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Cross-border trade in the war areas of the Sudans:

Smuggling or a form of cooperation?



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ABSTRACT

After the war broke out again in the border areas between the Sudans, a trading pattern known earlier as the “peace markets” reemerged. In contrast to previous attempts to use trade to reduce tensions, such markets are now banned by the government of Sudan with severe penalties for perpetrators. We studied this phenomenon using information obtained from within the war zones and found that, although the high profit from such trading is a key motive, supporting family and kin is an equally important objective for many of the parties involved. The practice may also have several important side functions, such as asset protection or providing a platform for political influence.

KEY WORDS

Sumbuk
Livelihoods
Trade
Border
War
Coping mechanisms

1. INTRODUCTION

In June 2011 a new wave of war broke out in the Southern Kordofan State (SKS) between the Sudan Government and the Sudan People Liberation Army/Movement (SPLA/M). This led to the collapse of the political and economic collaboration between the two parties that had started with the signing of the Comprehensive Peace Agreement (CPA) in 2005. Again, war caused abrupt changes to the economic and social fabric. In addition to the casualties, and the number of families left without primary caretakers, many people became homeless and lost their livelihoods as a result. By mid-2014, around two million people had been affected by the conflict and more than 500,000 had been displaced (OCHA 2014).

The onset of the war brought back a phenomenon locally known as “Sumbuk,” the peace markets. Sumbuk originated in the early 1990s as a type of cross-border trade created and regulated by the warring parties as an instrument to reduce conflict (Komey 2011). This time around, however, the government views the reemerging Sumbuk very differently as it considers it a treason to trade with the enemy. The practice is banned as a result, with severe penalties for any kind of cross-border trade.

This paper studies the new realities on the ground for the parties involved in the current Sumbuk trade and provides firsthand information from the war zones to analyze this phenomenon. Although the government defines Sumbuk as smuggling, which is in line with the literal meaning of the word (i.e., “native smuggling”), many observers question the government’s approach as they view the trade as embedded in socioeconomic networks for maintaining family and kin relationships across the border and for helping relatives and friends to mitigate the hardship of the war. The fact that many of the features that had worked to create peace markets are still maintained suggests that the Sumbuk trade could still function to reduce tensions.

Hence, it is pertinent to assess how Sumbuk works, its functions and social roles, beyond income generation. The main objective of this study is to provide a comprehensive view of the characteristics of Sumbuk as a form of trade in war zones where even legal economic activity is high risk. We started out with two working hypotheses for our study: (1) Sumbuk is an activity that reduces tensions in the border areas, and (2) Sumbuk is not only an economically motivated activity, but carries important social functions for maintaining family relationships across the border.

In the following, we present Sumbuk stakeholders’ own perception of the features and functions of the trade and contrast those with the definition and theories of smuggling. We explore what stakeholders mean by “Sumbuk,” and describe the mechanisms by which a Sumbuk market functions. Moreover, we apply inside information from a sample of currently active Sumbuk traders to describe the tightly organized cell structure of the phenomenon, and to get information about the social aspects of Sumbuk trading.

We find that the current version of the trade functions much as professional smuggling and works in a tightly coordinated and organized way. However, for many Sumbuk traders, it also serves several other functions important to a wider group of stakeholders. These include cross-border marriage, custodianship of children and families, and education of network members’ children who are part of the Sumbuk interaction. Moreover, for some families, the Sumbuk status secures their properties because they become exempted from the warring parties’ confiscation of valuables. Hence, the Sumbuk market is not only a profit-oriented kind of trade between two hostile parties but comprises of a significant part of mutual socioeconomic benefits.

We did not find any compelling evidence that the Sumbuk practice reduces tensions across the borders in the way that peace markets were intended to. Although the trade between enemies is still a characteristic of the Sumbuk, the enemy lines are strictly adhered to except during the actual trade.

There is almost no literature on the wider functions of war-related cross-border trade. Komey (2011) is an exception documenting the Sumbuk peace markets prior to the 2005 CPA. He found that the peace markets were a deliberate strategy to deescalate tense situations, but also noted that the strategy broke down with new land seizure by the parties. Generally, the Sudans are under researched, but even more so when it comes to phenomena arising during wars because of safety issues that make it almost impossible to carry out

any type of study. Based on access to those who move in and out of the war zones, we were able to collect a unique set of records on a phenomenon of which very little is known to the outside world. This is, to our best knowledge, the first study that relies on the smugglers' own views.

The next section briefly describes the context within which the trade takes place, while section 3 explains our methodology. Section 4 contains our analysis, while we provide some concluding remarks in section 5.

2. CONTEXT

After the signing of the CPA in January 2005 the war-induced Sumbuk markets were replaced by ordinary markets on both sides of the border. The lifting of the restrictions on human movement and trade induced people from both sides to interact directly. During the next six years, an open border policy facilitated the interaction and collaboration and the people rebuilt their strong cross-border social ties.

When the new wave of war erupted in SKS in 2011, the political and economic relations between the government and the SPLM/A immediately broke down. People living in the government-controlled side were prevented from physical contact with those who were living in SPLA-controlled areas. Emergency laws were declared and economic sanctions were imposed on both the SPLA/SPLM and the government of the newly independent State of South Sudan.¹

The changes caused by the war were overwhelming and impacted almost all aspects of daily life. The livelihoods of people dependent on border crossings became threatened, especially the livelihoods of those who relied on the trade. Those who owned fertile agricultural land on the other side of the border and those who owned large herds of livestock and relied on access to pasture on the other side for survival were also affected. Most importantly, at least for purposes of our study, war and boundaries created a huge demand for income-generating activities, for certain goods that suddenly became scarce, and for maintaining family and kinship ties.

