's new federal structure subsequently aggravated the dispute over the boundaries of southern and northern Sudan, especially in areas with significant oil fields such as Abyei. These government policies fueled resentment and violent resistance in the south.

Furthermore, in a bid to shore up political support amidst growing economic hardship and prodemocracy agitations, Nimeiri used a variety of political patronage to court the highly militant Islamist factions that commanded large followings in the north. The groups (notably the Umma party, National Unionist Party, and the Islamic Charter Front) had forged a loose formidable opposition alliance known as the National Front (NF) to press for political power.³⁵ Among the series of concessions to the Islamic organizations was the appointment of a fundamentalist cleric and strongman-leader of the Muslim Brotherhood (the latter was part of the Islamic Charter Front) Hassan Turabi as the country's attorney general. Turabi reintroduced sharia law as state's law, an audacious move that alienated the non-Islamic periphery of the south. This led to a violent campaign for self-determination under the new rebel movement Sudanese Peoples Liberation Army (SPLA) led by Colonel John Garang. Colonel Garang, the late strongman of SPLA, was until his defection to the southern cause, a senior Sudanese army officer. He was an ethnic Dinka from the south. The SPLA he led, which was later transformed to SPLM ("M" for Movement), fought for control of economic resources in the oil-rich south, abolition of sharia as basis for state law, a return to the colonial boundaries between the north and south, and political inclusion. Ultimately, the hard-line position of the insurgency was the secession of southern Sudan. During the Cold War, southern Sudan received significant military support from the Marxist government of Mengistu Haile Mariam in Ethiopia and the USSR, while the central government was mainly supported by the United States. Chevron reportedly played a leading role in lobbying for U.S. financial and military support to the Sudanese government as a means to secure its huge oil mining license in the country and other related benefits.³⁶ The main plank of SPLA's strategy in the civil war was to launch disruptive and crippling attacks of oil facilities in the south as a means to diminish the revenue base of the central government and thereby their capacity for continued war making. SPLA attacks on the oil industry contributed to Chevron's repeated suspension of its oil operation and its eventual withdrawal from Sudan in 1992. At various times, major oil companies in Sudan such as Chevron, France's Total, and the Swedish Lundin Oil relied on the services of local militias (mostly hired from Arab territories during the civil war years) for protection of their oil operation, facilities, and personnel. Since 1997, Asian oil companies, in particular the China National Petroleum Company (CNPC) and the Malaysian national oil

company Petronas, have played major roles as strategic partners with the Sudanese company Sudapet in the special consortium formed by the Sudanese government for oil exploration. With an enormous need and appetite for African oil to backstop its fast-growing industrial economy, the Chinese have forged a strong business partnership with Sudan, producing and pumping crude oil through the 1,000 miles pipeline they (CNPC) constructed from the Heglig oil fields in the south to the northern export terminal of Port Sudan on the Red Sea. CNPC is Sudan's largest foreign investor and China has invested more than \$15 billion (mostly in the energy sector) in Sudan since 1999.³⁷ Sudan has since the late 1990s imported most of its arms and military equipment from China, which enables the state to protect the vast Chinese oil infrastructure in the country and also to prosecute wars in the Sudanese peripheries. China has come under wide criticisms from many Western governments and NGOs for unconditionally doing business on a large scale with Sudan, which they consider to be a rogue state.

