



ISSN: 2788-8037

Publication details, including guidelines for submissions:
<https://rowaq.cihrs.org/submissions/?lang=en>

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Academic citation of this article: Al-Afif, Al-Baqir (2000) 'Views: Challenges to the Democratic Transition in Sudan', *Rowaq Arabi* 25 (1), pp. 75-84.

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Views: Challenges to the Democratic Transition in Sudan

Al-Baqir Al-Afif

During the revolution, opposition political forces formed a broad coalition known as the Forces for the Declaration of Freedom and Change (FDFC), which included five already-existing political blocs: the Sudanese Professionals Association, Sudan Call, the Consensus Forces, the Civic Alliance, and the Unionist Assembly. The Sudanese Professionals Association—a coalition of professional syndicates, including the Doctors Syndicate, the Journalists Network, Democratic Lawyers, and the Teachers Committee—is the heart of the FDFC and played a leading role in organizing the demonstrations. Members of the FDFC agreed to make all internal decisions by consensus and, failing that, a majority vote. The FDFC represents the entire political opposition with the exception of Islamists and their allies. Negotiations between these forces and the Transitional Military Council (TMC) began after the military understood that the street strongly supported the FDFC.

Sensing that it lacked legitimacy, the military attempted to manufacture a popular base to restore some of its lost legitimacy. The military also faced pressure to contain the protests by Islamists, who mobilized the civil service, tribal leaders, and other remnants of the old regime. The military then began addressing these manufactured crowds in the same way that the deposed former president Omar al-Bashir did, but the revolutionaries quickly realized this and began to flood these gatherings, confronting the military with the revolution's principal motto—"Civil, civil!"—and other revolutionary chants.

Meanwhile, millions of people across Sudan responded to the FDFC appeal, making it clear to the military that it had no legitimacy other than that of force and the gun. It also became clear that the people were on one side of the confrontation while the army, the Rapid Support Forces (RSF or the Janjaweed), the Islamist militias, and the security and police forces were on the other. The old regime invested huge sums in building up this security apparatus, ultimately turning it into a force hostile to the people.

Negotiations began between what was clearly one party that represented popular aspirations for freedom, justice, and dignity and another party that functioned as a tool to suppress such aspirations. In short, the negotiations were between revolutionary forces and counterrevolutionary forces.

On 18 April 2019, the two parties reached an agreement to form a joint civilian-military council to function as a sovereign council. They also agreed to a parliamentary system with the full government formed by the FDFC, with the exception of the defense and interior portfolios,

whose ministers were to be selected by the military. Under the agreement, the parliament would consist of 300 members, two-thirds of them from the FDFC and the remaining third from other forces that participated in the revolution but were looser coalitions not formally part of the FDFC, such as women's and youth sectors. Despite the agreement, attempts to undermine the revolution continued, as counterrevolutionary forces bided their time.

Massacre, Coup, and Civil Disobedience

At dawn on 3 June 2019, the twenty-ninth day of Ramadan, counterrevolutionary forces played their final card, attempting to strike a lethal blow at the forces of the revolution. Security forces attacked the sit-in in front of the General Command of the Armed Forces with heavy and light weaponry, as well as clubs and whips. By 9 am, more than one hundred people had been killed, hundreds injured, and dozens missing. The square that had been thriving with activity was utterly destroyed and turned to rubble. The attacking forces raped dozens of girls, women, and men, and threw the bodies of dozens of people into the Nile after tying them to heavy stones to ensure they would sink.

The next day, the military council cut mobile and terrestrial internet service all over the country, seeking -the revolutionaries believed - to prevent the people from seeing brutal images and videos of the massacre and to cripple the revolutionaries' ability to organize protests. General Abdel Fattah al-Burhan, the head of the TMC, issued a statement reneging on all previous agreements with the revolutionary forces. Declaring that he did not recognize the FDFC, he announced his intention to form a caretaker government pending general elections. The military and the RSF were deployed on all major thoroughfares, turning the capital into military barracks. This came amid reports of house raids around the capital, arrests of citizens in the streets, and killing, abduction, and rape.¹ It appeared that a new age of terror had begun.