Any kind of commercial activity was classified as cooperation with the enemy and considered a national treason involving severe punishments for violators. Punishments usually involved imprisonment or security detention, but could also go as far as executions. For example, the then-vice president of Sudan, Ali Osman Taha, stated in his address to the parliament on April 23rd 2012 that soldiers should shoot and kill those who dared to undermine the commercial sanctions against the Republic of South Sudan and its allied rebel movement in SKS and BNS (broadcasted directly on national Sudanese television).²

Despite harsh punishments for economic exchange across borders, people from the government-controlled areas violated the emergency laws and created commercial links with the rebels. Applying the previous smuggling techniques and tactics of exchanging commodities, the Sumbuk markets soon re-emerged with traders from both sides. Despite the danger involved, a large number of people became engaged in the various activities of the Sumbuk chain.

Initially, activities related to the Sumbuk were perceived differently by the people living in the area. Some shared the government view, considering it an anti-state crime and a national treason, others considered it mere economic trade of uncertain outcome. A third group emphasized the social links that were created through the trade.³

1 The emergency laws and sanctions are implemented on the borderlines between Sudan and South Sudan, and between the government-controlled areas and SPLM/SPLA-controlled areas.

2 The speech was held at the National Council on celebrating the "liberation of "Higlig" - the biggest oil-field in Sudan after session, from SPLA/South Sudan. A video of the speech can be seen at: <http://www.kupoos.com/video/myMnC1qB5Jk/ali-osman-taha-says-shoot-to-kill-southern-sudanese/>

3 Interview with a Sumbuk trader, Kadugli, 1 September 2014.

The goods traded through the Sumbuk are ordinary consumer commodities that are secretly sold to the people living in the rebel-controlled areas for a much higher price. The price of the goods ends up being three to four times higher than the normal market price. Hence, the large and relatively quick economic gain from the Sumbuk exchange contributed to the rapid spread of the phenomenon after the war reignited.

We focus on the most recent war period after 2011, for three reasons. First, Sumbuk markets re-appeared during this second wave of war in SKS, enabling us to research the phenomenon as it unfolded. Second, for this period, Sumbuk trade appears to be different from that taking place during the war that ended in 2005. In particular, the strictly enforced travel and trading bans and the lack of interest from the government side to use Sumbuk markets as peace instruments have changed the conditions under which the markets are operating, and perhaps their implications. Third, Sumbuk was not a well-organized activity in previous periods, especially compared to the well-organized structure it reportedly has now. In previous periods, it was an individual initiative, while now it resembles an ordinary organized business. Moreover, after 2011, governmental security institutions started viewing Sumbuk as an illicit form of trade of such magnitude that it could cancel out all the strategic sanctions imposed upon the enemy.

3. METHODOLOGY

Concept and definition

The concept of “smuggling” is generally used to describe illegal imports or exports between countries for earning profits.⁴ These profits may come from various sources, but most often derive from avoiding taxes and duties, from trading in goods controlled by monopolies, or from trading in banned goods. Since this is common knowledge, the authorities monitor the borders closely for illegal trade. Smuggling thus needs to be conducted in secrecy. Smuggling is usually defined by three characteristics: (1) secrecy; (2) illegal transport of goods across borders; and (3) profit (Pitt 1981).⁵ We apply this definition in our analysis.

The existence of a price disparity on two sides of a border can be caused by taxes, regulations, prohibitions or other legal measures and provides an incentive for transporting a good from a low-price area to a high-price area.⁶ Wartime restrictions on trade between two areas may give rise to similar price disparities and profitable trading opportunities, and smuggling can even take place between individuals on different sides of the conflict (i.e., the enemies are trading with each other despite a ban). Smuggling between countries at war has a long history, dating back to the 16th century (Hanna 2013).

4 Hence, one country may classify the export of a commodity as legal while other countries classify the same commodity as illegal to import. As Bank (2005, 230) put it: “One nation’s smuggler was another nation’s legitimate merchant” (cited under British Illicit Trade with Spanish America).

5 A standard dictionary definition usually includes all three characteristics. The American Heritage Dictionary’s definition is the following: “The criminal offense of intentionally and secretly bringing an item into a country without declaring it to customs officials and paying the associated duties or taxes, or of bringing a prohibited item into a country.” (AHD 2011)

6 Price disparity can be defined as “the positive/negative difference between the domestic market price and the tax-inclusive world price of an exported/imported commodity” (Pitt 1981).

Theoretical Framework

There are several ways of understanding smuggling. Anecdotes of seeking profit via the illegal trade date back hundreds of years. Regardless of the understood and clear economic motives driving smugglers, the first attempts of formalizing economic models of the phenomenon started as late as the 1970s (see for example Bhagwati and Hensen 1973).

SMUGGLING AS A BUSINESS

There is a small part of literature that views smuggling as a kind of business. Smuggling is modelled after a trade with transaction costs in a functioning market with demand and supply. This literature understands smuggling as a business composed of legitimate and illegitimate markets in which actors pursue profit and commercial gain in a structured organization (Baird 2013).⁷ Hence, the purpose of smuggling in general is generating income, and the operations are organized as most other businesses in order to maximize profit (Salt and Stein 1997).

This model was expanded by Bilger, Hoffman and Jandl (2006) to conceptualize smuggling as a transnational service industry operating in a market of incomplete, imperfect information. The authors outline the risk-reduction techniques that the agents use to compensate for imperfect information and ensure some degree of transparency in the market, including the building of reputation and trust, and the incorporation of business risk management solutions such as insurance, guarantees and a variety of warranties (ibid.). Hence, the mechanisms used in smuggling to ensure a steady stream of profit through risk management are similar to those of ordinary legal businesses.

SMUGGLING AND WELFARE

There is also some literature focusing on how smuggling impacts welfare that is relevant for our study. This literature suggests that under perfect conditions of competition, smuggling could increase overall welfare since taxes on trade are usually sub-optimal. Avoiding paying these sub-optimal taxes would then lead to an overall surplus for the society as long as the gain from using the taxes is equal to the gain from the same resources accrued by the smugglers. In the case of a trading ban, the consumer surplus and the producer surplus would be higher and, hence, overall welfare would be higher under smuggling than under no smuggling.

