

Arabité, islamité, ‘soudanité’

Being Arab, Muslim, Sudanese



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RESHAPING IDENTITY POLITICS

Capitalising on Shari‘a Debate in Sudan

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Being Arab, Muslim, Sudanese.

Reshaping belongings, local practices and state policies in Sudan after the separation of South Sudan

The project focuses on dynamics of Arabization and Islamization in relation to national identity-building in Sudan through an analysis of the three notions articulation within practical processes and the practices of social actors. The central socio-anthropological approach is based on a micro-scale perspective, while also paying attention to macro-scale phenomena, in particular state policies on citizens' affiliations to an identity forged from categories of Arabness, Islamity and national integration. The aim of the project, which is rooted in classical works on issues of ethnicity, religion and nationality, is to give renewed impetus to the scientific contribution of the debate on the relations between Arab identity and Islam and the issues at stake in the relationship between State and citizens in an African country in which the colonial legacy and ethno-cultural pluralism have made the objectives of nation-building particularly complex.

Founded by the AUF (Agence Universitaire de la Francophonie) as a PCSI (Projet de Coopération Scientifique Inter-Universitaire), the project has four institutional partners: CEDEJ Khartoum, the University of Khartoum, University Paris 8/LAVUE and the Max Planck Institute. Barbara Casciarri (University Paris 8) is the scientific coordinator, Jean-Nicolas Bach (CEDEJ Khartoum) is the project leader and Mohamed A.G. Bakhit (University of Khartoum) is the coordinator of the Sudanese research team.

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RESHAPING IDENTITY POLITICS

Capitalising on the Shari'a Debate in Sudan

ABSTRACT

The relationship between religious identity, ethnic identity, and politics has always been a problematic one, especially in plural societies like Sudan. This article is an attempt to understand the reasons behind the insistence of the popular parties of the Muslim majority in Northern Sudan on establishing shari'a law as the law of the land. By using secondary data on party programmes, public opinion, and an analysis of political events, I reconstruct the evolution of the debate in order to identify its prime movers. My conclusion is that this debate emerged as a result of the quest for a national identity by the majority group, who are predominantly Muslim and identify as Arab. Contrary to the common belief that principles of identity politics generally only apply to minority groups, I argue that the constant pressure from popular parties in Sudan to apply shari'a law shows that where the identity of the majority group is unclear or problematic, there is a tendency to use strong cultural symbols as an aid to political mobilisation by elites who claim to meet the presumed demands of the public. Raising the banner of shari'a is an effective way not only to exclude non-Muslims from playing central roles in national politics, but also to undermine the roles of other politically moderate Muslims.

Keywords: Shari'a, identity politics, religion, ethnicity, national identity.

RESUME:

La relation entre identité religieuse ou ethnique et politique a toujours été problématique, notamment dans des sociétés plurielles comme le Soudan. Ce texte essaie de comprendre les raisons sous-jacentes de l'insistance des partis populaires de la majorité musulmane dans le Soudan du nord visant à établir la shari'a comme loi nationale. En utilisant des données de seconde main (programmes de partis, opinion publique, analyses des événements politiques), je reconstruis l'évolution de ce débat afin d'en identifier les mobiles principaux. Ma conclusion est que ce débat a émergé comme résultat d'une quête d'identité nationale de la part des groupes majoritaires, à dominance musulmane et identifiés comme Arabes. En contestant la croyance diffusée selon laquelle les principes des politiques identitaires ne s'appliquent qu'aux groupes minoritaires, je suggère que la pression constante de la part des partis populaires soudanais visant l'application de la shari'a montre que, dans les cas où l'identité du groupe majoritaire n'est pas claire et pose des problèmes, la tendance est à utiliser des symboles culturels forts comme support à la mobilisation politique des élites qui revendiquent leur correspondance avec ses supposées demandes du public. Lever le drapeau de la shari'a s'avère être une manière efficace non seulement d'éloigner le non-musulmans des positions centrales des politiques nationales, mais aussi d'affaiblir le rôle d'autres musulmans politiquement modérés.

Mots clefs: Shari'a, politiques identitaires, religion, ethnicité, identité nationale.

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RESHAPING IDENTITY POLITICS

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Introduction

The term “identity politics” has largely been used in social science literature to refer to radical mobilisations by marginalised groups seeking to improve their position in an ongoing power struggle (Hayes 2007). Nevertheless, the fact that the term denotes the self-assertion of groups *vis-à-vis* others also make it plausible to use it in the context of dominant group participation in political processes. Most analysts share two main views with regard to ethnic identification. The first considers ethnic groups to be based on longstanding primordial bonds that are ascribed (van den Berghe 1978 and Cerroni-Long 2007). The other considers ethnic identity to be situationally shaped by people’s attitudes and the manipulative actions of political elites and leaders, who emphasise the importance of language, religion, or physical traits, according to a given context (Abdul-Jalil 1984 and Lesch 1998). In the context of a modern state in which territorial integrity is highly valued, governments may try to adopt a policy of building solidarity by assimilating ethnic minorities into the mainstream culture of the dominant group. Some groups therefore find that they are required to compromise their identities if they are to attain full membership (equal citizenship rights) of their common state. When these groups refuse to surrender and attempt to resist, the expected national integration is threatened, and what is meant to be a nation-building process may actually turn out to have a detrimental effect on the unity of the country.