Predatory machinations and political Machiavellianism are familiar tactics employed by most combatant factions in oligopolies of violence. The Sudanese government, especially under President Omar Bashir who came to power in a bloodless military coup in 1989, has used a nexus of desperate measures to enforce control over the oil resources in the south and to win the civil war. These measures include scorched earth policy, the arming of combative militias, divide and rule manipulation of ethnic rivalries in the south, and orchestration of famine/starvation as instruments of war. Under the scorched earth policy, which lasted between 1992 and the early 2000s, government soldiers and state-sponsored militias were used to forcibly evict and raze many southern villages within the strategic oil belt.³⁸ Depopulation and displacement became rampant. Oil companies like the Canadian Talisman Energy were accused of continuously allowing government forces to use their airstrip to launch raids on surrounding villages in order to secure oil-bearing lands and company assets.³⁹

Bashir's government introduced a new law, the Popular Defense Forces Law, which provided for the creation of paramilitary forces and militias to support the war effort against the southern rebels. Many analysts interpreted the new law as having a Jihadic resonance, and some have argued that the government used Jihadist rhetorics in recruiting and mobilizing paramilitary fighters.⁴⁰ The Sudanese Army recruited, armed, and deployed the Murahaleen and bands of nomadic Arab tribesmen as militias to decimate southern villages, combat rebel fighters, and protect the licensed oil operations. Arson, rape, and abduction and torture of vulnerable persons were some of the strategies used by the militias. Government forces and militias persistently obstructed the delivery of humanitarian aid to war-affected southern communities and internally displaced people (IDP) camps, attacked delivery trucks of various humanitarian agencies, and ultimately forced several humanitarian

organizations to evacuate from places in dire need of assistance.⁴¹ It is estimated that over two million people have been killed in the civil war in southern Sudan, with over four million others displaced.

The war in the south was partly compounded by the civil war in northern Uganda between the Lord's Resistance Army (LRA) and the government of Uganda. Between the late 1980s and early 2000s, the LRA took advantage of tribal affinity with some ethnic communities in southern Sudan and the long porous border between the two countries to use the equatorial forests of southern Sudan as safe havens for raiding civilian communities in northern Uganda. The Ugandan army, the Ugandan People's Defense Force (UPDF), repeatedly pursued the LRA into southern Sudan, thereby turning the war-torn region into a battle ground for a Ugandan war with far-reaching humanitarian consequences.

A fragile peace returned to southern Sudan after the signing of the long-negotiated Comprehensive Peace Agreement (CPA) between the south and north in 2005, which, among other things, provided for the incorporation of SPLA/M into a Government of National Unity (GNU), 50–50 sharing of oil revenue between the north and south, restriction of sharia law to the north, review of boundary demarcation between the north and south, and holding of a self-determination referendum for the south after a six-year period in which they could vote to either remain in Sudan or secede as an independent state.

It must be reiterated that the monopoly of use of organized violence assumed by a dominant armed faction in a territorial oligopoly is at best putative and at worst conflagrational given the sheer absence of enforceable institutional restraints in the capacity and inclination of the various (intra- and extraterritorial) armed groups to employ violence as a means of goal attainment. In this regard, it is instructive that the post-CPA fragile peace has been repeatedly threatened by a nexus of factors, notably violent boundary clashes between the north and south, especially in the oil-rich Abyei region; disagreement over oil revenue sharing (with southern groups alleging that they are seriously shortchanged); and interethnic violence in the south. Significantly, devastating interethnic violence has as recently as in 2009 erupted between the Dinka and Lou Nuer in Uror County of Jonglei State, between the Shilluk and Dinka in Upper Nile State, and between the Mundari and Dinka Aliap communities in Lakes State.⁴² These communal conflicts are complex in nature but, in a large part, related to struggles over depleting ecological resources such as grazing land and water resources, widespread poverty, and competition over the limited resources and opportunities at the subnational state levels. There are perceptions in sections of the south (albeit without substantial empirical evidence) that these communal feuds are remotely instigated or fueled by the central government of Sudan, which is alleged to be arming local militia factions to destabilize the south and ultimately scuttle the proposed Referendum of 2011.⁴³