Bhagwati and Hensen (1973) inquired into welfare implications of smuggling under conditions of perfect competition, in monopolies, and when there were constant and increasing costs associated with smuggling. They refuted the argument that smuggling could imply an increase in economic welfare through reductions in tax distortions (Pitt 1979). A key assumption had been that the private sector was more efficient than the public sector. Bhagwati and Hensen (1973) showed that smuggling might not enhance social welfare. Moreover, the diversion of resources from the government to private sector could also lead to negative implications since the resources would strengthen smugglers that in turn could invest in other illegal activities with negative return for society.

In the case of a trading ban, as we investigate in this paper, these models indicate the conditions under which there could be a net welfare gain from trading as long as the trade in itself does not have negative effects (as would be the case for trade in arms).

SMUGGLING AND TRANSACTION COSTS

Chowdhury (2000) suggested a production-substituting model of smuggling in which a price disparity due to cost of supply is critically important as an incentive for smuggling. His model relies on the assumption that the price disparity will render goods at a relatively

⁷ According to Baird (2013), the business-based smuggling approach encompasses many types of illegal trade. For example, it is conceptually similar to the human trafficking model (see Salt and Stein 1997 for details of that model).

lower price (reduced transaction cost) than that of the market. The model involves three overlapping features: smuggling, legal trade, and price disparity of a commodity.

Chowdhury analyzed the case of cigarette smuggling in Bangladesh and suggested that the smuggling of cigarettes reduced the level of domestic production. Domestic production of cigarettes was subjected to value added tax and other consumption taxes and hence made it profitable for smugglers to enter the market. This lowered the demand for domestically produced cigarettes. The author further argued that domestic tax reductions for cigarettes would enable the local producers to supply at lower costs and bring down the price disparity that encouraged smuggling. Nevertheless, he also pointed out that tax reduction would not be sufficient to make domestic production competitive and that governments would need to increase anti-smuggling efforts to combat the phenomenon.

SMUGGLING AND SOCIAL NETWORKS

The social network theory of smuggling is based on the assumption that smuggling is usually not conducted individually but rather consists of a small, closed network. Moreover, there are several barriers and checkpoints that potential new members of this network have to pass before they are included. The operations are based on trust among the members in the network, and revealing the operations to outsiders may result in the exposure and prosecution of the involved parties. Leaving the network and detaching oneself from the smugglers may also expose the network to risks. There are, hence, similar obstacles for retracting from the network.

These models suggest that smuggling is embedded in a strong network system of multi-layer social relations. Accordingly, it should not be considered a mere activity, such as a form of trade, but rather a social organization composed of different actors with different interests, cooperating in different fields with a joint objective of maintaining the organization. Early studies on smuggling emphasized that there was often a system of networks with clearly defined procedures, business tactics, the division of roles within smuggling operations, and assigned positions within social networks (Baird 2013).

This perspective usually defines the smuggling network as a form of organized crime. However, this approach is contested by some researchers who argue that “organized crime” is a vague and illusive term, and that the concept of “organized” is not clear to start with—for example, von Lampe (2012) applies the concept to trade, wondering whether one can differentiate between organized and non-organized trade. Moreover, there is a cultural apprehension towards conceptualizing the action of “crime” in the setting of smuggling. A good summary of the conceptual diversity is given by Bank (2005) who states as an illustration that one nation’s smuggler can be another nation’s legitimate merchant. Some goods are legal to export from one country but illegal to import in another country.

Theories on smuggling focus on profit maximization and the economic benefits to the smugglers (Ahmad 2011). However, in some instances, such as the one studied in our paper, there seems to be much more to the story than this unidimensional understanding of an illegal trade in goods. The conceptual and theoretical definitions coupled with the anecdotal evidence led us to develop the following research questions.

Main research questions

Our main research question is whether Sumbuk displays deviating characteristics from what is known as smuggling. If so, what characterizes Sumbuk? We used the following questions in our interviews to assist in answering these questions. For the full interview guide, see Annex 1.

1. Who is involved, directly or indirectly, in the Sumbuk trade, and how do those involved manage to build relationships across war zones?
2. What does Sumbuk mean to those practicing it? What are the associated connotations?
3. What are the reasons behind the creation of the Sumbuk market and what types of commodities are exchanged?

4. Do the various stakeholders, including the government, consider Sumbuk as regular trading, a criminal activity akin to smuggling, or something else?
5. What are the functions of Sumbuk activities in addition to income generation?

Data

Our analysis required a careful empirical approach since the parties involved risked exposure and repercussions for participating in the study. We had to take this into account when approaching the stakeholders and when collecting the information. Although we have kept a detailed record of the interviews, we have kept the identities of the Sumbuk traders and of the stakeholders providing us with information anonymous.

Our data collection was conducted through two different approaches. First, we applied a semi-structured questionnaire to interview 12 Sumbuk traders that currently operate and are active in the war zones. This information was then complemented by participatory observation where we interacted with the Sumbuk market participants and the stakeholders involved. The latter part was particularly challenging due to high risk and was hence conducted when circumstances allowed for such participation.

4. ANALYSIS: UNDERSTANDING THE SUMBUK PHENOMENON

4.1 The origins: cross-border trade as an instrument for peace

The origins of Sumbuk are not well documented in literature. The use of the word “Sumbuk” can be traced back to the beginning of the 20th century, referring to the highly profitable smuggling of slaves in the Red Sea area (Komey 2011). A typological analysis reveals that the term “Sumbuk” was first used to describe trafficking in the coastal area of Port-Sudan and to denote the transport of people from Port-Sudan and Sawakin to the other banks of the Red Sea, in Saudi Arabia, in violation of the two countries’ migration laws.⁸ This transport was characterized by high risk as many people lost their lives during the trafficking, but also by high profits as people would pay a lot for the transport. Hence, the understanding of Sumbuk was that it was a form of profitable, illegal, high-risk transportation over borders, which is clearly similar to the Sumbuk practice in our study.