This paper seeks to shed light on the factors associated with the need of the population of Northern Sudan to assert an Arabic/Islamic identity. I claim that the shari‘a debate has emerged as a result of the search for a national identity that coincides with the ethnic identity of the dominant group. The main question I pose is whether this reflects the interests of the elite or the masses, or both. This undoubtedly invites further questions about the relationship between religion, ethnic identity, and politics. As a country where the three factors are intricately related, Sudan represents a typical case in point. Little (2004) has argued that religious beliefs and practices as they come to bear on ethnic and national identity are themselves typically powerfully shaped and influenced by particular historical circumstances. Sensitivity to this complexity is an absolute requirement when studying the subject.

Mazrui (2001) referred to this same relationship when he pointed out that the two most powerful primordial forces operating in Africa are ethnicity and religion: ethnicity defines the basic social order, while religion defines the basic sacred order. However, this dichotomy can be criticised on the basis that religion is also a form of identity; this is certainly the case in many societies, such as Northern Ireland.

The potency of religion in this context is derived from both its influence over ethnic identity and the close link between nationalism and religious beliefs. The educated elite of the predominantly Muslim north has historically perceived Sudan as one single country that was once divided by colonial powers. Northern politicians have subsequently sought to "re-unite" the country through a process of Arabisation and Islamisation. However, these policies have led to antagonism among the southern population, whose indigenous cultural values have combined with Christianity to create a common identity, one that has largely been defined in opposition to the northern identity and its associated attitudes and policies. Because government policy since independence has by and large disregarded Sudan's multi-religious character and the South's contrasting identity, conflict and civil war have remained endemic.

The Ethnic and Religious Composition of the Sudanese People

One of the most striking characteristics of Sudan is the diversity of its people. Sudanese are divided into 19 major ethnic groups and over 500 sub-groups, and they speak more than 100 languages and dialects (Eberhard et al. 2020). There is a chasm between the northern and the southern parts of the country. The north is dominated by Muslims, most of whom speak Arabic and identify as "Arabs," while the people of the south are "Africans" (that is, blacks) who for the most part follow traditional African religions, although there are also Christians and Muslims among them. The exact percentages are still a subject of debate, since no comprehensive survey of religious identification has been carried out.

In 1956, those who identified as Arabs were estimated to make up about 39 per cent of the total population. Ethnic identity may not actually coincide with a particular racial character, however: Sudanese who consider themselves to be Arabs are for the most part racially mixed, and many are indistinguishable from black southerners. Despite having a shared language and religion, the "Arabs" do not constitute a cohesive group: they have historically been divided into tribes based on their presumed descent from a common ancestor. Examples of Arab sedentary agricultural tribes living along the Nile between Dungle and Khartoum include the Ja'aliyin, the Shayqiyah¹, and the Rubatab. Arab nomadic tribes are usually classified either as Abbala (camel herders) or Baqqara (cattle herders) who roam the

¹ The Shayqiyya are usually contrasted with Ja'aliyyin in popular ethnic jokes, and they are not classified as having a common origin.

semiarid plains of western (Darfur and Kordofan) and north-eastern Sudan. Among the camel herders are the Kababish of north Kordofan and the Shukriya of eastern Sudan. The Baqqara are represented by the Miseiriya and Rizaigat of South Kordofan and Darfur respectively.

Besides Arabs, there are several Muslim, but non-Arab, groups in the north. The most notable among these are the Nubians who live along the Nile in the far north of the country. Most Nubians speak Arabic as a second language. The same applies to the Beja, who inhabit the Red Sea hills. Many non-Arab Muslim peoples live in Darfur, including the Fur (agriculturists living in or near Jebel Marra) and the Zaghawa (semi-nomadic people who live on the border with Chad). Other African (non-Arab) groups in Darfur are the Masalit, Meidob, Berti, Birgid, Tunjur, and Tama. One of the most important non-Arab populations in Sudan are the Nuba, who live in the Nuba Mountains in Kordofan and practise sedentary cultivation.

The vast majority of non-Arab peoples in Sudan live south of the 12th latitude north, in what comprises the southern region. The most important group is the Nilotic cattle herders. Chief among the Nilotic people are the Dinka (probably the largest tribe in Sudan), the Nuer, and the Shilluk, who are mostly livestock breeders and together make up almost one-fifth of Sudan's total population. The Bari, a Nilo-Hamitic group, live even further south, in the mountains around the Upper Nile near the border with Uganda. A number of smaller ethnic groups, who mostly practise cultivation, live in the south-western part of Sudan. They include the Azande, who are scattered between the Sudan and Congo.

Sudan has attracted a very wide variety of immigrants over the years, the most important recent ones being West Africans (Hausa, Fulani, and Borno), who are collectively known as the Fellata. Many Fellata are employed as seasonal labourers on the country's cotton farms. According to the 1955-56 census, West Africans constituted 5 per cent of the population, while in the mid-1970s they were estimated to be about 10 per cent. The Fellata are all Muslims.

Statistics on the religious affiliations of the population of Sudan are scanty and somewhat unreliable. Nonetheless, it is estimated that more than two-thirds of the country's population are Muslim. Ninety per cent of these people live in the northern two-thirds of the country. Sudanese Muslims belong overwhelmingly to the Sunnite (Sunni) branch, although the formation of Sufi sects (tariqas) or Muslim religious brotherhoods has been a feature of Islam in Sudan, as it has in much of the rest of Africa. The oldest of these tariqas is the Qadiriya, which was introduced to Sudan from the Middle East in the 16th century. Another major sect is the Khatmiya, or Mirghaniya, which was founded by Muhammad Othman Al-Mirghani in the early 19th century. Perhaps the most powerful and best-organised tariqa is the Ansar Al-Mahdi, whose followers led a successful revolt against the Turco-Egyptian regime (1821-1885) and established an independent state in Sudan that lasted from 1884 to

1898. The Ansar and Khatmiyah sects formed the basis for the major political parties that emerged in Sudan in the 1940s, and they have continued to play a dominant role in the nation's politics in the post-independence period (in the form of the Umma and Democratic Unionist parties).