Fallouts in the Arabized Northeast

The dominant leader in an oligopoly of violence can essentially win the loyalty of peripheral constituencies and menacing armed groups through pragmatic negotiations, trade-offs, and patronage. It is remarkable that the signing of the CPA and the perceived relative empowerment of southern Sudan provoked disquiet among northeastern Arabized Muslim communities. Eastern Sudan comprises three states (Red Sea, Kassala, and Al-Gedaref) and is predominantly inhabited by the ethnic Beja and other (agro)-pastoralist groups. These Arabized Muslim communities, ostensibly on the mainstream margin of the dysfunctional oligopolistic market, were part of the northern groups from where the Sudanese government recruited paramilitary and military forces used in fighting the north–south war. The disquiet in the northeast has led the Bashir government to some constructive engagement with the Eastern Front rebel groups, leading to a separate East Sudan Peace Agreement of October 2006 and subsequent negotiations that saw the appointment of some of their officials to top government positions in 2007.

THE CIVIL WAR IN DARFUR

Arab militia operations and victimization of non-Arab communities in Darfur was intensified in the early 2000s. The Darfur region of Western Sudan is another volatile security market that in Sudan's postcolonial history, especially in the past decade, has fallen into the hands of different competing violence entrepreneurs, sometimes in a loose fragmented configuration. Unlike in southern Sudan where religion and ethnoracial identity are the major fault lines for conflict formation with the hegemonic market forces of the Arab north, in the Darfur region the predominant fault line has no religious dimension. The region is largely Muslim. The conflict is essentially ethnoracial with all its resonance for politics of exclusion and marginalization. Ethnic hostilities in Darfur were particularly aggravated during the Libya–Chad border war of the 1980s when Libyan troops with the complicity of the Sadiq Mahdi Islamist regime in Khartoum sponsored Darfurian Arab militias to fight the non-Arab tribes of Darfur that straddled between the Chad–Sudan borders and who were alleged to be sympathetic of the Chadian cause.⁴⁴ The ethnonational landscape of Darfur depicts a mix of Arabs (predominantly nomadic Baggara) and non-Arab Muslims (notably sedentary agriculturalists ethnic Fur and Masaalit and pastoralist Zaghawa). Access to farm/grazing land and water resources has been a major source of dispute between the Arab and non-Arab Darfurians. Recurrent environmental hazards like drought and desertification essentially aggravated natural resource scarcities and eco-conflicts between the two groups. Widespread and prolonged drought, for

instance, have often resulted in nomadic Arab pastoralists encroaching and contesting non-Arab agriculturalists' farmlands. This is seen as a major trigger for the present conflict in the region.⁴⁵

Two major resistance movements emerged in the Darfur region in the wake of the vicious attacks, the Sudanese Liberation Army/Movement (SLA/M—originally called Darfur Liberation Front) and the Justice and Equality Movement (JEM). These groups have used armed struggle since February 2003 to primarily defend their non-Arab ethnic communities and secondly challenge the central government over what they perceive as the decades of political exclusion and repression by the Arab-dominated Sudanese state. In response to this insurgency, the Sudanese government forces launched repeated aerial bombardments against the non-Arab communities. At the same time, the government stepped up its support for the Arab nomadic fighters by recruiting thousands of young Arab volunteers into the proestablishment Janjaweed coalition—a coalition of diverse Arab militias.⁴⁶ A number of militant groups that formed the Janjaweed, such as the ethnic Baggara Militias and the Murahleen militias, were Darfur-based volunteers who were in concert with other Arab paramilitary groups previously employed by the Sudanese government as counterinsurgency militias against the southern-based separatist movement, the SPLA/M.

Allied with the government armed forces, the Janjaweed have prosecuted with impunity a far-reaching campaign of terror on the non-Arab Black Muslim communities, involving pogrom, rape, arson and pillage, and asset stripping. Over 300,000 Darfurians have died since the escalation of hostilities, and more than 2.7 million people have been displaced, including over the 200,000 refugees that have crossed the Sudanese western border into Chad. The Arab nomads and militias have occupied many of the vacated non-Arab villages, from where they have repeatedly made cross-border raids on their adversaries in a number of Chadian refugee settlements.