Our respondents indicated that the initiation of Sumbuk in the border areas between the Sudans started with the events of 1992, when the first military governor of SKS, Mohammed Altayib Fadul, attempted to demonstrate his “goodwill” and deflate the escalating war between the government and SPLM/SPLA in the Nuba Mountains.⁹ The governor took some unfamiliar trust-building measures, declared a one-sided ceasefire and initiated a joint peace conference in the Bilinja area. In that conference, he appealed to the SPLA leader, Yousif Kowa, to initiate economic relations between the two warring parties as he strongly believed that peace could be achieved by strengthening the mutual socioeconomic relations.¹⁰

The warring parties entered an agreement giving birth to the so-called “peace markets” in the SPLA-controlled areas of Bilinja, Albukhas, Alhabil, and Sugoali. In the peace

8 Sumbuk in the Red Sea area has two meanings. One relates to the activity of smuggling between Port-Sudan and Saudi Arabia, the other refers to the small boats used for this activity, even if the boats are used for other purposes.

9 Interview with Sumbuk trader, Kadugli, 1 September 2014. Interview with an ex-military representative and Sumbuk mediator, Dilling, 15 September 2014. Interview with a Sumbuk trader and a rebel militia figure, by phone, Habilla, 30 September 2014. Interview with an ex-intelligence figure and Sumbuk mediator, Dilling, 15 September 2014.

10 He once stated that “the socioeconomic relations in SKS are the capital on which the government and the rebels’ movement can rely to bring peace in SKS,” according to an ex-military figure and Sumbuk mediator interviewed in Dilling, 15 September 2014.

markets, people from both sides were allowed to trade twice a week, but closely monitored by the parties' intelligence units and security organs. This represented the first socioeconomic direct contact between the two sides since 1985. Even though the focus was on trading consumption commodities, it also provided implicitly an opportunity for segregated families to rejoin after more than six years of separation.

The peace markets did not last long. When Fadul was deposed as a commissioner, the borders were again closed, the main reason being that peace was against the strategic interests of the government.¹¹ His successor, Executive Officer Abdul-Wahab Abul-Rahman, was a hard-liner who was against any contact with the SPLA/SPLM. He initiated and enforced emergency laws across the state. Severe punishments were imposed on those who were caught. Accordingly, not only were the peace markets stopped, but they were also declared a threat to national security and an impermissible act. People who continued the cross-border interaction through the peace markets were labeled as fifth columnists (*altaboor alkhamis*). They were captured and jailed and their commodities confiscated.

However, many people continued illegally with the cross-border interaction. They were labeled "Sumbuk." The demand for food, drinks, clothes and other necessities was high even in the very challenging circumstances, and this created a profitable market for Sumbuk traders. An additional factor in the cross-border interaction was the fact that families that were split by the closed border wanted to maintain their relationships. When the conflict generated hardships, on either side, it became important for families to support members on the side suffering the most.

Since the trade was illegal and punishments harsh, the Sumbuk turned to smuggling strategies in order to maintain their activities. People from both sides of the border used their networks and social ties to facilitate the transfer of goods and money without drawing attention from government officials. The scarcity of goods and the lack of alternatives led to high profitability in cross-border trade.

In its early phases, Sumbuk was a low-intensity activity open to all kinds of people. The Sumbuk market spread along the borderlines with South Sudan, and almost all parts of SKS. Ordinary men and women with family ties came by foot or by pack animals, bicycles or motorcycles carrying their goods, including salt, sugar, oil, grains, fresh food and drinks, soaps, mobile phones, and other household goods. They crossed easily into SPLA-controlled areas and along South Sudan border lines, with a relatively open market access.

The versions of the trade that developed during the new war, from 2011 onwards, deviated very much from the original Sumbuk markets. The hostility from the government, its military organization and other differences are discussed below.

4.2 Contemporary interpretations of the Sumbuk

Smuggling of ordinary goods can improve welfare because it facilitates exchange that cannot otherwise take place. The Sumbuk distributes necessity goods to a population where there is a scarcity of such commodities. We find, however, that this perspective is not an important part of how Sumbuk is perceived by the stakeholders in these areas. In the SKS the concept of Sumbuk is currently interpreted in three different, but not mutually exclusive, ways.

The first interpretation is that Sumbuk is very similar to the practice across the Red Sea. One of our Sumbuk respondents considers it as "a kind of gambling in which one gets in with two possibilities; to gain profit or lose under completely uncertain terms of the game. If you are lucky enough you are going to win, otherwise, you will lose all and become poor."¹² Underlining the high profitability and high risk, the respondent added, "we believed that doing Sumbuk twice is by far better than working two years in Saudi

11 A statement by Fadul given to the author some years later at the Alfurgan Society Conference, Omdurman (30 December 1999): "One reason behind that was that my sincere view on peace had conflicted with the view of the Jihad war that had been strategized by the government during those very early days in the rule."

12 Interview with a Sumbuk trader (an ex-member of the SPLA/SPLM), Dilling, 30 September 2014.

Arabia. You will get rid of the misery and enjoy a respectful status throughout the rest of your life, yet, you have to expect the negative results in which you may lose even your life.” Many of our respondents believed that Sumbuk is a kind of “game of luck” in which the lucky ones win, while the unlucky ones lose. In this view, the key is the outcome of the game, whether it is a profit or a loss. Many of the study’s respondents think that Sumbuk is a risk that deserves to be taken.