At least 15 per cent of Sudan's population practice traditional African religions, particularly in the south and the Nuba Mountains. Although their religious beliefs may have some common elements, each ethnic group has its own indigenous religion. Christians account for about 10 per cent of the population (about 25 per cent of Southerners). Christianity first came to Sudan in about the 6th century AD, and Christian churches flourished in the ancient kingdom of Nubia for centuries thereafter. But after the establishment of Muslim rule in Egypt and later Arab migrations into Sudan, Christianity declined in Nubia and was gradually replaced by Islam, a process that had been completed by the end of the 15th century. Christianity in present-day Sudan is a product of the European missionary efforts that began in the second half of the 19th century, most of which were concentrated in the south and the Nuba Mountains rather than among the Muslims of the north.

The Colonial Legacy of the Modern Sudanese State

Like most African countries, the boundaries of present-day Sudan were shaped by the colonial powers. Independent kingdoms had existed in different parts of modern northern Sudan long before the advent of foreign rule. The Turco-Egyptian rule lasted from 1821 to 1885, when the Mahdist State was established over much of the land. The country then again fell under foreign domination. This is what came to be known as the condominium rule and was basically British rule under the guise of shared responsibility with Egypt. The full final borders of the country as it is known today were only realised in 1916 by the defeat of Ali Dinar and the annexation of Darfur.

British colonial rule therefore became a unifying factor, in the sense that it helped to create a modern territorial state. These efforts were not limited to a consolidation of authority over vast areas of land; more importantly, they manifested themselves in the establishment of an institutional framework for modernisation. Law-making was an important and effective instrument of social change (i.e., modernisation) used by the colonial authorities in Africa, but this endeavour was directed more by the logic of economic exploitation than by any eagerness to improve the quality of life for the natives. One must agree with Bryde (1976: 10), who rightly stated that: "In colonial law we will therefore have to distinguish features which can be explained by their instrumental value of economic exploitation as well as others which met the needs of the administration. As far as we can recognise processes of modernisation and of development that benefited the population and not only its expatriate sector, such processes will be more often the results of incidental benefits of the colonial

economic system or of the unplanned diffusion of western values than of a conscious policy of development”.

The British colonial authorities were aware of the potential threat Islam posed to their rule. An outright collision with religious groups would have sparked a similar reaction to that of the Mahdist revolution. On the other hand, it was also difficult to rule a vast country by the use of sheer physical power. For this reason, the colonial authorities tried to secure the consent of the Sudanese people by using three different strategies. First, they sought the collaboration of the western-educated elite to help them rule the country. The educational system they developed was especially geared towards this end. For example, the legal education offered at Gordon Memorial College (which later became the University of Khartoum) served to train students in English common law. The second strategy adopted by the British was to apply a dual policy towards religious leaders. While adopting a strong reaction to any uprising by a religion group, they rewarded collaborating religious scholars (*‘ulama*) and sect leaders in different ways. For example, Abd al-Rahman al-Mahdi (the Ansar leader) was given vast lands in the White Nile and allowed to develop economic opportunities that would counterbalance the growing Khatmiya influence. The third approach was to seek the collaboration of traditional tribal elites in rural areas. This was largely achieved through a policy of indirect rule that approved of their traditional authority over their tribal folk but demanded adherence to government directives. In return, the government gave them access to a percentage of the taxes they collected and allowed them to apply local customs to settle disputes. Customary law is not a unified body of legal rules or practice throughout the country, but it is considered to be a part of the local culture of particular ethnic groups, so because diversity is the main feature associated with customary law, there was no point in codifying it.

The presence of diverse legal cultures operating in one society (which is known as legal pluralism) is one of the legacies of colonialism in many parts of Africa, and Sudan is a case in point. The modernisation policy meant that English law was applied in the administrative field. Special shari’a courts were created in which *‘ulama* ruled on questions of personal status (family and inheritance matters) according to the Islamic teachings of the Hanafi jurist school, which had been introduced to the country during the Turco-Egyptian rule. This conflicted with the Maliki School, which most Sudanese Muslims adhered to. In southern Sudan however, there were no Muslim matrimonial courts, and native administrators (tribal chiefs) applied customary law.

Christian missionaries were also allowed to work in southern Sudan and the Nuba Mountains areas from the early days of Anglo-Egyptian rule. This led to the formation of an educated elite with a Christian religious identity that was associated with political objectives from the outset. The use of the English language by the educated southern elite further promoted a dual basis of identification that has continued to gain momentum up to the present day. It is ironic that the two most important bases of identification from which the

southern Sudanese elite rally political support are not indigenous,² yet another element of the colonial legacy in Africa.

Religion and the Quest for National Identity

However careful one must be when drawing conclusions, there is something about the recurring correlation of religious beliefs with ethnicity and nationalism that is both interesting and worthy of examination. If religion is all that incidental a factor, why do ethnic conflicts and struggles over national identity in so many places – such as Sudan, Sri Lanka, Tibet and China, Israel, India, Nigeria, Lebanon, and Northern Ireland – have such a conspicuous and enduring religious component? Even if religion is used or manipulated for ulterior purposes, why exactly is it religion that is repeatedly used for ethnic and nationalist purposes?