Chad itself is home to some of the warring ethnic groups in Darfur, notably the Zaghawa, Masaalit, and Arab nomads, a factor that has contributed to a spillover of the war into Chad. There has been recurrent cross-border militia attacks and proxy war between the two countries, which fuels the domestic rebel campaign against the government of Idriss Déby in Chad. Egregious human rights violations have been reported on all sides of the conflict, albeit more disproportionately massive and systematic violations (ethnic cleansing or arguably genocide) have been perpetrated by forces allied to the Sudanese government, leading to the arrest warrant issued by the International Criminal Court (ICC) for the Sudanese President Omar Al-Bashir on charges of crime against humanity and other war atrocities.⁴⁷ In July 2010 the ICC revisited the petition to include three counts of genocide in the charges against Bashir.

Typical of dysfunctional oligopolies of violence, there has been a proliferation of rebel movements and militia groups in Darfur along loose ethnic lines vying

for supremacy, territorial spaces, and the war economy, especially since the failure of the 2006 African Union (AU) peace initiative in Abuja-Nigeria. The large number of fighting factions pursuing conflicting agendas coupled with the duplicity of government over the issue of disarming militias loyal to the state has been a major setback on peace negotiations, maintenance of the cease-fire, and the implementation of peace agreements, ultimately resulting in the perpetuation of the cycle of violence. One of the most recent peace agreements (Framework Peace Accord) was signed on February 23, 2010, in Doha-Qatar between the Sudanese President Omar Al-Bashir and JEM led by Khalil Ibrahim. The new preliminary peace accord, among other things, agreed on a cease-fire between the two sides and commencement of negotiations for offering JEM a power-sharing role in the Sudanese government of National Unity.⁴⁸ Talks between JEM and the Sudanese government stalled less than a month after the two parties signed the Qatar framework accord and hostilities continued. A new Framework Peace Accord was signed on March 18, 2010, between the Sudanese government and the Liberation and Justice Movement (LJM), a new rebel coalition formed in Doha by 10 relatively smaller Darfur rebel groups. But the ongoing Doha peace talk is boycotted by SLA/M (one of the two largest rebel groups in Darfur). A previous peace agreement known as the Darfur Peace Agreement (DPA) of May 2006 negotiated in Abuja under the auspices of the AU between Sudan's government and the faction of the SLA led by Minni Arkou Minawi (SLA/MM) failed to establish a significant ceasefire. Two parties to the negotiations in Abuja—the SLA faction of Abdel Wahid Mohamed Nur (SLA/AW) and the Justice and Equality Movement (JEM)—refused to sign the DPA over dissatisfaction with its provisions for groups' political representation, power, and wealth sharing arrangements between Sudan's center and its periphery that led to the rebellion in 2003, among others.⁴⁹

The Sudanese government has continued to explore opportunities for peace talk with the disaffected rebel groups, albeit without corresponding political will to respect or implement previous peace agreements. An international peacekeeping force, the AU/UN hybrid operation in Darfur (UNAMID) was deployed in December 2007 to replace AU's regional peacekeeping force, African Union Mission in Sudan (AMIS). UNAMID has continued to face shortfalls in troops and critical transport and aviation assets, which impedes its capacity to fulfill its core mandate: to protect civilians in Darfur, facilitate the humanitarian aid operation, and monitor Darfur-Sudan's borders with Chad and the Central African Republic.⁵⁰

CONCLUDING REMARKS

This paper has no pretension to policy engineering. It is not conceived with the intent of articulating a conflict resolution and peacebuilding framework

for Sudan or its highly volatile peripheries. Many well-researched policy papers have already proffered a variety of constructive constitutional and political remedies for solving the age-long problems of armed violence in Sudan.⁵¹ Clearly, the real sticking point in the Sudanese conflicts has to do with the ever-growing number of consequential armed groups and stakeholders whose material interests are inextricably tied to, and best served under, the prevailing structures of markets/oligopolies of violence. Consequently, oligopolies of violence such as contemporary Sudan have the potential to attract, incubate, and breed vicious insurgents of all sorts, including international terrorists who, among other things, take advantage of the embedded structures of local disorder and ungovernable spaces to recruit, radicalize, and train impressionable and impoverished young adults under the appealing cover of Jihadist religion and use them to fight the cause of international terrorism.