The second interpretation in the SKS is that Sumbuk is a type of fraud. In the local communities, the word is also used to describe a locally made iron pin that is used by carpenters to crack or break solid wood. When the pin is hammered in, the wood breaks. Hence, some people use Sumbuk as a metaphor for someone that violates the law in order to get an economic benefit.

In this interpretation, Sumbuk is used to describe the trouble a person can get into when his desire for large and quick profits leads him into fraud and deception. “He has been Sumbuked” means that the Sumbuked trader was lured into misery by his own greed, while his counterpart reaped the benefits, explained a Sumbuk leader in Dilling.¹³ Hence, per this description, Sumbuk is a particular behavior. It does not involve trade or any sort of material action, rather it indicates an act of fraud, deception, and blackmailing. This interpretation of Sumbuk—fraud and deception—prevails also in many parts of the Darfur region in the west part of Sudan.

The third interpretation relates to Sumbuk as an instrument to maintain social ties and help family and kin in times of hardship. The paragraph below explores this interpretation in more detail.

4.3 Sumbuk networks and organization

We find that, currently, Sumbuk is a socioeconomic activity with a disciplined structure, composed of a diverse set of actors, objectives, means and tactics where tight networks are key to being successful. The Sumbuk is organized around ethnic-based cells; each cell has around 5 to 7 members and is headed by a leader and his deputy. A new member has to be recommended by a well-respected member of the group, most often the leader himself, in order to join. Orders and instructions among the cell members are hierarchical in nature, highly honored and treated with the utmost confidentiality.

The cell is composed of individuals from each of the warring sides. The Sumbuk markets are held in the rebel-controlled area, and some members of the Sumbuk groups (called the wise men) are fully authorized from the SPLM/SPLA to identify any violations to the terms of the Sumbuk trade, and to handle them swiftly and on the spot. The wise men’s power is unconstrained in order to help them carry out their mission without having to go back to their leaders for advice. Their penalties can be very severe and are perceived as crucial for maintaining the operations. Once their judgements and decisions have been made, these are undisputed. Hence, the Sumbuk rules are seldom violated.

The Sumbuk markets are usually guarded by armed forces from the SPLA side. Although all Sumbuk traders carry firearms, anyone allowed to enter the market area has to be unarmed. People have to leave their guns with the market’s guards and collect them again upon departure. Usually, the Sumbuk traders from the government side are scouted by SPLA soldiers up to the buffer-zone points between the two warring sides. This is to ensure that the SPLA is committed to protecting the Sumbuk traders—as long as the traders honor the regulations of the Sumbuk market.

Our interviews with Sumbuk traders, mediators and key informants suggest that the Sumbuk activity is male dominated with a minor role for women.¹⁴ We also observed that participation in the Sumbuk activity sometimes is thought to be associated with marginality and survival and there is a perception among people outside the Sumbuk community that Sumbuk

13 Interview with a Sumbuk trader (a member of the Popular Defence Force), Dilling, 17 August 2014.

14 That role is limited to tea-making, and providing food (like kissra, assida, zalabya) and drinks (like marissa, which is a native beer).

traders are poorly educated. In the villages, the Sumbuk traders are often classified as school dropouts. This was confirmed in our sample as none of the Sumbuk traders had received more than basic schooling.

Moreover, considerable numbers of Sumbuk traders have military backgrounds. According to one Sumbuk trader, “Sumbuk trade is nothing but a war-born trade, and retired soldiers are well-trained in military tactics and maneuvers. So they are the most qualified persons to carry out a secret mission; moving up and down in a war-infected area that is full of military activities is not an easy thing to do.”¹⁵

We found that the Sumbuk market can be structured around three types of stakeholders with different characteristics. The first are the Sumbuk traders themselves. Then there are the Sumbuk mediators and, lastly, the Sumbuk organizers. These groups complement each other and work together in a tight relationship. The various roles and responsibilities of each member of the cell are dictated by the level and ranking of the person in the cell to which he belongs.

The Sumbuk mediators and organizers have key roles in that they declare, organize and monitor the markets. They also determine the location of the market and its frequency, in addition to handling and mediating any disputes. Mediators ensure that settlements are perceived as fair by both parties.

The Sumbuk markets are usually held twice or three times a week. Under conditions of stability and peace, the markets last two to four hours on average. When there is a high security hazard, like aerial bombardments or land military offensives, then the duration of the Sumbuk market is much shorter—a maximum of 30 minutes or less. For security purposes, the exact date and time of the Sumbuk market are never pre-specified. Moreover, the location of the market moves continuously and is randomly chosen just before the trade starts. Although the Sumbuk market takes place throughout the year, it intensifies during the rainy season for tactical reasons (see below).

The relationship between the three Sumbuk groups is governed by personal trust; a professional working relation which also relies heavily on social ties or friendship. “Unless you are well connected—have some social relations with someone on the ‘other side,’ you will not be able to become a trustworthy Sumbuk man” stated a Sumbuk mediator in Dilling.¹⁶ According to another informant, a Sumbuk trader, the decisions about entering and exiting the Sumbuk cell are not a matter of individual preferences, but rather a “collective responsibility and moral commitment.” The trader explained that this was a collective decision because of the interdependent nature of the relationships and the high risk: “Because the harm or damage when it occurs, even if a minor misconduct will not be residual to the initial doer; rather, it will spill over and expose many people. We are a chain of many people, with diverse interests and overlapping relations, any misbehavior from whomever, will endanger our lives and benefits. The government reaction against Sumbuk people is extremely aggressive.”¹⁷

The secrecy involved can be illustrated by the fact that some parents are not aware of their sons’ involvement with the Sumbuk practice. In two of this study’s cases, brothers were simultaneously recruited without knowing about each other’s recruitment. The secrecy is a precautionary measure to conceal the involvement of the cells and protect the members. Hence, the social and political objectives of Sumbuk activity might not be easily revealed to outsiders.