To put it in another way, why does the assertion of ethnic and national identity so frequently involve – as it obviously does – intolerance and discrimination in regard to religion and other forms of fundamental belief? In short, what precisely is the connection between belief, ethnicity, and nationalism? The general expectation for the three criteria of identification is that religion is more inclusive while ethnicity and nationalism tend to be more exclusive. The politics of identity are firmly associated with strategies of exclusion. When combined with identity politics, religion seems to operate as a catalyst for exclusion. Ibn Khaldun observed long ago that when ethnicity (Arabic: *‘asabiya*) is combined with a religious mission it often results in a much stronger attachment between leaders and followers. In other words, religion is a more effective rallying tool whenever identity politics are involved. Here, I fully agree with Al-Hasan (200) when he claims that religion in Sudan has been used as an ideological tool to justify the attainment of power positions by political elites. Although he attempted to demonstrate his theory solely in relation to the performance of the National Islamic Front, his argument applies equally well to both the Umma and Democratic Unionist parties.

Islam has long played a key role in forming the northern Sudanese identity and providing political legitimacy to opposition parties and governments alike. Although the relationship between Islam and politics dates back to the days of the Funj and Darfur Sultanates (16th century), it is the Mahdist revolution in the late 19th century that solidified the link between Islam and politics and defined an identity in northern Sudan that transcended traditional loyalties. The post-independence era saw a continuation of these trends. The withdrawal of British colonial rule after 1956 offered an opportunity for the Muslim majority in the north to try to establish some form of Islamic rule. The rise of Arab nationalism in the Middle

² According to Sudan’s Interim Constitution (drafted after the CPA), English is considered to be a working official language.

East, especially after Nasser's ascendancy to power in Egypt in 1953, helped promote the cause of identification with the Arab World. It is no wonder that after independence, Sudan's governing elite chose to join the Arab League and turned down the offer to join the Commonwealth. In Sudan, Arab identity and Islamic identity are intricately linked, and it is a well-known feature for many tribal groups in northern Sudan to keep forged genealogical documents or oral traditions linking them to Umayyads or Abbasides, as if to show that the more Arab a group is the more Islamic it is supposed to be.

Fearing domination by the northerners, the southern Sudanese opposed Islamic rule. It is clear that the internal strife that has divided Sudan since its independence in 1956 has deep religious roots, but it is equally embedded in politics, be it those of colonial rule or independent national governments. Southerners' fears are aroused by the prospect of discriminatory treatment being imposed on minorities under strict Islamic rule. The attempt by the north not only to define the national identity of Sudan as Arab and Islamic but also to structure the lives and roles of citizens along these same lines has been an underlying cause of the civil war. While northerners see themselves as Muslims, southerners share a common identity of being non-Muslims although they are divided along tribal lines. The south's introduction to Islam was associated with the widespread slave trade during the 19th century, an era characterised by economic exploitation and military domination, and appeals by northern politicians for an Islamic constitution at the time of independence evoked fears among southerners of a return to this earlier stage of relations.

The actions of the northern Sudanese ruling elites since independence have done little to alleviate these fears. Some northerners sincerely feel that Sudan can only be united through religious and cultural uniformity and have therefore supported efforts to Islamise the south. The military offensives conducted by the regime of Major General Abboud in the late 1950s and early 1960s and the implementation of the shari'a-based "September laws" under the regime of Ja'far Nimeiri (which led to a resumption of the civil war after a brief peace based on the Addis Ababa Agreement of 1972) are examples of the recurring attempts to unify Sudan through enforced Islamisation. Far from achieving the desired unity, however, the result has been continuous civil wars that have deepened the rift between the two parts of the country.

Sudanese Politics and the Predicament of Marginal Arabs

Arabism (the predisposition to identify Sudan as an Arab country) is deeply ingrained in the popular culture of northern Sudanese people. It predates the modern Sudanese state and goes back to the times of the Funj sultanate (1550). The founders of the Islamic kingdom were described as being of Umayyad origin, despite their typical African features. Because of the superiority associated with Arab descent, noble families were accustomed to having forged genealogies written by learned men as proof of their Arab origins, and by the time of the

advent of Turco-Egyptian rule in Sudan, genealogy writing had become a thriving industry. One practical reason for the spread of this trend was that people wanted to protect themselves from slavery; Arabs and Muslims were supposed to be safe from this practice.

Arabism and Islamism in their modern form grew stronger during the Anglo-Egyptian rule in the Sudan. Educated Sudanese in the 1920s and 1930s (almost all of whom were northerners) began to develop modern nationalism. The Sudan Graduates' Congress, which pioneered the struggle for independence, oriented the country's educational system towards Arab and Islamic culture. With the advent of independence, the first foreign relations task of the government was to join the Arab League. The profound effect of Egypt's influence in this endeavour cannot be overestimated. As Aguda (1973: 177) writes: "Indeed, the predominance of the Arab Sudanese in the country's culture, politics, administration, commerce, and industry makes it de facto an Arab state. The ascendancy and assertiveness of the Arabs caused the North-South conflict to be almost intractable, while their economic and political domination led even the Northern Muslims to begin to assert themselves, although they had traditionally looked with favour upon assimilation into Arab culture".