The historical asylum of Osama Bin Ladin and his followers in Sudan between 1990–1996, leading to the founding and entrenching of Al Qaeda terrorist infrastructures in the country, is a clear evidence of the possible link between oligopolies of violence and international terrorism. Other Middle Eastern Islamist fronts believed to promote international terrorism by the West (e.g., Palestinian HAMAS, Lebanese Hezbollah, and the Iranian Revolutionary Guard) are said to have significant presence in Sudan. It has been variously alleged that Sudan buys arms from some of the Middle Eastern countries, but available empirical data suggests that the bulk of Sudanese military weapons come from China and Russia. These weapons ultimately aggravate the war in Darfur in spite of a 2004 UN Security Council arms embargo on Darfur.⁵² Other countries reported to directly or indirectly sell arms to Sudan include Cyprus, India, Iran, Kenya, Saudi Arabia, Senegal, Slovakia, Turkey, Germany, Spain, and Switzerland.⁵³ Arms acquired by Sudanese government are used to equip the state's security forces and government-backed Janjaweed militia fighting in Darfur, a process that jeopardizes the peace efforts in the region. Darfur-based rebel forces are said to receive arms supplies from various black market sources mostly routed across the porous Chad/Sudan borders. Between 2004 and 2006, Sudan (based on government's official data believed to be significantly understated) reported to have imported weapons worth \$76.3 million, \$55 million of which were sourced from China. Belarus and Russia self-reported having sold 45 new military aircraft to Sudan during this period. Sudan also reports that it purchased some \$25 million worth of tanks and armored combat vehicles from Belarus, China, Switzerland, Iran, Germany, India, and Syria.⁵⁴ It is indicative that arms sales from China, along with Russia, have continued at a scale considerably higher than the pre-2004 UN Weapons embargo on Darfur. Chinese arms sales to Sudan since 2004 account for 90 percent of small arms present in the country, and China's provision of training, transport vehicles, and aircraft have significantly added to the Sudanese arsenal.⁵⁵ China has

repeatedly used its veto power in the UN Security Council to weaken the efforts of the international community to apply sustained pressure on the Sudanese government over its alleged war crimes in Darfur. But for the Chinese government's veto, the UN Security Council arms embargo on the Darfur region was originally intended to cover the entire Sudan.

Sudan's first multiparty election in roughly twenty-five years was held in April 2010. An opportunity to reinvent the polity was ironically marred by allegations of unlevelled playing field and malpractices. Boycotted in whole or in part by many opposition parties, President Bashir easily won the controversial elections. There are no strong indications that the outcome of the polls would bring any radical changes capable of transforming the embedded structures of oligopolistic violence in the beleaguered state.

Nonetheless, a major point of this study is that the institutionality of the state and its monopoly of the legitimate use of violence are crucial for achieving sustainable security and stability in Sudan and indeed other markets or oligopolies of violence elsewhere in the global South. This observation remains valid regardless of whether the Sudanese state retains its present territorial configuration and land mass or in the wake of the 2011 referendum the state is reconfigured.

NOTES

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29. See, Ross, "Oil, Drugs, and Diamonds".
30. See, for instance, Ylonen, "Grievances and the Roots of Insurgencies."
31. Mehler, *Hybrid Regimes and Oligopolies of Violence in Africa*.
32. Ylonen, "Grievances and the Roots of Insurgencies," 113.
33. Woodward, "Politics and Oil in Sudan," 110.
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