Similarly, a new member joining a Sumbuk cell is not the result of an individual decision. The decision is made collectively by the Sumbuk cell after strict scanning of the potential candidate. A typological analysis of the responses from our sample suggested that membership requires that the person satisfy certain criteria before joining. Specifically, the individual must:

¹⁵ Interview with a Sumbuk trader (a member of the Popular Defence Force), Dilling, 17 August 2014.

¹⁶ Interview with a Sumbuk mediator, Dilling, 19 August 2014.

¹⁷ Interview with a Sumbuk trader in the Alliri Locality, Dilling, 20 September 2014.

1. Be a resident of nearby areas with a thorough geographical knowledge, particularly to avoid minefields, military camps, checkpoints and to find escape routes.
2. Have a high level of credibility, respect for confidentiality, and a strong willingness to take action.
3. Be a good networker with strong social ties to the enemy side.
4. Be courageous and adventurous and willing to face risks or hazards—the most courageous being more likely to become Sumbuk traders.
5. Be well built and strong, and between 20 and 45 years old.
6. Have a military background and/or experience in handling firearms with good fighting skills.

Additionally, candidates are subject to precautionary tests for security reasons. One test requires newcomers to demonstrate “good will” and commitment to the “terms of the game.” In particular, after being accepted by the cell members, the person has to be examined in terms of credibility and ability to keep secrets about the Sumbuk market and networks.

Follows a trial period during which the new recruit is strictly monitored by peers in the cell. If any suspicion arises, the recruit is further scrutinized. If found guilty, the individual can be subjected to a range of measures that go from paying fines for unwarranted behavior to more severe punishments for deliberate violations. These punishments include whipping, imprisonment and exclusion from the cell.

We found that the Sumbuk traders from government-controlled areas usually come from certain ethnic nomadic groups like the Baggara¹⁸ (Hawazma, Missiria, and Fulbe) and camel herding groups (Shanablla, Maalya, and Hamar). These groups need access to rich pastures that are located in SPLA-controlled areas and, hence, cross borders in order to maintain their herd. Several respondents confirmed that Sumbuk traders are often herders, partly because they cross borders on a regular basis without arising suspicion, often carrying goods using their animals. Additionally, some herders are members of the popular defense forces and have a good relationship with the government.

Nomads and camel herders also have a deeply rooted knowledge of the geography of the area. Since they are vulnerable to changes in livelihoods, many respondents felt that these groups were pushed into the Sumbuk trade because they had no alternatives. Several individuals stated that they could stay and lose their herds and lives or get over the border into the SPLA-controlled sites and accept whatever punishments they may face from the government circles. Whereas Sumbuk traders from SPLA-controlled areas were mainly Nuba from different sub-groups, all of them were attached to the SPLM/SPLA. We got clear indications that there was a reciprocal relation between the two.

The Sumbuk can be categorized as a business model under high risk and imperfect information, similar to the smuggling-as-business models. Several features preemptively serve to reduce the risk, such as secrecy, drilling of codes, severe punishments for deviators, and application of knowledge of military tactics and local terrain. In addition, damage control and coping mechanisms (actions planned in case of failure) can also be understood in this perspective as can insurance (sharing with those who lose their Sumbuk goods) and investment in damage control, all important features of the Sumbuk.

4.4 Social and political benefits and cohesion

Sumbuk activities are influenced by many overlapping factors and a diverse set of stakeholders, such as common people, military representatives, civil work officials, popular committees, and native administration leaders, all with different interests and objectives. According to our respondents, a person involved in Sumbuk does not only generate monetary benefits, but is also contributing to the livelihoods of others and to social cohesion.

18 Baggara means cattlemen. The Baggara are typical examples of pastoral and nomadic groups that travel arid and semi-arid land in search of fodder and water for their herds, as well as livelihoods for themselves.

The case of farmers accessing fertile plots of land located in SPLA-controlled areas through the Sumbuk membership is a perfect example of how the Sumbuk practice can assist in mitigating tensions. People living in these areas have to negotiate access to their pasture and farms in order to avoid violent conflicts with SPLA rebels. Additionally, if the farmer is also a Sumbuk trader, there are no war-related appropriations, such as confiscation of tractors and other farming inputs.

Our respondents also pointed to a range of social benefits deriving from the Sumbuk system. Many respondents indicated that several social contracts and political deals at the national level were facilitated by Sumbuk networks. The Sumbuk networking and trade also built marriage ties between people in different warring areas. Sumbuk traders are even involved in the education or medical treatment of SPLA members' children. A Sumbuk trader in the Habilla locality provided a great example of such custodianship. He stated that he, along with five other Sumbuk men, was sponsoring the education of 26 children of their SPLA friends. Some of the sponsored children were at the primary school level while others were at the university level.

The Sumbuk network allows its members to support families they could not otherwise provide for. The system in fact helps in allowing its participants to maintain houses and cover health and educational expenses of its family members. It is a very useful instrument that can deliver support door-to-door. In many cases, this includes support to dependents of the extended family, including children of other family members as well as siblings and parents. As one Sumbuk exclaimed: "You see our mess! It is not only our direct families whom we support! Our extended families are our responsibility This is a matter of survival."¹⁹

One prominent Sumbuk trader told a story about the usefulness of Sumbuk relations in military issues: "Sumbuk relations helped in July 2013 in releasing some soldiers who were captured by SPLA in a battlefield, and the government failed to get them back; we succeeded in making it possible." Another Sumbuk trader claimed that the ceasefire agreement that was signed in Switzerland in 2000 between the Government of Sudan and the SPLA/SPLM Nuba faction had initially been mediated by Sumbuk traders. The trader attributed the success of the agreement to his own efforts and position as a Sumbuk. It was widely acknowledged that this agreement paved the way to the CPA signed in 2005.