Monocultural solutions to the question of nation-building (that is, national integration) are commonly associated with the melting-pot approach, which envisages cultural homogeneity as a prerequisite for attaining national unity. Unity in diversity is considered by proponents of the melting-pot approach to be a risk rather than an attractive alternative. Interestingly, the general trend among Sudanese intellectuals (from both the right and left of the political spectrum) after independence was to favour the homogenising approach of the melting-pot theory. Gism Alseed (2008) has correctly identified three main intellectual traditions or schools among the Sudanese political elites with regard to the question of national identity, which was viewed as another prerequisite for national integration. The first was Arab nationalists, who believed that the best way forward for Sudan was to be an integral part of the Arab world. Shared culture, language, and history were used to promote their view and downplay the various features of diversity and to exclude other identity claims. The second was socialism, which was mainly adopted by the Sudanese Communist Party, whose members saw the many cross-cutting identification criteria (ethnic, religious, and cultural) as a mere camouflage for class affiliation and struggle. The third was the Islamists, who considered that Islam should be the sole uniting factor for the Sudanese people. At the same time, they claimed that Arab identity was an integral part of Muslim identity. It is clear, therefore, why South Sudan was subjected to both Arabisation and Islamisation programmes.

Northern politicians often take pride in portraying Sudan as a bridge between the Arab world and Africa. As such, they become indispensable for both sides. This perception gives Sudan a symbolic power position, if only it can be utilised. It is noticeable that other African Arab countries have tried to play this role, but with little success: Libya under Gaddafi invested heavily in this direction to the extent of leading the agenda for the "United African

States”. But in spite of Sudanese zeal for Arab identification, their position remains marginal in the Arab world, as many researchers have acknowledged (Mazrui 1971, Abdel Ghaffar 2008).

Although they are a dominant group by Sudanese standards, Sudanese Arabs can be considered to have a minority status in the context of an “Arab Nation”, and so they are marginal. Their identity politics are therefore geared towards asserting Arab identity over other Sudanese so that they can dominate the state. They expect the Arabisation of the state to enhance their position within the Arab world. Furthermore, they can also act as agents for Arabs in Africa: in fact, Sudan hosts many pan-Arabic organisations (including the Arab Bank for Development in Africa, the Arab Corporation for Agricultural Development, and the Institute for Learning Arabic as a Foreign Language). Some researchers go as far as to consider that the efforts towards Arabisation and Islamisation that are consistently being pursued by Sudanese Arabs is a sign of the prevalence of a psycho-pathological inferiority complex culture (Alafif, 2009). The colour black is despised because of its connotations with slavery, and so people tend to circumvent its use by referring to different shades, calling themselves green, red, or brown, for example. The recent encounter between ordinary Sudanese and real Arabs from the Gulf States as a result of labour migration has placed many of them in an embarrassing situation because they are simply considered by the natives of these countries to be “*abid*” (Arabic: slaves).

Although the drive to apply Islamic rule in Sudan is associated with certain regimes and political groups – as we will see in greater detail in the next section – a favourable public attitude towards it is far more prevalent among northern Sudanese Muslims. Bernal (1999) makes a compelling argument when she explains the fundamentalist trend in a rural village in central Sudan called Wad al-Abbas: “One way Sudanese can assert their Arab identity (which for villagers is synonymous with Muslim identity) is by embracing Arab cultural forms – such as orthodox Islam as practiced in the Gulf. “Fundamentalist” Islam thus arises from conditions of modernity (including labour migration) and is misunderstood if interpreted as a return to “tradition”. The changing configuration of Islam at Wad al-Abbas thus is linked in complex ways to migration, globalisation and to the attempts of elites to define a Sudanese national culture”.

Politicians who needed to increase their popularity were therefore quick to see the benefits of investing in the Islamic identity of Sudan. The Islamic National Front founded by Al-Turabi certainly managed to benefit from its strategic investment in the shari’a debate. However, it must be emphasised here that the reasons political elites choose a fundamentalist path can be quite different from those that prompt the masses to take the same route. In the next section, I will take a closer look at the programmes and performance of the political parties that have adopted an Islamic discourse.

The Shari'a Debate: Religious Fundamentalism or Political Ideology?

Conventionally, Sudan's political parties are broadly divided into two categories: national parties and regional or ethnic ones. The former includes the Umma Party (UP), the Democratic Unionist Party (DUP), the Sudanese Communist Party, the Muslim Brotherhood (which has been known under several names, the most recent of which is the National Islamic Front (NIF)), the Republican Brothers, and three smaller Arab nationalist parties (pro-Iraq and a pro-Syria Ba'ath parties and a Nasserite party). The ethnic and regional associations include the Beja Conference, the Union of Nuba Mountains, the Darfur Development Front, and a collection of southern Sudanese parties that make up the Union of Southern African Political Parties (USAP). The SPLM/A has also emerged as a major political force since the mid-1980s, with an emphasis (albeit not an exclusive one) on South Sudan.

It should be noted that this classification represents the view of Sudan's dominant north. The parties created by northern elites are readily labelled as "national", while those formed by others are negatively branded as "regional" or "ethnic". By making or accepting this distinction, the northern political forces have unilaterally defined themselves as "national" and relegated the rest to the lesser status of "regional" and/or "ethnic". What is of interest here is not only how this arbitrary, reductionist, and one-sided view has influenced Sudan's nation-building debate, but also how the so-called national parties have found a common ideological denominator in Islam. Attempts by regional movements to improve their lot have caused them to be branded as secessionists, or even racialists. The idea of decentralised government was fiercely resisted all through the 1950s and 1960s because it was thought that it would compromise national identity, and hence threaten national integration. The melting-pot model was more in vogue than the unity in diversity model as a postulate for integration in those days.