Regional Role

The regional axis of Egypt, Saudi Arabia, and the UAE played a major role in Sudan's coup. The latter two states declared their support for Sudan (read: the TMC) to the tune of three billion dollars. Viewing this support for the TMC with severe skepticism, Sudanese revolutionaries accused the president and vice-president of the TMC of being in league with Saudi Arabia and the UAE. The president of the TMC, General Abdel Fattah al-Burhan, admitted that he had coordinated the deployment of Sudanese soldiers to Yemen as part of the Saudi-led coalition against the Houthis in March 2015. The deputy head of the TMC and the commander of the RSF, Mohamed Hamdan Dagalo, known as Hemetti, announced that he had sent 30,000 soldiers to fight in Yemen.²

Cairo was the destination of the first foreign visit by General al-Burhan after assuming his new post. The visit came days before the massacre in front of the General Command of the Armed

Forces in Khartoum. At the time, there was speculation that al-Burhan would receive advice from Egyptian President Abdel Fattah al-Sisi on how the military could disperse the sit-in. From Cairo, al-Burhan headed to Abu Dhabi, the same day his deputy was visiting Saudi Arabia. A few days after these visits, security forces launched the attack on the sit-in.³

The leadership of the Sudanese revolution saw this tour as a green light from the three axis powers to deal with the revolutionaries and suppress the revolution. The New York Times reported on a secret cyber-campaign run by an Egyptian company, New Waves, headed by a former Egyptian military officer, to support Sudan's military and burnish its image. According to the story, the company paid \$180 per month to recruits to open fake accounts on Facebook, Instagram, and Twitter to boost and laud the Sudanese military. The campaign began just days after the slaughter by the military and the RSF. The story reported that the paid troll army was given talking points, among them that the military was best able to maintain security in the country, that it was an improvement on the past, and that Sudan was not yet ready for democracy.⁴

The Popular Reaction

Eid al-Fitr came as the Sudanese people were in a state of grief, shock, and rage. The FDFC announced a campaign of civil disobedience starting on 9 June. The campaign was largely successful. The Guardian declared in a headline, "Millions join general strike in Sudan aimed at dislodging army." The BBC reported that growing numbers had joined the general strike, saying:

Some protestors have set up barricades in main and side streets to block traffic, while security forces and the Rapid Response Forces, formerly known as the Janjaweed militia, attempted to remove the barricades. Most companies and offices in the Khartoum are closed for the second day in a civil disobedience campaign aimed at forcing the country's generals to turn over power to a civilian body. It has been reported that workplaces outside the capital are also closed and public transit has come to a near halt, with the exception of a few private cars moving travellers. Doctors are only dealing with emergency cases.⁵

The TMC attempted to minimize the impact of the general strike. In a statement issued on the evening of the second day, it claimed that citizens "did not respond to calls for civil disobedience and insisted on going to their places of work despite the obstacles and barriers." The statement went on to say that the TMC regretted that the FDFC had taken "this escalatory step, which with its practices has crossed the bounds of peacefulness and hollowed out the revolution's slogans of meaning. It has now become a major security burden on the country." The statement added, "The FDFC's closure of roads and the construction of barricades contravenes the law, norms, and religion, oversteps the bounds of political practice, and constitutes a fully realized crime."⁶ As the polarization between the military and the people intensified, it became clear that everyone was moving toward an all-out, zero-sum confrontation.

The Ethiopian Role

At this point, the Ethiopian prime minister arrived in Khartoum to mediate between the military and the revolutionary forces.⁷ The military ignored the initiative while the FDFC set several conditions, most importantly an international investigation of the massacre, accountability for those responsible, and the removal of RSF militias from cities.⁸

In the meantime, the FDFC called for massive demonstrations on 30 June all over Sudan, mobilizing effectively despite the lack of internet service. People took to the streets on 30 June, the thirtieth anniversary of Omar al-Bashir's rule, in unprecedented numbers suggesting that no one stayed at home. Families brought their children and even physically disabled people turned out, embodying the Sudanese expression "The blind man came carrying the lame." Demonstrations by deaf people were particularly noteworthy.

The demonstrations went ahead despite the heavy deployment of security forces and the RSF, which sought to intimidate the populace to deter participation. The demonstrations were the largest since the revolution began and perhaps the largest in Sudan's history. The people realized the magnitude of the challenge and readied themselves, prepared to die for the cause if necessary. The determination was palpable, as demonstrated by the most popular chants of the crowds: "Ready your shroud: it's you or the nation" and "Either we vindicate them or we die like them," referring to the revolution's martyrs.

Message Received

The military received the message of the demonstrations; seeing the determination of the people and their readiness for sacrifice, they realized it was impossible to defeat them. The same day, the military declared it was ready to resume negotiations, in line with the proposals of the Ethiopian mediators.⁹ Negotiations resumed on 4 July and culminated in the signing of a constitutional document on 4 August 2019, in the presence of the Ethiopian and African mediators and representatives of Arab, African, and European states.¹⁰ Celebrations of the signing marked the beginning of the transitional period in Sudan, and the warmth with which the Sudanese people greeted the Ethiopian prime minister is an indication of the positive role he and the African Union played in mediation. Naturally, all of these stances had an impact on the popular mood and public opinion, which became more open and well-disposed toward Africa and called for leaving the Arab League.