Hence, the economic gain is not the only factor attracting people to the Sumbuk practice. The status and position that go with it also play a role. In addition, there is a much wider understanding of the Sumbuk trade than of what has been commonly referred to as "native smuggling." The former being a system of interrelated dimensions—economic, social, and political—all of which are built-in functioning elements of Sumbuk activities.

Faced with the severely deteriorating living conditions and shortage of basic goods—a result of economic sanctions and trading bans—the "SPLA/SPLM leaders suggested that Sumbuk markets be re-created again" according to a prominent Sumbuk trader in Kadugli. The trader added that "immediately, they started sending signals to their network motivating them to get into a new kind of economic arrangement by which both sides could benefit." Moreover, he maintained that the call for economic cooperation from the rebels was understood from their side as a gift and a sign of "good will" intended to break through the political agendas of the two hostile parties. Although this may be an indication of the Sumbuk functioning, again, as a peace market, there were no signs on the ground of it actually moving in that direction.

4.5 Sumbuk, smuggling, and market access

Despite the social and political roles played by the Sumbuk network, the Sumbuk trade falls under the smuggling category according to our definition. This is strengthened by the government ban and its labelling of Sumbuk as an illegitimate and immoral act conducted by enemies of the state. Our respondents reported numerous cases where Sumbuk traders were caught, brought before the courts and sentenced, but also of instances in which

¹⁹ Interview with a Sumbuk trader and a rebel militia representative, by phone, Habilla, 30 September 2014.

individuals were detained outside of the law or killed in direct confrontations with the military.

The banning of the Sumbuk trade led to huge price disparities in normal commodities, which the Sumbuk traders and their network profited from. Our respondents indicated that the prices that Sumbuk traders could get for ordinary consumption goods, and more so for durable goods and electronic devices, were around three times higher than those in an ordinary market. We found that the goods traded in the Sumbuk markets were consumer and durable goods, ranging from salt, sugar, onions, clothes, and electronic devices to refrigerators, TV and household furniture. Contraband commodities like drugs, hashish, and ready-made liquors were not among the goods traded. It therefore appears that the Sumbuk traders adhere to some kind of “morality” since such contraband commodities would probably yield much higher profits while presenting the same risks. Therefore, the local culture, including the Sumbuk phenomenon itself, can favor a moral economy that seems to also affect the process of smuggling.

Importantly, there appears to be a new source of wealth that has led to an increase in Sumbuk activity. The Sumbuk trade is based on hard currency, usually US dollars, or in-kind barter with gold, animals and other valuables. The newly discovered gold fields in SPLA-controlled areas, accessible to any individual with basic equipment, have likely contributed to the large increase in Sumbuk trading.

The hostility shown by the government towards Sumbuk traders could conceal a more complex interaction. Strict and harsh official measures against Sumbuk traders during the day can often turn into polite and cooperative exchanges during the night. For the commodity to reach the market a set of actions, such as mediation, brokerage, information leakage, bribery, security cooperation, is needed. An analysis of the Sumbuk social networking revealed that many government officials are part of the Sumbuk trade and contribute to ensuring its success. Information from the field interviews and participant observation indicated that the collaboration included members of the security sectors such as secret intelligence services, security forces, the police, the military and the popular defense groups. Civil work officials and native administration leaders on borderlines are also sometimes directly involved in the trade.

Our respondents had first-hand or indirect information indicating that the unofficial involvement of officials can take three forms: indirect involvement, such as hiring a Sumbuk trader to act on behalf of someone on a profit/loss sharing basis; direct engagement, such as conducting the trade in person, usually done by high-ranking military officers with the support of several sub-ranking soldiers; providing tips to Sumbuk traders to avoid checkpoints in exchange for some monetary reward. Hence, irrespective of the official view that considers Sumbuk illegal and a threat to safety, many of those who are supposed to prevent it engage in it, driven by the huge potential economic gain.

The way in which the Sumbuk traders face security hazards and risks is akin to smuggling. The main strategy is to avoid the risks, and then, if exposed to a potentially dangerous situation, to mitigate the negative impacts. According to our field data and as explained below, Sumbuk traders apply four different strategies to cope with difficult and dangerous circumstances: avoidance, cooperation, elusion, and confrontation.

There was a general consensus among Sumbuk traders that the best way of dealing with the potential security hazards was to take preventative measures to avoid being in the situation in the first place (*avoidance*). Sumbuk traders developed certain tactics to avoid danger, such as moving during the night through rough terrain where no government vehicle can drive. Hence, Sumbuk increases during the rainy season because roads became inaccessible to motorized vehicles and because soldiers at the checkpoints are constrained by mud.

Another strategy is that of cooperation. A Sumbuk trader can collaborate with soldiers at the checkpoints, which is especially helpful if high-ranking military officers are involved. Several Sumbuk traders stated that there is a cost to this strategy since the gain needs to

be shared with the military, but the benefit is safety.²⁰ Sometimes such collaboration entails soldiers directly profiting by providing goods to the Sumbuk trader for sale at the market. The Sumbuk trader obtains protection in return.

Sometimes neither avoidance nor cooperation are possible. Then escaping becomes the preferred strategy, even if it implies loss of merchandize.²¹ A Sumbuk trader pointed out that in his opinion the possibility of losing his life is far worse than that of losing his goods. In the event of a loss in merchandize, the norms and traditions of the Sumbuk system dictate that all members of the cell, and other cells in their network, pay some compensation. An insurance mechanism of sorts is triggered to cover the trader's losses, with the objective to keep the trader in business (see Section 3).

The strategy of last resort is confrontation. Many of our respondents believed that confrontation should be avoided at all costs. In the case of a dangerous situation, traders could be captured, fatally injured or killed. Respondents emphasized the need for Sumbuk traders to have a military background in order to properly respond to such a scenario.

20 Interview with Sumbuk trader and SPLA/SPLM member, Dilling, 10 September 2014; interview with Sumbuk trader (a member of the Popular Defence Force), Dilling, 17 August 2014; and interview with an ex-military figure and Sumbuk mediator, Dilling, 15 September 2014.