Clearly, the three most popular parties – the UP, DUP, and NIF – are Islamist in their orientations and roots. Although this is a well-established fact, and hardly seems to need further evidence, the context requires a mention of the constitutional role each party attributes to Islam. It must be noted here that the UP and DUP are organised around hardcore religious sects – the Ansar and the Khatmiya respectively. Both are Islamic, and aside from their political rivalry, one finds no major differences between their statements, whether written or oral. The three parties agreed to promote the cause of Islam jointly by adopting a bill for an "Islamic Constitution" in 1956 and again in 1968.

In the case of the UP, its 1986 general election programme was entitled "Nahj al- Sahwa", the party's manifesto of Islamic reawakening. According to this document, "Islam is the basis of national existence and identity". The supremacy of Islam is absolute and even a parliamentary majority should not be allowed to contravene or undermine it. Non-Muslims have no reason to worry because the teachings of Islam guarantee their rights. The document

presents two choices in this regard: either to sign an agreement similar to the one Prophet Mohammed (peace be upon him) signed with non-Muslims, in which their rights under Islamic law were spelled out, or to agree on a system of legal pluralism in a unitary state. The party also “formally” supports federalism as a better form of administration for a culturally and ethnically diversified country.

Elsewhere, the document summarises its approach by stating that the “uniqueness of southern Sudan's situation requires special constitutional, administrative and legal arrangements”. Nimeiri's September laws are described as a “barbaric perversion of Islam” that must be corrected. In his first address to Parliament following his election as Prime Minister, the UP leader Sadiq al-Mahdi reiterated this position, declaring that his government would abolish the September laws and replace them with “truly Islamic laws”. However, what constitutes “true Islam” is left undefined. The party's programme only mentions that Islam does not provide a certain system of government or economics, but rather “general principles and rules, and every political or economic system that adheres to and applies those general principles and rules is an Islamic system”. Beside the inalterable and binding texts of the Quran and Sunna, new rules and principles must be adopted through “enlightened and qualified reasoning (Arabic: *ijtihad*).” It should be noted here that the UP proposed that shari’a law be applied on the basis of creed so as not to violate the rights of other non-Muslim citizens in a modern state. This is in sharp contrast to the NIF's proposal that it be applied geographically (according to regions where Muslims are in majority) on the basis of a unified “law of the land”.

Similarly, the establishment of an Islamic state comes at the top of the DUP agenda. The party's programme states that its members “declare in the loudest of voices that they are committed to the Islamic constitution, that they stand for Allah's law with deeds not words ... and that this commitment represents a unilaterally binding stand from which they would never retreat or regress”. Shari’a law must remain “the basic source of law, while customs and principles that do not contradict shari’a may also be consulted”. In the DUP's view, non-Muslims enjoy the right to express their faiths, to have personal laws based on the individual's faith, and to participate in public affairs, and the freedoms of movement, personal security, and the sanctity of the home. As far as southern Sudan is concerned, the DUP shares the UP's view that it should be accorded special treatment. However, the DUP recipe excludes federalism from its list of options, and calls instead for a solution to “southern Sudan's problem” based on government decentralisation. Although the party expresses its allegiance to Islam and its commitment to make it the sole source of law, it does not explain how Islam, with its vast body of jurisprudence, might be transformed into tangible legal texts. The DUP's programme only indicates that it remains faithful to the 1968 Bill of Islamic Constitution.

Unlike the UP and DUP, the NIF is a younger party with a modern organisational structure that first emerged in the 1940s as an offshoot of the Egyptian Muslim Brotherhood. It began

as a tiny student organisation that appeared to be more of a reaction to the increasing political weight of the Communist Party than an organisation in its own right. In its formative years, the movement had a limited legal agenda, but it gradually built itself into one of Sudan's most important political forces. In the words of NIF's leader, Hassan al-Turabi, in those early years, "the situation only required that the Islamic movement appear to be advocating Islam".

By the mid-1950s, the movement had been renamed the Islamic Front for the Constitution (IFC), and had aligned itself with and gained the support of the leaders of the Ansar and the Khatmiya sects. With the blessing of these leaders and expert advice from a Pakistani lawyer, the IFC proposed a bill of an Islamic constitution based on the teachings of al-Maududi, the leader of Pakistan's Jamaat Islami. This constitution called for the creation of an "Islamic Republic" along the lines of a parliamentary democracy. It stipulated, however, that both the head of state and Prime Minister must be Muslims.

In 1964, the IFC metamorphosed into the Islamic Charter Front (ICF), and from then on, the movement's course and ideological outlook continue to be moulded by its leader and ideologue Hassan Al-Turabi. The most important development introduced by the ICF charter was the express statement that Islam is "the call most likely to receive an enthusiastic response from the nation". The ICF charter departed from that of the IFC in some respects. It called for the establishment of a presidential system and was silent with regard to the religion of the head of state. The organisation ceased to exist publicly after Nimeiri's 1969 coup, but it continued to operate, first underground (1969-76) and later as an unnamed partner of Nimeiri (1977-85). In the latter period, its legal programme was closely intertwined with that of the government. Ironically, Nimeiri's ascendance to power was supported by the leftist parties in order to prevent the promulgation of Islamic Constitution by Parliament, which had earlier voted to ban the Communist party.