Sleeping with the Enemy

The balance of power between the military, which possesses the legitimacy of the gun, and the FDFC, which has the political legitimacy given to it by the Sudanese street, imposed a state of coexistence between the killer and the victim, enemies now sleeping in the same bed. The FDFC

was compelled to pay such a steep price to avoid further bloodshed and a spiral into violence and anarchy—a condition that the military, security forces, and various militias tried to goad the revolutionaries into throughout the months of the revolution. The revolutionaries successfully averted that scenario. The current partnership inevitably serves some interests of the military, militias, and parts of the old regime; and will necessarily delay or hinder the transition to democracy.

Transition Challenges

Article 7 of the constitutional declaration defines the tasks of the transitional period, enumerated as 16 objectives designed to address the ruin left by thirty years of al-Bashir's government. It starts with the achievement of peace and includes addressing dysfunctions in the civil service and military institutions to make them genuine national, rather than partisan, institutions. It also includes repealing laws that restrict liberties and building an independent judiciary.

Challenges to the transition include the so-called deep state, both the civilian and military apparatus, as well as the interference of the regional axis and their heavy influence on the military coupled with the urgent need for their economic support at this stage. There is also the poor economy and standard of living, a dilapidated health and educational system, deteriorating infrastructure and natural environment, and a generally impoverished intellectual and cultural environment.

The Security Apparatus

The numerous security agencies, an ideological military, the RSF, and a key regional axis constitute the biggest threats to the transition in Sudan. The weakest point in the constitutional declaration is that it leaves the reform of the military and security apparatus in the hands of the military, which has a vested interest in the status quo. All of these security institutions command massive financial empires that have enriched top-ranking generals and turned the institutions into hotbeds of corruption.

These financial empires are fully independent of the Finance Ministry and the Central Bank and are not subject to public oversight. The institutions themselves are not transparent; they are shrouded in mystery and scant hard information about them is known. What is known is these empires enjoy customs and tax breaks, hold a monopoly on some national resources like gold, and have been granted privileges and benefits that have deprived the public treasury of billions of dollars. They have also enjoyed total freedom to conceal assets and move them abroad. In addition, the security apparatus combined gobbles up some seventy percent of the state budget.¹¹

A report issued by the US-based Enough Project stated:

The predominance of “grey companies” in the economy of Sudan was compellingly documented in a confidential briefing by a well-placed regime insider, Musa Karama, an outspoken Islamist currently serving as federal Minister for Trade and Industry, to the Economic Officer at the U.S. Embassy in Khartoum in March 2008. The briefing, later made public by Wikileaks, showed that these grey companies are either government-owned or semi-public—capitalized with public funds but “entrusted” to individual Islamists to run them on behalf of the ruling National Congress Party (NCP); the NCP’s grassroots organizations for youth, students, and women; or as money-making arms of Islamic charities. The grey company mechanism has made it possible for the National Intelligence and Security Service (NISS), Sudan Armed Forces, and the Ministry of Interior to be dominant operators in the Sudanese marketplace, including in the telecommunications, media, banking, mining, oil, and agro-industrial sectors.¹²

Rapid Support Forces

Perhaps the largest of these empires is that run by the RSF, formerly known as the Janjaweed. By dint of an odd law, the RSF is subordinate to the supreme commander of the armed forces but it simultaneously retains absolute independence. The RSF is led by former camel trader Mohamed Hamdan Dagalo, known as Hemetti, who was given the rank of general.¹³ The RSF’s sources of wealth include gold mining—it has a monopoly on Mt. Amer in northern Darfur, the biggest goldmine in the country, and its companies are involved in gold exploration elsewhere, including in south and east Darfur. Among RSF enterprises are a road construction company and a limousine company; it also supplies fighters for the war in Yemen.¹⁴

With the blessing of the old regime, the RSF acted as mercenary force trading in human capital. Tens of thousands of young Sudanese men were conscripted for the Yemen war in exchange of billions of dollars for the RSF.¹⁵ One indication of the vast resources at the disposal of the RSF was given by their commander, Hemetti. In a press conference on 27 April, he said he was able, through that empire, to cover the people’s needs and pay off some of Sudan’s debts. He also claimed to have paid “\$1.27 billion to the government.”¹⁶ The RSF has become a state within a state and occupies a position analogous to Hezbollah in Lebanon. It is a ticking time-bomb that must be approached with extreme political savvy.

Necessary Steps before Treatment

Entrusting the reform of the security apparatus to the military will not bring reform. Reforming that apparatus and bringing it under civilian control is a major condition for removing Sudan’s

name from the list of state sponsors of terrorism because those conditions provide for a unified treasury, Finance Ministry and Central Bank control of the movement of funds, and the elimination of avenues for money laundering and terrorism funding.