21 Interview with a Sumbuk trader (an ex-member of the SPLA/SPLM), Dilling, 30 September 2014.

5. CONCLUDING REMARKS

Sumbuk is a war-related socioeconomic phenomenon that, for good reason, is perceived neither as a normal trade nor as smuggling. The fact that Sumbuk trade in the war zones between Sudan and South Sudan is a tightly organized phenomenon with several distinct features and functions consolidates this view.

The Sumbuk trade was the result of a disorganized socio-political environment. It had previously been used to achieve peace. The peace markets were in fact legal during the previous war and, hence, Sumbuk was not defined as smuggling at that time. The Sumbuk trade resembled ordinary trade since the commodities were common goods that were legally traded and since it did not involve tax or duty evasion. Rather, the Sumbuk trade took advantage of price disparities generated by the difficulties of trading because of the warring parties. Regardless of its inception and of the role it used to play, currently, Sumbuk is banned by the government. The trade also morphed into a much tighter organization akin to smuggling but with clear social features.

We find that the recent version of Sumbuk can largely be understood in terms of standard definitions of smuggling and is no longer considered an instrument for achieving peace. It encompasses all the main characteristics that lead to such a classification. However, using the “smuggling” label risks overlooking important features of this activity. In particular, Sumbuk has some distinct features that deviate from the standard classification of smuggling, such as the social networking that ensures cross-border marriage, custodianship and education of network members’ children.

In addition, some of the Sumbuk traders have held prominent positions and played important political roles. We cannot, however, conclude that they attain these roles and status because they are Sumbuk traders—perhaps these same individuals would have gained the status regardless of their being Sumbuk traders. Nevertheless, there are clear indications that being a Sumbuk protects a man’s possessions and grants access to pastures that may otherwise be hard to reach due to the war.

Sumbuk is ethnically based and involves a wide range of stakeholders. The trade attracts common people, government and SPLA circles, soldiers from both sides, but also popular committee members and administrative officials. Most of the Sumbuk traders come from a military background. With strict codes, clear rules and a great degree of secrecy, the Sumbuk can be compared to strong smuggling organizations that however showcase a business model. But Sumbuk is also a social and personal way of maintaining relations across the war zone and helping family and friends in times of hardship. Given its history and the eagerness of at least one side to use it as an instrument to achieve peace, it seems to be a promising institution with great potential of reducing border tension and conflict.

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LIST OF INTERVIEWS

1. Sumbuk trader, and a member of the Popular Defense Force, Dilling, 17 August 2014.
2. Sumbuk trader, Dilling, 19 August 2014.
3. Sumbuk trader, Kadugli, 1 September 2014.
4. Sumbuk trader and SPLA/SPLM member, Dilling, 10 September 2014.
5. Ex-intelligence figure and Sumbuk mediator, Dilling, 15 September 2014.
6. Ex-military figure and Sumbuk mediator, Dilling, 15 September 2014.
7. Military representative and Sumbuk trader, Dallami, 20 September 2014.
8. Sumbuk trader in the Alliri Locality, Dilling, 20 September 2014.
9. Sumbuk trader in Habilla, Dilling, 23 September 2014.
10. Sumbuk trader and a rebel militia figure, Habilla, 30 September 2014 (phone interview).
11. Sumbuk trader and an ex-member of the SPLA/SPLM, Dilling, 30 September 2014.
12. Tribal leader, Dilling, 2 October 2014.

APPENDIX 1

Interview guide

1. What is the origin of the word “Sumbuk”?
2. Would you give us a historical account of the development of the Sumbuk market in SKS?
3. What are the objectives and goals that motivate someone to practice an activity that is considered illegitimate by the government?
4. Who are the practitioners and stakeholders of the Sumbuk trade, in terms of occupation, age group, gender, and ethnicity, and in terms of whether they are from the government side or the SPLA side?
5. What do you think about the legitimacy or illegitimacy of the Sumbuk markets, and of the logic applied by the government when it comes to Sumbuk trade?
6. What are the requirements and the characteristics that seem to be necessary for a person to join the Sumbuk?
7. Can you provide the geographical locations of the Sumbuk for the Dilling locality and SKS in general?
8. In which season do people practice “Sumbuking,” and what is the best time of day for Sumbuk?
9. How many times do people usually go to the Sumbuk each week?
10. Could you tell me about the chain of commodities and services that are traded in Sumbuk markets, and whether contraband commodities like drugs and hashish are among them?
11. What are the dominant means of exchange (currencies) in the Sumbuk markets?
12. How do the *sambaka* (plural of “sumbuk traders”) reach the markets?
13. Who organizes, monitors or supervises the work in the sumbuk markets?
14. Are there any laws or regulations on which sumbuk relations are established?
15. What are the conflicts that usually take place during the Sumbuk trade and how are such conflicts resolved? To what extent do the *sambaka* abide by the resolutions implemented?
16. How do you deal with risks and uncertainty?
17. In practicing Sumbuk, is the opportunity of getting a huge profit the only motive driving a *sambaki* (singular for “Sumbuk trader”)?
18. Do you think that Sumbuk relations can play a role in creating social peace?
19. How long do you think that Sumbuk markets will continue to exist?
20. Do you have any additional thoughts about Sumbuk markets and Sumbuk relations?

After the war broke out again in the border areas between the Sudans, a trading pattern known earlier as the “peace markets” reemerged. In contrast to previous attempts to use trade to reduce tensions, such markets are now banned by the government of Sudan with severe penalties for perpetrators. We studied this phenomenon using information obtained from within the war zones and found that, although the high profit from such trading is a key motive, supporting family and kin is an equally important objective for many of the parties involved. The practice may also have several important side functions, such as asset protection or providing a platform for political influence.

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