After the 1985 uprising that ended Nimeiri's reign, the movement emerged as the National Islamic Front. The NIF's charter contains two general principles. The first is that "Islamic jurisprudence shall be the general source of law". The document explains that this principle means that Islamic jurisprudence "is the expression of the will of the democratic majority"; that "it conforms to the values of all scriptural religions"; that "its legal rules almost correspond to their common legal or moral teachings"; that "it recognises as a source of law the principles of natural justice and all social customs"; and that "it specifically recognises the principles of religious freedom and equality in the manner mentioned above, and allows for partial legal multiplicity in regard to the religious affiliation of persons or to the predominance of non-Muslims in a particular area".

Second, the charter states that "family law shall be personal". Among the rights of citizenship enumerated in the charter is the right not to be "legally barred from any public office only because of one's adherence to a religious affiliation". This careful phraseology is

intended to give the impression that all citizens enjoy an equal right to hold public offices. A harder look suggests otherwise, however. The charter continues by stating: "But religiousness in general may be taken into consideration as a factor of the candidate's integrity". While the phrasing of the last sentence attempts to make religions equal, it lets the religious discrimination it had expelled through the door back in through the window. Since religiosity is a sign of integrity, it can also be used to favour a candidate who adheres to the religion of the majority, Islam, if that candidate is competing with another equally pious candidate from a different faith. What is even more interesting is that the concept of religiosity might also be used to discriminate against secular Muslims in favour of supposedly "pious" conservative candidates during elections. This dynamic element of religious identification was noted by Schlee (2008: 84) who argued that "The rules concerning purity and ritual practice become more demanding as resources (affiliation to a privileged group, political leadership) become more contested, irrespective of the variety of Islamic or non-Islamic beliefs the people in question hold". According to his argument, which I find convincing, the same logic that is used to discriminate against non-believers is also used to discriminate between believers. The political conduct of the NIF is a case in point. After its ascendance to power through the 1989 coup, the NIF banned all political parties, including its former allies the UP and the DUP. General Al-Bashir's regime then singularly attempted to apply the NIF's charter in order to Islamise the country based on a programme it called "The Civilisation Project".

Shari'a law has been enacted in two major areas: the criminal code and code of criminal procedure and banking. Most observers of Sudan's experience with shari'a legislation, including some Islamists, agree that Al-Bashir's regime has struck a major blow against the unity and stability of the country, managing to antagonise non-Muslims to the maximum extent possible, to alienate all the northern opposition groups, and to precipitate an international boycott of the government. The other Islamist parties that were ousted oppose the NIF regime not necessarily because of genuinely different perceptions of how shari'a should be applied, but more for tactical reasons of power politics. Many Islamists say that the NIF regime did not even apply proper Islamic rule because its priority was not to answer a religious calling but rather to continue to govern. It is clear that the NIF has betrayed many of its allies and supporters.

Among the examples of the criticism directed against Al-Bashir's government, one sees the spread of injustice and corruption that became almost distinctive features of the regime. Islamic banks became more exploitative than conventional banks. The whole economy was geared to serve the interests of the NIF membership according to their perception of the concept of *tamkin* (empowerment). Less advantaged groups suffered more. For example, about 80 per cent of the women imprisoned in Omdurman jail ended up there because they were found guilty of brewing beer, which is prohibited by shari'a law, whereas in fact most of these women are from rural areas where some Muslim tribesmen do not consider locally brewed beer as "haram" (prohibited according to shari'a law). Many of them are also

Christians or followers of traditional African religions from southern Sudan or the Nuba Mountains.

As result of this misconduct, the regime began to lose followers, especially those who were not Islamic activists but had been persuaded to support the regime because it raised the banner of applying Islamic rule (shari'a). This probably points to the conclusion that many members of the Muslim community itself may not share the perceptions of activist Islamist politicians but supported the religion card more effectively in the political game. In his study of a nomadic Arab group in northern Kordofan, Beck (1998) discovered that their perception of what constitutes Islam was different from that of town dwellers. In the past, they had been proud to be Arabs and Muslims, but now their identity was threatened, and they had become more passive. Most significantly, the NIF regime resorted to divide-and-rule tactics to manage the civil wars in the South and Nuba Mountains as well as in Darfur. In both cases, it mobilised Arab pastoralist groups as its allies in the fight against the SPLA and Darfur rebel groups. In Darfur, where the entire population is Muslim, this meant that the regime lost the trust of certain Muslims whose tribes (for example, the Zaghawa, Fur, and Masalit) were not looked on with favour by the government.

To put the preceding discussion into a better perspective, one might ask a further question: is this a case of political ideology dressed up as religious fundamentalism, or is it one of religious fundamentalism trying to utilise political power to fulfil a religious duty? If anything, the experience of the NIF regime in Sudan confirms the first assumption. As a matter of fact, both orthodox and fundamentalist Muslim groups in Sudan (including the original Muslim Brothers, Ansar Al-Sunna, Ansar Al-Mahdi, Khatmiya) abstained from joining the NIF regime from the beginning, although after Al-Turabi was ousted in 1998, some (notably the Muslim Brothers and Ansar Al-Sunna) did join the government. The most important criticism directed towards the NIF by orthodox and fundamentalist groups is that they consider its actions to be driven by greed for power and other worldly spoils; hence it does not represent true Islam. Again, this supports Schlee's (2008) argument referred to earlier.

