

ERF Policy Brief

Stubborn Historical Legacies: Power Relations and Government Policy in Sudan

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About the author

Nada Ali is a full-time lecturer at SOAS Law School. Nada's research is primarily concerned with International Law and the impact of international institutions (laws, norms and organizations) on developing countries and is themed around governance, development and democratisation.

In a nutshell

- *This policy brief was written pursuant to the commission of a paper on the failure of successive governments/transitional governments in Sudan to affect a sustainable transition to democracy. The paper titled "Stubborn Historical Legacies: Power Relations and Government Policy in Sudan" concludes that the root of the problem is the political Elite in Sudan and the divergence between their interests and the national interest. The following recommendations are based on a number of insights presented in the paper.*

Policy Implications

To avoid the pitfalls of previous transitions, the following measures need to be implemented by the next transitional government to succeed to power in Sudan.

Accountability

The adoption of tangible accountability measures that provide for criminal investigations, prosecutions, sanctions and redress for severe human rights violations and violations of International Humanitarian Law.

The adoption of tangible accountability measures that provide for a form of redress for human rights violations and abuse of power. Mechanisms such as lustration laws requiring members of a previous regime to declare their complicity in such activities may be relevant. The application of such measures should extend to cover activities of members of political parties who collaborated with the Bashir government.

The adoption of tangible accountability measures that provide for criminal investigations, prosecutions, sanctions and redress for financial crimes and corruption. It is essential that such measures provide for mechanisms to freeze the assets of members of the previous regimes and their allies including for example militia leaders who were given control of national assets in return for their services.

To achieve accountability beyond the crimes of political rivals, the adoption of such accountability measures should be guided by an overall strategy to address political corruption, cronyism and illegality wherever they are found regardless of who perpetrated them.

Constitutional Making and Governance in the Meantime

The initiation of deliberative all-inclusive constitutional conference modality that allows for the representation of all sectors of the Sudanese society including professional unions, resistance committees, labour unions, student unions, civil society organizations and any other similar groupings. The inclusion of youth and women organizations in this process is essential.

In order to guarantee the representation of the periphery, it is important to ensure that the various sectors represented in the constitutional conference include regional as well as central representation. This way, the periphery is not solely represented by armed groups.

The constitutional conference modality should allow for effective representation of youth and women. In order to ensure such representation, political parties may be required to put forward both female and young persons representatives as a condition of their participation. This gender-balance requirement can be extended to any and all institutions taking part in the constitutional conference including for example the resistance committees.

Women and Youth representatives to the constitutional conference should be encouraged to form their own committee which can then present the conference with a countervailing position to the androcentric (male-centred) positions dominating Sudanese politics.

Elections must not be held before essential institutions are reformed. These include the army, police and intelligence services, political parties and the judiciary.

Holding elections must be subject to achieving peace in the various regions of the country and to the effective reabsorption of various militias either within the existing structure of the armed forces or otherwise in society through disarmament, demobilization and reintegration.

Elections must also be subject to the regulation of the financial and business sectors, the nationalization of key assets e.g. mines. Such reforms should also be accompanied by accountability measures geared towards fighting corruption, cronyism and investigations of claims of allegiance to foreign powers.

National Agenda and Peace Building

Prioritizing national concerns regardless of policy dictates by the “international community”. This is essential especially in issues of running the economy and achieving peace.

Revisiting the Juba Peace Agreement and offering it for wider constitutional deliberation.



Putting an end to market-place politics and the use of power and wealth sharing arrangements to resolve regional conflicts.

Soliciting local views on issues of representation in the periphery to avoid giving voice to illegitimate political actors.

Political Party Reform

Self-rehabilitation of the old political parties through training, effective reorganization and the adoption of internal democratic processes.

Political parties in general and the old political parties in particular should aim at recruiting a sufficient base of young people capable of changing the way politics is done both within the parties and outside them. The recruitment of women and their appointment in positions of responsibility should also become a priority.

Political parties in general should be cognizant of the need to align their agendas to the aims of the revolutionary forces (i.e. those on the streets) and to prioritize national issues.

Youth Education and Training Programs

Investing in youth education and training programs geared towards enabling young people (18-35) to take part in the political process post transition.

Young activists and members of the resistance committees should be encouraged to form their own political parties and must be given the tools to do so.

References

Ali, Nada. (2022). "Stubborn Historical Legacies: Power Relations and Government Policy in Sudan". [ERF Working Paper No. 1551](#). Cairo, Egypt.





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