Even before that, the bloated security apparatus—and the fact that it claims seventy percent of GDP—is a heavy burden on the state budget, hindering the transitional government's ability to address the economic crisis and implement its emergency program to stabilize the Sudanese economy and offer relief to ordinary citizens. Yet, the military and security budget cannot be reduced except with the approval and cooperation of military leaders. So, the big question—the elephant in the room, in fact—is how this can be done without a confrontation between the civilian and military wings of the government.

Addressing this dilemma requires treating it holistically as a national problem that concerns all of society rather than leaving it to the government alone to resolve. There must be a comprehensive national dialogue on the issue to inform the citizenry and mobilize society to hem in the security apparatus. Secondly, lessons should be drawn from other states, and the international community should be involved in addressing the issue.

Thirdly, the reform of the security apparatus must be associated with peace. Peace will be achieved by turning armed movements into a national army. With the army as part of the revolutionary forces, it would correct the current power imbalance between the revolutionary forces (that is, the defenceless populace) and the counterrevolutionary forces of the army, RSF and the security agencies, all of which are associated with the old regime. Peace would result in the building of a unified national army whose size, arms, tasks, budget, and credo are decided upon by everyone.

Axis States

The Sudanese people were able to defeat the coup with their unity and persistence. The countries of the regional axis were persuaded, under pressure, to accept the military-civilian partnership. Nevertheless, Sudanese view these states with suspicion and apprehension. It is widely believed that these states will not allow a democracy in Sudan and will continue to conspire with the military to undermine the country's nascent democracy, which must find its way through a minefield of possible economic collapse and armed, wealthy Islamic forces lying in wait.

The country faces a seemingly insoluble predicament: Sudan needs economic support, and the axis states are ready to offer this support. The price, however, is wagering the country on these states and involvement in the morass of Yemen and Libya. Doing so would undermine one of the major goals of the revolution—independence and the return of Sudanese soldiers from Yemen. Pragmatists advocate going along with the conditions inherited from the previous regime and then gradually making changes when the democracy becomes stronger; idealists advocate self-reliance and harnessing local capacities and Sudanese energies. Nonetheless, it is clear that the transitional government is leaning toward the pragmatists.

Transitional Period

We are currently in the fourth transition in Sudan's modern history, three of them ultimately failed. The first, following the October 1964 revolution, was led by teacher Sirr al-Khatim al-Khalifa and was supposed to last one year, but the assumption of power by sectarian parties brought the government down in less than a year.¹⁷ Though they thirsted after power, the parties could not keep it, and the May 1969 coup came before the government had concluded its term.

The second transition followed the April revolution that brought down then-president Gaafar al-Nimeiry and was led by a doctor, Al-Jazuli Daf'allah, who was the head of the Doctors Syndicate. The transition lasted a year and culminated in general elections, won by the Umma Party, headed by Sadiq al-Mahdi. Before a year passed, in June 1989, al-Mahdi's brother-in-law, Hassan al-Turabi, staged a coup, bringing al-Bashir to power. The third transition followed the comprehensive peace treaty in 2005 and lasted five years. This period failed to achieve its two primary objectives: bringing peace and maintaining the territorial unity of the country. South Sudan seceded and war returned to South Kordofan and the Blue Nile.

This is the fourth transition. Will it achieve the goals set forth in the constitutional document? Can it establish an enduring democracy? Will it establish the rule of law to which the Sudanese aspire? Can it bring justice and accountability for those responsible for war crimes and crimes against humanity? The transitional period this time is three years and three months. The government of Dr. Hamdok is supported by popular consensus, and it is not lacking in political will but it could be hindered by the practical difficulties it faces. It has inherited an entirely dysfunctional judicial system, filled with the type of judges described by Professor Mahmoud Mohammed Taha as "technically unqualified and morally compromised enough to put themselves under the thumb of the executive which uses them to squander rights." The judiciary needs to be built up from scratch.

The government has also inherited a weak public prosecution, thoroughly politicized and domesticated by power. Add to this the landmines represented by the military element, the deep state, and the Islamist movement, as well as the economic crisis. The government is determined to prosecute crimes. It has begun forming a fact-finding committee into the massacre in front of the General Command, yet although the government began operating two months ago, it is still moving slowly. A new chief justice and public prosecutor have been appointed, both of them with the requisite ethical and technical qualifications, and they have been tasked with reforming these two institutions. Some time is required for reform before the trials begin; the people understand these difficulties and are waiting patiently. Nevertheless, they and the resistance committees are determined to ensure justice for all crimes and prevent impunity.

Conclusion

The Sudanese people staged a great revolution and ridded themselves of one of the worst regimes in the world. It was a fascist, Nazi-like regime that cloaked itself in religion. Although the

revolution did not go as far as it could, it secured a degree of sustainability with the revolutionaries' refusal to leave the square. This ongoing revolution is recalcitrant with its foes and will achieve its objectives, even if it requires some time.

About the Author

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