It is a well-known fact that the rise of sects in Islam was instigated by political disagreement. The Shiites and Kharijites broke away as a political protest over the way Ali (the fourth Caliph) managed the political dispute with the Umayyads led by Mawiyah. They later flourished as religious sects with their own distinctive interpretations of Islamic sources regarding belief and other matters of concern to Muslims. Demanding stricter adherence to Islam can therefore be seen as an outcome of political competition rather than the other way round. The cases of Afghanistan and Somalia both support this conclusion because the Islamist elites' monopoly in politics in the two countries did not result in more peace; on the contrary, it started an even bloodier cycle of violence that was not to be expected.

In the light of the above arguments, I fully agree with Ahmed (2009) when he concludes: “Obviously, the sectarian political parties whose ideological edifice is based on Islam could not challenge the NIF ideological tenet lest it be accused of abandoning Islam, which is the justification for their popularity among die-hard disciples and look as if they are giving away their historical achievements. From this perspective, it could be argued that the struggle for power between the dominant political parties in the Sudan is more about the control of the state and the resources of the state rather than a struggle between secularism and Islamism”.

Concluding Remarks

In conclusion, one might make the following remarks:

1. The historical aspect of the shari’a debate in Sudan can be considered as a part of the country’s colonial legacy. Colonial rule brought together ethnically and religiously diverse populations to form a unitary state characterised by diversity and pluralism, but the process of national integration has never been fully realised, even after independence.
2. Owing to external factors associated with the revival of Arab nationalism and the rise of Islamic fundamentalist movements in the Arab and Muslim worlds, national identity has come to be intertwined with ethnic and religious identity (Arabism and Islamism), which has in effect led to the marginalisation of Sudanese citizens who are both non-Arab and non-Muslim³. Although they are in a majority in Sudan, the Arabs of northern Sudan still constitute a minority within the Arab world, which means that the conventional perspective of identity politics applies to them. Politicians from northern Sudan always seek to capitalise on the shari’a debate partially as a response to their marginal position as Arabs. By doing so, they hope to increase the legitimacy of their membership in the Arab World.
3. The involvement of Islam, and more particularly shari’a law, in state politics is almost perceived as inevitable by many Muslim people everywhere because of the comprehensive and total nature of Islamic teachings. These words of a well-known Sudanese Muslim fundamentalist scholar capture the idea very clearly: “The aim of the Islamic movement is to bring about somewhere in the world a new society wholeheartedly committed to the teachings of Islam in their totality and striving to abide by those teachings in its government, political, economic and social organisations, its relationship with other states, its educational system and moral values and all other aspects of its way of life” (Sheikh Idris, 1983).

³ It is noticeable that the two trends of Arab nationalism and Islamic fundamentalism only converged in Sudan. Elsewhere, the two movements are clearly distinct from, and even opposed to, each other.

4. The centrality of the issue of the state and its links to religious identity is driven more by elite politics than by religious religiousness. Religious sentiments are carefully and situationally manipulated by Islamist politicians to call for the application of shari'a laws as part of the political game. The shari'a debate in Sudan can therefore be viewed as an expression of political ideology informed by identity politics rather than by religion. This conclusion is supported by the work of Al-Hasan (2000). Religious identification becomes a tool used in the course of political competition both against non-Muslims and between Muslims. This process can produce any number of identities, depending on the conditions. The Muslim/non-Muslim dichotomy can always be replaced by others, such as more religious/less religious or pure/less pure. These positions can acquire various sectarian labels, as history offers and conditions permit.

South Sudan succeeded from Sudan in 2011 following a scheduled referendum agreed upon in the 2005 peace agreement between SPLM and El-Bashir's government. Above 98 per cent of the voters in the south opted for forming a new independent state adding the newest membership to the African Union. The events of the 2018-2019 Sudanese revolution have once again put the definition of the role of shari'a in Sudan – and more widely the association of Islam as a first criterion for the definition of Sudanese people – in the spotlight. New identities are in the process of being reshaped, and debates on the issue are raging. While it is easier to say that this momentum for a profound transformation of Sudanese society has undermined long-standing hegemonic views about the place of Islam and shari'a in Sudan's political and social life, we may need more time to understand the production of renewed political and religious local identities.

This paper was written before the occurrence of the two most important political events for Sudan recently: the secession of South Sudan and the December revolution that put an end to the NIF-backed regime; and looked at the situation after decades of rule by an Islam-based government. Nonetheless, it offers some suggestions on how the reconfigurations driven by the recent socio-political and cultural changes can be grounded in a historical context.

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Arabité, islamité, ‘soudanité’.

Enjeux de la redéfinition des appartenances, des pratiques locales et des politiques étatiques au Soudan après la séparation du Sud

Focalisé sur les dynamiques d’arabisation et d’islamisation en relation avec la construction d’une identité nationale au Soudan, le projet analyse l’articulation des trois notions par les processus concrets mettant en jeu l’inscription des acteurs sociaux. L’approche socio-anthropologique implique une démarche à la micro-échelle tout en visant l’étude de phénomènes à la macro-échelle, telles que les politiques mises en place par l’Etat au sujet de l’affiliation des citoyens à une identité forgée sur les catégories d’arabité/islamité et d’intégration nationale. Nourri de l’apport des travaux classiques sur les problématiques d’ethnicité, de religion et de nationalité, ce projet offre une contribution renouvelée sur le rapport entre arabité et islamité suscitant la reprise du débat scientifique sur les enjeux de la relation Etat/citoyen dans un pays africain où l’héritage colonial et le pluralisme ethno-culturel ont rendu la construction nationale davantage complexe

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Arabité, islamité, ‘soudanité’

Being Arab, Muslim, Sudanese